

“ Read a letter from Mr. Hamilton Rowan to the Secretary of this society.

“ Ordered, That the said letter be entered in the books of this society.

“ Mr. Hamilton Rowan presents his compliments to Mr. Adams; he did intend to have done himself the pleasure of waiting on him, but has been so intolerably hurried by private business as to have been prevented from his purpose, and fears he shall not have it in his power before he leaves this town for Ireland, which will be either on Monday evening or early on Tuesday morning. He knows that no more pleasurable sensation can be received by Mess. Butler and Bond, as well as by all those gentlemen who are acting with them, and who, though not under present, are liable to future prosecution, than the countenance and support of those who are really engaged in the cause of man in general, and such we believe the members of the Society for Constitutional Information to be, and as such H. R. in particular will remember the kind fraternity with which he had the honour of being received by them; and, as a member of the United Irishmen of Dublin, would be happy to have it in his power to return the compliment in his own country.

“ Osborne’s Hotel, Adelphi, April 7, 1793.”

*Mr. Erskine.* My Lord, it is now ten o’clock at night, and my learned friend Mr. Gibbs feels himself to extremely indisposed, that an adjournment would be extremely desirable to him; your Lordship will recollect that the prisoner’s counsel have a much harder duty to perform than the gentlemen on the other side, because their number being so great, one can be occasionally absent for a whole day; but there being only two for the prisoner, neither of them can be spared.

*Lord Chief Justice.* We are sorry, Mr. Gibbs, for the cause of your application, but we had rather give you an hour to-morrow, unless you have occasion to consult. I am sure neither Mr. Erskine nor your client will object to your retiring now.

*Mr. Erskine.* My Lord, I certainly wish Mr. Gibbs to retire now; I ask no indulgence for myself; all I ask is, that when the evidence for the prosecution is closed, your Lordship will allow us some time to bring this chaos of evidence into form, before we are called upon for our defence.

*Mr. Garraw.* We are disposed to do every thing that is reasonable for the accommodation of the prisoner’s counsel, but we cannot make any promise on that point before-hand. I hope the Court will not be drawn into an answer to that hastily.

*Lord Chief Justice.* We are disposed to give every reasonable allowance that public justice will admit of. I said yesterday it would be quite impossible to set a precise time; we shall be able

to judge when the moment comes, in which it will be proper for you to make your defence. I will allow you as much indulgence as possible—in the mean time the counsel for the Crown may go on with their evidence.

*Mr. Garrow.* We will now read the answer which the last minutes speak of, as prepared by Mr. Frost to be sent to Birmingham.

*Q. (To Maclean.)* Did you find that paper at Mr. Adams's house?

*A.* Yes, I did.

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

“ SIR,

16th April, 1794.

“ We have to acknowledge, with great satisfaction, the letter which you favoured us with, dated the 5th instant, relative to the most desirable of all other objects, the reform of parliamentary representation. The honour you do us in supposing that we are better fitted than yourselves for the promotion of political knowledge we must disclaim, because we observe with the greatest pleasure that our country correspondents have too much zeal and information to want success in their public endeavours, whether at Norwich, at Sheffield, at Manchester, or elsewhere throughout the nation. In our sincerity for the good of our country we trust that we are all equal, and as such we doubt not of our ultimate success.

“ We see, with sorrow, the existence of those evils which you so justly represent as the streams of corruption overflowing this once free and prosperous country. We see, with surprize and abhorrence, that men are to be found both able and willing to support those corruptions. It is, however, no small consolation to find that others are not wanting, in every point of the nation, of an opposite character, who are ready to remedy, by all laudable and honourable means, the defect in our representation, the usurped extension of the duration of parliaments, and other grievances, such as you notice in your letter.

“ That the constitution of England has no more of that character it once possessed; that the supposed democracy of the country has become a matter of property and privilege; and that we have therefore no longer that mixed government which our adversaries are praising, when they know it is no longer in our possession, are facts notorious and indisputable. Where then are we to look for the remedy? To that parliament of which we complain, to the executive power, which is implicitly obeyed, if not anticipated, in that parliament; or to ourselves, represented in some meeting of delegates for the extensive purpose of reform, which we suppose you understand by the term *Convention*.

“ It

“ It is the end of each of these propositions that we ought to look to; and as success in a good cause must be the effect of perseverance, and the rising reason of the time, let us determine with coolness, but let us persevere with decision. As to a convention, we regard it as a plan the most desirable and most practicable, so soon as the great body of the people shall be courageous and virtuous enough to join us in the attempt.

“ Hitherto we have no reason to believe that the moment is arrived for that purpose.—As to any petition to the Crown, we believe it hopeless in its consequences.—With respect to the last of your proposals, we are at a loss to advise. If the event is looked to in the vote which may be obtained from that body to whom this petition is to be addressed, which of us can look to it without the prospect of an absolute negative? in this point of view therefore it cannot require a moment’s consideration. But if we regard the *policy* of such a petition, it may, in our apprehension, be well worth considering as a warning voice to our present legislators, and as a signal for imitation to the majority of the people. Should such a plan be vigorously and generally pursued, it would hold out a certainty to our fellow countrymen that we are not a handful of individuals unworthy of attention or consideration, who desire the restoration of the ancient liberties of England; but, on the contrary, it might bring into light that host of well-meaning men, who, in the different towns and counties of this realm, are silently but seriously anxious for reformation in the government.

“ We exhort you, with anxiety, to pursue your laudable endeavours for the common good, and never to despair of the public cause.

“ We are, &c.

“ Signed by order, in the name of the Society for

“ Constitutional Information,

“ D. ADAMS, Secretary.”

*Mr. Garrow.* I will now put in a letter, the original of which was found in the possession of the Secretary of the Norwich Society; it is a draft sent from the Norwich Society to the Constitutional Society for their approbation.

JAMES WALSH sworn—examined by Mr. GARROW.

Q. Did you go for the purpose of apprehending Mr. Saint; the Secretary of the Norwich Constitutional Society?

A. No, I did not. I was present when the warrant was executed.

Q. Did you see any papers seized?

A. I seized them myself.

Q. Did you put your name upon them?

A. Yes.

Q. In

Q. In his house ?

A. Yes.

Q. Is that one of them ? (*A paper shewn him.*)

A. I took this paper with others, in his house. It is addressed to Mr. J. Broughton, St. Mary's church, Strand.

Q. Can you prove the hand writing ?

A. I cannot.

(*The Clerk reads.*)

“ At the meeting of the Society for Constitutional Information, held at the Crown and Anchor Tavern, Strand, Friday, 25th of October, 1793, Present, Mr. Bryan in the chair, &c.

“ Read a letter from Mr. Purser the Secretary to the Society for Constitutional Information at Coventry, accompanied with some addresses from the said society.

“ Resolved, That the thanks of this society be returned to the Coventry society for their communication.

“ Mr. Sinclair read a letter with an address from Mr. Skirving, secretary to the Convention of the Friends for the People, in Scotland, to Mr. Hardy the secretary to the London Corresponding Society.

“ Resolved, That an extraordinary general meeting of this society be called for Monday next, at the Crown and Anchor Tavern, at six o'clock in the evening, to consider the utility and propriety of sending delegates to a convention of delegates of the different societies in Great Britain, to be held at Edinburgh, for the purpose of obtaining a parliamentary reform.

“ Resolved, That the substance of the motion be inserted in the letter.”

(*The Clerk reads.*)

“ At an extraordinary general meeting of the Society for Constitutional Information, held at the Crown and Anchor Tavern, Strand, Monday, 28th of October, 1793. Present, Mr. Sinclair in the chair, &c.

“ Read addresses to the Friends of the People for parliamentary reform, signed William Skirving, secretary to the general convention at Edinburgh.

“ Resolved, That this society do send delegates to the ensuing convention to be held in Edinburgh, for promoting a reform in parliament.

“ Resolved, That two members of this society be elected as delegates to the said convention.

“ Resolved, That the secretary do deliver to the delegates appointed by this society, to represent them in the convention at Edinburgh, copies of the proceedings of the 25th and 28th instant, by which they are appointed to that office.

Q9

“ Instructions

“ Instructions to the delegates.”

*Mr. Garrow.* It may be necessary to put in the original draft of those instructions in which there are material alterations.

*Mr. Adams called in again.*

*Mr. Garrow.* Look at that (*a paper shewn*) and see if the signature is yours.

*A.* Yes, it has my name on it amongst others.

*Q.* In whose hand writing is the letter itself?

*A.* It is my own, all of it except the names of the messengers.

*Q.* Be so good as look if this is the draft of the instructions, originally prepared for the delegates, and, from which your entry was afterwards made?

*A.* I cannot take upon me to say, from the length of time.

*Q.* It was found among your papers, we have heard?

*A.* Yes.

*Q.* Look at it and see what it purports to be, what do you take it to be?

*A.* I should not know, but there is my own hand writing at the bottom. Otherwise I should not recollect it at all.

*Q.* (*Looking at it.*) Do you believe it to be an original minute prepared to be transferred into the book of the society? Does it appear to be such an original minute?

*A.* It appears this paper was what I should transcribe, but it has so many interlineations since, that I cannot speak to it.

*Mr. Erskine.* Can you tell how it came interlined?

*A.* I cannot.

*Q.* Or whether you wrote another copy, that being interlined?

*A.* I cannot say that.

*Mr. Garrow.* If you see it agreeable to these corrections, would you not believe it then?

*Lord President.* That is reasoning him into a belief. He does swear that this is a rough draught.

*Q.* (*To witness.*) You don't know any of the interlineations?

*A.* I do not.

*Q.* You know the paper, for there is your own hand writing?

*A.* There is.

*Mr. Garrow.* What I propose to do is, as the fair copy is read, to point out to your Lordship, how it stood before these alterations.

It stood originally, Instructions to the delegates, “ the delegates were instructed, on the part of this society, to assist in bringing forward a petition or petitions to the House of Commons, for the purpose of procuring an enquiry in the said house, in the state of the representation of the subjects of Great Britain

tain in parliament." That is now struck out, I will now read it as it stands at present.

*(The Clerk reads.)*

"The delegates are instructed on the part of this society to assist in bringing forward and supporting any constitutional measures for procuring a real representation of the commons of Great Britain in parliament.

"That in specifying the redress to be demanded of existing abuses the delegates ought never to loose sight of the two essential principles, general suffrage and annual representation, together with the unalienable right in the people to reform, and that a reasonable and known compensation ought to be made to the representatives of the nation by a national contribution."

*Mr. Garrow.* It stood before "that they shall also demand in such petition or petitions a specific remedy for the past, present, and possible abuses in the present system of representation, and an avowal of the right of internal reform; that in specifying the principles upon which redress ought to be demanded, the delegates had particular relation to these expressed in Mr. Pitt's speeches before he was a placeman, in the Duke of Richmond's letter to Colonel Sharman before he was a minister, and Mr. Flood's speech upon his motion for a reform in parliament, but, above all, in the constitutional strictures contained in the defence of John Horne Tooke, at the suit of Charles James Fox, in an action for debt; and that the delegates do demand a right of voting for members of parliament in favour of all persons, not infants, paupers, lunatics, placemen or pensioners, and not incapacitated by crimes, and the voting ought only to be in places and districts of the residence of the voters; that the time of election ought to be short, and the collection of votes be made in as many different places in a district, immediately as may be convenient, or accurately taken, and at one and the same time; and essentially, and above all, the parliament ought to be annual."

*(The Clerk reads.)*

"That the delegates do punctually correspond with the society for the purpose of communication, information, and of receiving such further instructions as the exigency may require.

"Resolved, That the above be the direction to the delegates.

"Resolved, That seven guineas be allowed to each of the delegates for travelling, and a sum not exceeding three guineas per week, each, be allowed to them during the sitting of the convention of delegates; and that a subscription be now opened for that purpose, and that the secretary be requested to forward the same.

"Resolved, that the proceedings of Friday the 25th, and

Monday 28th of October, 1793, be signed by the chairman and secretary.

“ Resolved, That the secretary be requested to write to the different societies with which this society is in correspondence, informing them that the London Corresponding Society, together with this society, have elected delegates to the convention of delegates to meet at Edinburgh, on the 29th instant, and to request their concurrence in this important measure.”

*Mr. Garraw.* We will pass over the meeting of the 6th of December, and come to the 17th of January.

*(The Clerk reads.)*

“ At a meeting of the Society for Constitutional Information, held at the Crown and Anchor Tavern, Strand, 17th of January, 1794, Present, Mr. John Horne Tooke in the chair, &c.

“ Resolved, That law ceases to be an object of obedience whenever it becomes an instrument of oppression.

“ Resolved, That we recall to mind, with the deepest satisfaction, the merited fate of the infamous Jeffries, once Lord Chief Justice of England, who, at the æra of the glorious revolution, for the many iniquitous sentences which he had passed, was torn to pieces by a brave and injured people.

“ Resolved, That those who imitate his example deserve his fate.”

“ *Mr. Tooke having left the chair, Mr. Gerald was called to it.*

“ Resolved, That the Tweed, though it may divide countries, ought not and does not make a separation between those principles of common severity in which Englishmen and Scotsmen are equally interested, that injustice in Scotland is injustice in England, and that the safety of Englishmen is endangered whenever their brethren of Scotland, for a conduct which entitles them to the approbation of all wise and the support of all brave men, are sentenced to Botany Bay, a punishment hitherto inflicted only on felons.

“ Resolved, That we see with regret, but we see without fear, that the period is fast approaching when the liberties of Britons must depend not upon reason, to which they have long appealed, nor on their powers of expressing it, but on their firm and undaunted resolution to oppose tyranny by the same means by which it is exercised.

“ Resolved, That we approve of the conduct of the British Convention, who, though assailed by force, have not been answered by argument; and who, unlike the members of a certain assembly, have no interest, distinct from the common body of the people.

“ Resolved, That a copy of the above resolutions be transmitted

mitted to citizen William Skirving, secretary to the British Convention, who is now imprisoned under colour of law, in the Tolbooth of Edinburgh.

“ Resolved, That the resolutions now passed, be published in the newspapers.

“ Resolved, That the resolutions now passed, be signed by the chairman and secretary.

“ Read a letter from Mr. Hardy, secretary to the London Corresponding Society.”

*Mr. Garrow.* That letter of Mr. Hardy's was read this morning, stating an anniversary dinner at the Crown and Anchor Tavern, on the 20th of January.

*Mr. Erskine.* Yes, that was read this morning.

*(The Clerk reads.)*

“ At a meeting of the society for Constitutional Information, held at the Crown and Anchor Tavern, Strand, Friday 24th January, 1794, present Mr. John Pierson in the chair, &c.

“ A motion was made, that it be resolved that the *most excellent* address of the London Corresponding Society be inserted in the books of this Society, and that the King's Speech to *his* parliament be inserted *under* it, in order that they may be both always ready for the perpetual reference of the members of this society during the continuance of the present *unfortunate* war; and that (*in perpetuam rei memoriam*) they may be printed together in one sheet, at the *happy* conclusion of it; which happy conclusion, according to the present prosperous appearances, we hope and believe not to be many months distant.

“ An amendment was moved, that between the words (*his*) and (*Parliament*) the word (*honourable*) should be inserted. *Honourable* was withdrawn, and another amendment was then moved, that between the words (*his*) and (*parliament*) the word (*faithful*) should be inserted, *faithful* was withdrawn.

“ And it was unanimously resolved, that *bis* and *his* only is the proper epithet for parliament upon the present occasion.

“ The resolution then passed unanimously in its original form.

“ Resolved, That the London Corresponding Society have deserved well of the country.

“ Resolved, That the Secretary be ordered to cause 40,000 copies of the address, the speech, and these resolutions to be printed in one sheet and properly distributed in England, Ireland, and Scotland.

“ Resolved, That the thanks of this society be given to Earl Stanhope, for endeavouring to put a stop to the present unfortunate war.

“ Resolved



“ Resolved, That these resolutions be published in the newspapers.”

*(Mr. White reads.)*

“ At a meeting of the Society for Constitutional Information, held at the Crown and Anchor Tavern, Strand, 7th February, 1794, present Dr. Kentish in the chair, &c.

“ Ordered, That a copy of the resolutions passed at the meeting, 24th January last, be sent to the Edinburgh Gazetteer, for insertion, together with a copy of the several resolutions received by this society, from the London Corresponding Society.

“ It was then moved, that a circular letter be sent to each section of this society, requesting their assistance for the fund subscribed for them imprisoned at Edinburgh.

“ Resolved, That the Secretary be desired to write the said letter.”

*(The Clerk reads.)*

“ At a meeting of the Society for Constitutional Information, held at the Crown and Anchor Tavern, Strand, 7th March, 1794, Mr. Frost in the chair.

“ Mr. Tooke gave notice that he would, at the next meeting of this Society, move, that two books should be opened, one of them bound in black, in which shall be entered all the enormities of those who deserve the censure; and in the other, the merits of those who deserve the gratitude of the society.”

*(The Clerk reads.)*

“ At a meeting of the Society for Constitutional Information, held at the Crown and Anchor Tavern, Strand, 28th March, 1794, Mr. John Pierfon in the chair.

“ Read a letter from the London Corresponding Society.

“ Resolved, That the same be entered on the books of the Society, (*See the Letter and Resolutions thereon, pages 151, 152; and 153 of this work.*)

“ 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.”

*(The Clerk reads.)*

“ At a meeting of the Society for Constitutional Information, held at the Crown and Anchor Tavern, Strand, Friday, 4th April, 1794, Mr. Simmons in the chair.

“ Read a letter from the committee of the London Corresponding

Corresponding Society, acquainting this society, that they had deputed John Baxter, John Thelwall, Richard Hodgson, Matthew Moore, John Richter, and John Lovett, to hold a conference with the members of this society. Five persons, Mr. Moore, Mr. Hodgson, Mr. Thelwall, Mr. Lovett, and Mr. Baxter, attended from the London Corresponding Society.

“ Resolved, That a delegation of five members of this Society be appointed to meet the members deputed by the London Corresponding Society.

“ Resolved, That this deputation do confer with the deputies of the London Corresponding Society.

“ Resolved, That there be appointed a Committee of Correspondence of the members of this Society.

“ Ordered Mr. Joyce, Mr. Pierson, Mr. Bonney, Mr. Sharpe, and Mr. Tooke, do compose the Committee.”

*(The Clerk reads )*

“ At a meeting of the Society for Constitutional Information, held at the Crown and Anchor Tavern, Strand, 11th April, 1794, present Mr. Tooke, Mr. Joyce, &c. made a report of the delegates of the London Corresponding Society, for the purpose of this society co-operating with the London Corresponding Society, and that they had come to the following resolutions :

“ Resolved, That it appears to this committee very desirable, that a general meeting or convention 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.

“ Resolved, That it is recommended to the Society for Constitutional Information, and the 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.

“ Resolved, That it appears to this committee that the general object will be much 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 authorised by their respective societies to act with such committees.

“ Read the following letter from the society to the London Corresponding Society, April 10, 1794.

“ CITIZENS,

“ I am ordered by the committee of delegates of the London Corresponding Society to inform the Society for Constitutional Informa-

Information, that they approve of the resolutions of the committee of conference.

“ Therefore, the London Corresponding Society have chosen (five persons) to put in practice immediately the second and third resolutions of that committee.

“ (Signed) THOMAS HARDY, Secretary.

“ Addressed to Mr. D. Adams, Secretary to the Society for Constitutional Information.”

“ Resolved, That the report of the committee of delegates from the London Corresponding Society, and of this society, be entered on the books of this society.

“ Resolved, That it appears to this society, very desirable, that a 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.

“ Resolved, That it appears to this society, that the general object will be much promoted if a standing committee of co-operation 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 committees.

“ Resolved, That the committee of correspondence, already appointed by this society, be the committee of co-operation and communication with the committees of other societies.

“ Ordered, That the Secretary be desired to send a letter to the London Corresponding Society, acquainting them with the members of this society appointed to confer with them:

“ Resolved, That Mr. Joyce be requested to accept of the office of Secretary to the Committee of Correspondence.

“ Mr. Joyce being present, accepted of the said office.”

*(The Clerk reads.)*

“ At a meeting of the society for Constitutional Information, held at the Crown and Anchor Tavern, Strand, May 9, 1794, Present, Mr. Wardle in the chair, &c.”

*Mr. Garrow.* This is merely introductory to the proof of some letters, which I shall put in by and by.

*(The Clerk continues reading.)*

“ Read a pamphlet, containing certain proceedings of the London Corresponding Society, and of this Society.

“ Resolved, That two thousand of the same be printed by this society.”

*Q. (To Maclean)* Look at this, and see if you found it among Mr. Adams's papers?

*A.* Yes, I did.

*Mr. Garrow.* This is one of the pamphlets which the last resolution

resolution directed the publication of, and which was found in the possession of Mr. Adams, secretary to that society; it is a letter from the London Corresponding to the Constitutional Society, with their resolutions enclosed.

*Mr. Erskine.* Those things having been already read, I should be sorry to insist upon the Court and Jury hearing it again, but at the same time, when the context is forgotten, I cannot tell; but, though your Lordship and I may have a recollection of it, the Jury may not. When you read things detached, it gives different ideas.

*(The Letter of the 27th of March, 1794, was then again read, as before inserted, and the resolutions thereupon.)*

Then it is resolved, at that meeting, to send an address to Messrs. Muir, Palmer, Margarot, and Gerald; in which they informed them, "Though they had been so long silent, still it had not proceeded from unconcern at their situation, for they had marked their enemies with honest indignity, and that they should have attained to a full and fair representation of the people, for which they were prepared to act with magnanimity, they would again receive them on the British shore."

There was also read two answers to the above address, directed to the Constitutional Society from Palmer, Skirving, and Muir.

*Lord President.* I am sorry at the close of the second day, to be in the situation that we are; I cannot think of detaining you all night without refreshment.

*One of the Jury.* My Lord, the refreshment we stand in need of does not depend upon meat and drink: it is impossible for us to remain in the situation in which we were last night: my Lord, we are very sensible of your goodness, but we beg leave to inform your Lordship, that the accommodation of the place is so bad, we must represent our situation: We have been forty hours without taking off our clothes, we want rest; it is necessary to the preservation of our health, even to enable us to go on with the trial; we intreat, therefore, that we may be permitted to go home?

*Mr. Erskine.* I am very willing that the gentlemen should go home, at all hazards, taking their word of honour that they will not be approached by any one upon this cause; I am certainly ready to admit that they should go home on the part of the prisoner. The gentlemen have said, they have been forty hours in their clothes, and feel an inconvenience from it, and my case is not yet commenced, which will take not only an equal length of time, but a greater, if it is necessary; and not time merely but an equal attention, which requires a firmness of mind,

which firmness of mind can only be preserved by a strength of body, in order to enable my Lord and Jury to attend to it; the case is now to parole evidence, which will take up a deal of time to-morrow. I must be prepared, undoubtedly, whenever your Lordship calls upon me; all that I can say, is, that I am ready to do whatever is most convenient to the administration of justice and the Court.

*Mr. Garrow.* The observation my learned friend is now making, was made yesterday; it cannot be supposed that my learned friend, or any body else, wishes to be understood, that on the part of the prisoner there is a greater disposition to engage in this most arduous proceeding, than in those who are charged with this prosecution on the part of the public. My Lord, the dispersion of the Jury does not rest with us, but it was discussed upon constitutional ground: the subject discussed yesterday does not depend on us, whether we are to give or withhold an assent to the dispersion of the Jury; but it was considered on the grounds of the law and constitution; it is much to be lamented that the gentlemen should be ill-provided for; no intimation of the renewal of the suggestion on the part of the prisoner, had been intimated in the course of the day. I, for one, feel myself very unfortunate, I thought it my duty to insist upon the learned gentleman withdrawing, who has been charged with the care of this prosecution, and whose most extraordinary exertions, yesterday, were witnessed by the Court; I feel myself, therefore, embarrassed upon the subject; I have no difficulty, however, in saying this, that my learned friend cannot go one step beyond me, or my learned leader, the Attorney General, in the sense they entertain, that this Jury, if they should be permitted to depart, that is, if the law should permit them to depart, may be most safely entrusted here, any where, at any distance, for any length of time; if the Court feel that they can with security do it, if the Court feel that not only guarding against all wilful attempts towards a mis-trial, which I do not suspect on the part of the Jury, but guarding against accidents which may befall any man, under the circumstances of leaving this place, if the Court feel they can do it, I have no objection; I am just as ready to consent to what may be legally and safely done for the accommodation of the gentlemen of the Jury, as my learned friend, or any man can be.

*Mr. Erskine.* I believe that nothing that fell from me can bear any thing like an attack on Mr. Attorney-General.

*Mr. Garrow* replied, it was true, he had not, but he had a right to manifest his attentions.

*Lord President.* You only add to the uneasiness in our minds by such conversation. This subject was discussed yesterday, and we

we have all the disposition to do every thing in the world for the accommodation of the Jury. There were then solid, serious doubts arose, or rather it was the opinion of the Judges, that they could not safely permit the Jury to separate; that being so, all they could do was to make it their particular request, and I am persuaded the Sheriff went so far as he could toward their accommodation, and I would do all in my power for them.

*One of the Jury.* My Lord, it is not possible under this roof, there is not that accommodation which we want, namely, beds; we were last night all in one room upon matresses, where it was impossible we could get rest.

*Lord President.* Is there any house in the neighbourhood where they can get beds?

The London coffee-house was then mentioned.—It was said, that house was engaged and filled with witnesses for the Crown. The York Hotel in Bridge-street was mentioned; and, at length, it was suggested that at the Hummums in Covent-garden, they might all be accommodated with separate rooms and beds, and the Sheriffs undertook to conduct them thither, and three bailiffs were sworn to keep them in custody, which they did in three coaches.

*A Furyman* said, that the officers appointed the night before had taken such especial care, that they could not even get shaved; they had not suffered a razor to approach them.

*The Lord President* said, that if a razor did find its way among them, he should not ask how it came there.

A short conversation took place about the time necessary to be given Mr. Erskine to look over the mass of evidence which had been adduced by the Crown; and, after some altercation, in which Mr. Erskine said he desired no favour, he only wished for the course the most likely to further public justice, it was agreed to adjourn to eleven o'clock the next day.

[*End of the Second Day.*]

THURSDAY MORNING, OCTOBER, 30, 1794.

The Court met at eleven o'clock,

P R E S E N T,

THE LORD CHIEF JUSTICE, LORD PRESIDENT;

THE LORD CHIEF BARON, | MR. JUSTICE BULLER,  
MR. BARON HOTHAM, | MR. JUSTICE GROSE.

*Mr. Attorney General.* I am now going to produce to your Lordship some papers found in the possession of the prisoner at the bar, as far back as the 30th of April, 1792; by which it will appear that the prisoner, Mr. Margarot, Mr. Martin, Mr. Richter, and Mr. Vaughan, were at that time chosen delegates of the London Corresponding Society; and Mr. Vaughan, and one or two others were appointed to draw up the constitution of the society. And I shall then call some witnesses to prove, that Mr. Hardy desired that constitution to be drawn up.

JOHN GURNELL, sworn.

*Mr. Attorney General.* Look at these papers (*some papers shown him*) where did you find them?

*A.* In Mr. Hardy's possession.

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

Dated Monday 30th April, 1792. "London Corresponding Society, Division, No. 7. Held at the sign of the Coach and Horses, Lincolns-Inn Fields; James Sheriff in the chair.

"Resolved unanimously, That Maurice Margarot be appointed our delegate to the standing committee of the several divisions of the Corresponding Society; and that the said delegate shall continue in office during the space of three months to this day.

"That this resolution be signed by the chairman, and transmitted to the president of the committee. Signed by order, James Sheriff, Chairman."

*Q.* (*To Gurnell*) Did you find this at Mr. Hardy's? (*a paper shown him.*)

*A.* I did.

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

"To the delegates of the London Corresponding Society, at a meeting of the second branch of the aforesaid society, held at the Blue Posts, in the Hay-Market, Mr. Macneil in the chair. It was unanimously resolved,

1st "The proceedings is to go by rotation.

2d. "That David Rowland was unanimously elected secretary.

3d. "Mr. Martin was unanimously elected delegate for this society, for three months from the date hereof. By order of the society. April 30, 1792, D. Rowland, Secretary."

(*Mr.*

(*Mr. Lauzun called in.*)

*Mr. Attorney General.* Did you find that paper any where?  
(*a paper shewn him.*)

*A.* I found it in Mr. Hardy's house.

(*The Clerk reads.*)

November 5, 1792. "This is to certify, that the division No. 16, of the London Corresponding Society, have chosen John Baxter, our delegate. Edward Jones, chairman, E. Gray, secretary."

*Q.* Did you ever see that before? (*a paper shewn him.*)

*A.* Yes.

*Q.* Where did you find it?

*A.* In Mr. Hardy's house.

(*The Clerk reads.*)

Dated Thursday, 8th November, 1792. "On an application being made to the committee of delegates, of the London Corresponding Society, by John Richter, of division No. 6, for leave to institute a division of this society, in the neighbourhood of Knightsbridge. He is hereby authorized to do so in the course of next week, and make the division No. 19, of the London Corresponding Society. Signed, John Martin, chairman, Thomas Hardy, secretary.

"This is to certify, that John Richter is appointed delegate to the Corresponding Society of this 19th division. This first meeting in Knightsbridge, this 16th of Nov. 1792."

*Q.* (*To Gurnell.*) Where did you find this paper? (*a paper shewn him.*)

*A.* In Mr. Hardy's house.

(*The Clerk reads.*)

Dated 7th May, 1792. "Mr. Hardy, the bearer of this, is delegated by the division of the London Corresponding Society, which meets at the Bell, Exeter-street, Strand, and is authorized to assist at the committee, appointed to form a constitutional code of laws, for the government of the London Corresponding society. (Signed,) Robert Boyd."

*Q.* (*To Gurnell.*) Where did you find that paper, Mr. Gurnell? (*a paper shewn him.*)

*A.* In Mr. Hardy's house.

(*The Clerk reads.*)

Dated 30th of April, 1792. "Mr. Vaughan, the bearer of this, is delegated by the division of the London Corresponding Society, which meets at the Bell, Exeter-street, Strand; and is authorized to assist at the committee, appointed to form a constitutional code of laws, for the government of the London Corresponding Society. (Signed,) T. Hardy."

*Q.* Look at this paper, did you ever see it before? (*a paper shewn him.*)

*A.* Yes.



A. Yes.

Q. Where did you find it?

A. In Mr. Hardy's house.

(The Clerk reads.)

Dated April 3, 1792. No. 4, Taylor's Buildings, Chandos-street, Signed, Thomas Hardy. Addressed to Mr. Vaughan.

" SIR,

" I take the liberty to send you a few of the original papers for your perusal, this afternoon; if you see any thing in them worthy adopting for the approbation of the delegates to-morrow evening. Some of them are sweet flowers, and I hope you will be like the bee, draw a little from each; I wish you, if you see any propriety in it, to copy part of the preamble, that part that mentions the number of inhabitants, in each of those populous towns, that have not a single voice in chusing a member to represent them. I am sure it would have a good effect on the public; and likewise the rotten boroughs in Cornwall. When these papers were read in our society, in its infant state, (but by the by it is scarcely out of leading-strings now, but shall not a doubt remain with us), they were fired with indignation at such an injustice and unequal representation. Many never heard of any such thing. If our society was so affected by the same way of reasoning, tens of thousands of the people of this nation would be equally so, if they were informed of the existence of those evils. Thus some of them, in my opinion, are the most clear things that can be exhibited to the public. Excuse me for taking such liberty with you.

" I remain, Sir,

" Yours and the Society's zealous friend,

" THOMAS HARDY."

Q. (To Lauzun) Did you ever see that paper before?

A. Yes, in Mr. Hardy's house.

(Read by the Clerk of the Court.)

The Report of the Committee of Constitution of the London Corresponding Society. Printed for the use of the members. Sold by Thomas Spence.

" Knowing from experience, that those who (through the depraved state of what should be the representative body) are suffered to prey on the vitals of our country, derive the principal part of their success in opposing an equal representation, from the active circulation of falsehood respecting this and other similar societies, we think it adviseable that you should give an explicit declaration of your principles and wishes, which we conceive to be as follow:

1. " That all men are by nature free, equal, and independent of each other.

" 2. That

2. " That to enjoy all the advantages of civil society it is not necessary that individuals should relinquish more of their natural independence than is required to fulfil this injunction.

" Let the minority yield a friendly submission to the majority.

3. " That no majority, however great, can justly deprive the minority of any part of their civil rights:—wherever it is attempted the social bond is broken, and the minority have a right to resist.

4. " The civil rights of every individual are, equality of voice in the making of laws, and in the choice of persons by whom those laws are to be administered;—equality before the law, whether in claiming its protection or submitting to its sentence; freedom to publish his opinions, to exercise his religious worship without molestation or restriction, and to enjoy his property, subject only to such contributions as may be impartially levied for the good of the public service.

5. " Submission to any measure does not imply silence as to the propriety or impropriety thereof.

6. " Every power entrusted to a magistrate implies a responsibility for the exercise of that power.

7. " The foregoing are not new, but are the original principles of English government.

8. " The total departure from the principle of equality in the election of the legislative body, commonly called the House of Commons, is the chief cause why the people of Great-Britain are now deprived of the benefit of the foregoing principles, and in place thereof labour under a continued system of extortion and monopoly.

9. " *Corn Act*—is a grievance immediately resulting from the restriction of the choice of representatives to men of landed property; by it the price of bread in general is doubled, and sometimes much more than doubled; for whenever this country happens to be blessed with an abundant season, a part of the taxes, under which we groan, is applied to encourage the exportation and advance the price of corn. Thus we pay one tax to government, to give the landed man an opportunity of laying on another. The hackneyed pretence for this act is "the welfare of the farmer." The real intention of it is, to enable the monopolizers of farms to pay enormous rents.

10. " *Game Laws*—Though too evidently calculated to disarm the nation, may in general be attributed to the same restriction;—by them even the farmer, on whose property the game is fed, is robbed of every constitutional right of a Briton, and subjected to the brutality of a bashaw in the form of a country Justice, from whom there is no appeal.

11. “ *Excise Laws, and Stamp Duties*, (and the consequent system of spies and informers) equally repugnant to the professed principles of the constitution, and most extensive in their oppression, are often introduced merely as engines of corporation influence; for in some instances the produce of the tax does not pay the expence of collection; were the sense of the nation fairly taken, it is impossible to believe but whatever sum might be necessary for the public service it would be raised by means less obnoxious and less expensive.

12. “ *The Mutiny Act*—Which would never have existed, had not the bulk of the people been excluded from representation. It reflects a charge of hypocrisy on those who affect to bewail the late events in France, yet calmly view the defenders of their country subjected to every species of fraud, insult, and cruelty. The military excellence of true republicans in all ages proves it to be unnecessary. Convince a Briton that he is about to fight for a country in which his rights are daily consulted, and the cat of nine tails may be burnt by the hands of the common hangman.

13. “ *The Impress Service*—Equally cruel with the foregoing, is another effect of a partial representation; it has lately been proved, that the expence of this service, if applied to increase the seamens pay, would render impressing unnecessary; but it is more consistent with the government of a faction to distribute the sum among the officers of corporations.

14. “ The ill effects of partial representation are not confined to men in private stations; we challenge contradiction when we assert, that, in general, promotion, whether in the army, navy, or church, is the effect of parliamentary connection, and the reward of parliamentary prostitution.

15. “ We cannot entertain a doubt that the foregoing statement of grievances will be admitted as just by our countrymen at large; and also that an equal representation by universal and annual suffrage would tend immediately to redress them. It remains to prove that the difficulties said to attend such a scheme are merely the chimerical inventions of interested men.

16. “ Let us suppose all partial corporations, (those badges of slavery) abolished; and consider the whole island as one corporation divided into counties or cities, for the purposes of embodying and exercising militia, &c. and for electing representatives, subdivided into districts, or townships, as nearly as convenient in equal proportion to the number of inhabitants.

17. “ Allow to each district or township, one representative, and let it be subdivided into parishes, and every man entitled to a vote, be registered in the parish in which he resides. Large parishes may be subdivided into wards, or hamlets.

18. “ Let

18. " Let every voter give his vote in the parish in which he resides, let the votes be brought in writing, and called for in succession, either alphabetically by the names of the voters, or numerically by the wards and number of houses; either of these methods would prevent that source of riot; the practice of voting in party groups.

19. " The truth of entry of every individual vote in each parish would easily be examined, and the totals of the several parishes in each district so easily collected, that we scruple not to assert a general election might be decided with indisputable certainty in twelve hours.

20. " In saying the whole island should be considered as one corporation, we do not wish to be understood as recommending that districts should chuse their representatives from distant parts. On the contrary, we think the representative should always be a resident of the district, as his character would be better known to his constituents. Hearsay characters are seldom any other than the blazonings of faction.

21. " It is indispensable to good government, that representatives should be paid for their service to the public. The want of open and honorable reward, retards the exertion of laudable characters, and subjects the nation to the fraudulent and delusive practices of mock patriots.

22. " To those who are convinced of the propriety of the foregoing ideas, and only ask, how shall we attain the practice of them? We answer, *associate*. By so doing, you will better correct and strengthen each others opinion on the subject of liberty, and eventually abash the tools of corrupt influence, and lawless power. Effects which are not to be expected from the vague and desultory exertion of individual opinions.

" Having thus stated what we conceive to be the sentiments of the society; we recommend that the members shall meet in divisions, consisting as nearly as convenient of thirty members each, and that the management of its affairs be vested in one committee of delegates, one select committee, and one council, subject to reference to the divisions, and trial by jury, as more particularly defined in the following sections.

" SECTION I. *Form of admission and duty of a Member.*

1. " Each candidate for admission into this society, shall be proposed by a member, who shall either belong to the division in which the proposal is made, or be personally known as a member of the society to two members of such division.

2. " The secretary shall enter the age, name, residence, and occupation of the candidate, together with the proposer's name, and number, in the minute book of the division, and the president shall put the following question to the proposer,

“ Are you well acquainted with the candidate you propose, with his means of life, and his political principles, and are you well assured that his general character is such as will not be disgraceful to this society ?

3. “ If the proposer shall answer the foregoing question in the affirmative, the president shall demand of the division, whether any member has any objection to the candidate.

4. “ If no objection satisfactory to the division shall be made, the president shall put the following questions to the candidate.

“ Are you convinced that every man who has attained to years of discretion, is in possession of his reason, and not disqualified by crimes, ought to have a vote for a representative, and not more than one vote ?

“ Are you convinced that the representation ought to be divided as nearly as possible in proportion to the number of electors ?

“ Are you convinced that the election of representatives of the people ought to be annual ?

“ Will you by all justifiable means endeavour to promote a reform in the parliament of this country, agreeable to the principles which you have now professed ?

5. “ The candidate having answered the foregoing questions in the affirmative, shall be declared a member, and shall receive a ticket on which shall be indorsed his name, and time to which his contribution is paid. And another ticket on which shall be written in large figures, the number of his division, and beneath that, his own number in the division.”

*Mr. Attorney General.* Under the article, order, read No. 6 and 7.

6. “ No member shall be allowed to stile himself, or any other by any party names, &c. whether intended to convey respect or disrespect.

7. “ All political appellations which do not in their immediate interpretation, convey an idea of political sentiment or situation, are party names. The following do not fall under this objection, as will appear by their explanations.

*Republican.*—“ One who wishes to promote the general welfare of his country.

*Democrat.*—“ A supporter of the rights and power of the people.

*Aristocrat.*—“ One who wishes to promote the interest of a few, at the expence of many.

*Royalist.*—“ Among the ignorant part of mankind, signifies a person attached to regal government: among artful courtiers, it is a veil for their own aristocracy.

*Loyalist.*—“ A supporter of the constitution of his country.

*Citizen.*—

*Citizen.*—“ The ancient appellation given to the members of free states.

*Subject.*—“ Can only with propriety be applied to a member of a state, whose government has been instituted by foreign conquest or the prevalence of a domestic faction.

“ SECTION II. *The Organization and Power of a Division.*

1. “ Each division shall meet once in a week, on any evening in the week except Thursday and Sunday;

2. “ The hour and place of meeting shall be at the convenience of each division, but must be announced to the constituted bodies.

3. “ Each division shall elect from its own members, a president, vice-president, secretary, assistant secretary, delegate, and sub-delegate.

4. “ Each division shall be furnished with three books, (viz.) one to bear the number of the division; a similar book to be called the supernumerary book of the same division; and a third for entering minutes.

5. “ No division book shall contain more than thirty effective names,—subject to variation as hereafter mentioned.

6. “ Members admitted after the division shall amount to thirty, shall be entered in the supernumerary book, but not before.

7. “ As soon as the members entered in the supernumerary book shall amount to sixteen, they shall be entitled to a number as a new division. They shall determine the time and place of their future meeting; they shall receive a supernumerary book, and a minute book, and a new supernumerary book shall be delivered to the original division.

8. “ Members entered in any supernumerary book while less than sixteen, shall be entitled to vote, and in every respect be considered as members of the division to which such supernumerary book shall belong.

9. “ No new member shall have a vote the same sitting in which he is admitted; nor transferred member the same sitting in which he is transferred.

10. “ Each division shall be allowed one shilling and sixpence for rent, furniture, &c.

11. “ Every member shall have liberty to introduce one stranger, provided such member shall answer that the sentiments of the stranger are similar to ours; and the same stranger shall not be introduced more than twice, except for the purpose of admission as a member.

No: 23. “ In case of persecution, and that the means provided by the 7th, 8th, and 9th Sections of this Constitution, should not produce the effect of re-establishing a representative

body of this society for two weeks successively, every division shall have power to elect four persons whose powers shall be the same as the four officers of the committee of delegates.

24. "The sole object of those four persons shall be the re-establishment of the representative body, and they shall report progress weekly, and be weekly subject to revocation."

*Mr. Attorney General.* Then the paper goes on to the committee of delegates.

*(The Clerk of the Court reads.)*

"SECTION VII. *The Committee of Delegates.*

1. "The committee of delegates is the representative and legislative body of this society.

2. "Their duty is indivisible, and the representation shall not be impaired by any appointment, either of themselves collectively, or of any other constituted body, which may subject the members thereof to be absent from their meeting, or to be parties concerned in any subject under their discussion.

3. "Not less than three-fourths of their whole number shall be a quorum, except in the case of persecution.

4. "There shall be no disparity or dissimilitude between the members, by offices of presidency, or secretaryship."

*Mr. Attorney General.* Go to the 14th and then to 21.

*(The Clerk of the Court reads.)*

14. "The duty of the committee of delegates is to direct the conduct of the executive powers in all matters which do not require secrecy or expedition.

21. "If the executive powers, for the purpose of obtaining their approbation, shall communicate any thing which a majority of the delegates shall approve as necessary to be secretly done, the whole committee of delegates are bound to secrecy."

*Mr. Attorney General.* Go to section 8.

*(The Clerk of the Court reads.)*

"SECTION VIII. *The Select Committee.*

1. "Shall not exceed the whole, nor be less than half the number of the committee of delegates.

2. "Every individual member of this committee is the servant of the whole society, and not responsible to any particular division.

3. "They shall at their first institution be numbered by lot, from one to the number of their total.

4. "On the last Thursday in each month one third of them shall be put to the vote of the committee of delegates, either to be re-elected, or others appointed in their place,

"*Viz.*

¶ *Viz.* 1st Month, No. 1, 4, 7, 10, } and so on, adding three  
 2d ditto, No. 2, 5, 8, 11, } to the last number.  
 3d ditto, No. 3, 6, 9, 12, }

5. " No person shall be eligible who has not been a member of this society three months.

6. " No member shall be allowed to change his number.

7. " Their appointments of presidency or secretaryship shall be from their own members, and at their own discretion as to permanence.

8. " No member of this committee shall be admitted until he has answered the following question, which shall be put by the officers of the committee of delegates :

*" Do you promise that you will not relinquish the station which you are about to take in this society on account of any persecution which may be brought on it ; that you will persevere in meeting the select committee, and to the utmost of your power encourage every other member of this society to fulfil the duty for his respective station ?*

" Their office is,

1. " Preparatory, as they may be directed, either collectively, partially, or individually, by the committee of delegates or the council.

2. " Referential, as to any matter adopted by the committee, of delegates, or the council, or by both, which they may judge improper.

3. " All intended publications of this society shall, previous to being printed, undergo their collective examination.

4. " One third of their whole number shall be a quorum.

#### " SECTION IX. *The Councils.*

1. " Shall be composed of one treasurer, one principal secretary, and not less than four assistant secretaries.

2. " They shall be numbered from one to their total, and re-eligible at the same time, and in the same manner as the select committee.

3. " The treasurer shall, on the last Thursday in each calendar month, give to the committee of delegates, a monthly account of the total sum which he shall have received from each division, in the course of the instant month.

4. " He shall also give to the select committee at their meeting next before the last Thursday in March, June, September, and December, a quarterly account of all monies received by him on account of this society, and all disbursements.

5. " His quarterly account, with the remarks of the select committee, if any, shall be laid before the committee of delegates on the last Thursday in March, June, September, and December, to be by them examined and reported to the divisions.

6. " The



6. "The principal secretary shall record all laws which shall be made by this society, which shall be printed annually."

*Mr. Attorney-General.* Go on to the 13th and 14th.

*(The Clerk of the Court reads.)*

13. "Every member of the council shall be really acquainted with every transaction of this society, however secret.

14. "Each member of the council shall have a compleat list of the members of every division of this society, with their residences, which list he shall deposit to the best of his judgment in a place of safety."

*Mr. Attorney-General.* Go on to Section 11.

*(The Clerk of the Court reads.)*

"SECTION XI. *Of Accusation and Trial.*

1. "If any member shall think another unworthy of being a member of this society, or that he has acted in any degree improperly, he shall offer his accusation in writing, signed by himself in the division of which the accused is a member.

2. "Every accusation shall state the law on which it is grounded.

3. "If the decision of the division shall be in the favour of the accused, the trial shall go no farther; if not, the accuser shall give a statement of the case in writing to the delegates of his own division, to be laid before the committee of delegates.

4. "No vote or resolution touching any matter of accusation shall pass in any division except that of the accused (as mentioned in the last article); nor in any of the constituted bodies.

5. "The delegates having received the case, shall elect four persons, not of their own body, nor of the division or divisions concerned to act as president, secretary, vice-president, and assistant-secretary, in the ensuing trial.

6. "They shall also issue notices to each division, except those of which the accuser or accused are members, mentioning the time and place of trial, and the four persons whom they have appointed to superintend it, and requiring each of them to return one jurymen.

7. "Each division shall return of its own members one jurymen by lot; but none of the four persons appointed to superintend the trial, nor any member of any constituted body shall be returnable.

8. "Every jurymen so drawn and failing to attend at the appointed time, shall forfeit two shillings and sixpence, except in case of sickness, as shall also each superintendant.

9. "The superintendants shall by lot take twelve names out of the whole number present, who shall be the Jury for that trial.

10. "The

10. "The accuser and the accused shall each be allowed one assistant at their own choice.

11. "The president shall read the accusation, and call on the accuser to produce his evidence.

12. "The evidence on the part of the accuser being closed, the accused may call his evidence.

13. "During the time each witness is giving his evidence he may be cross-examined by the jury, the president, the accused, the accuser, or either of their assistants.

14. "The evidence being closed, the accused and his assistant shall be allowed to comment on it, and make his defence; but the cross-examination shall be deemed sufficient on the part of the accuser.

15. "If the president shall think proper, he may recapitulate the principal points of the evidence, and comment on them.

16. "The jury shall give their verdict in writing, signed by all their names.

17. "If the jury shall not within two hours agree that the accused is guilty, he shall be acquitted.

18. "The issue of the trial shall be reported to the committee of delegates, and by them to the divisions."

JANE CLIO RICKMAN sworn—examined by Mr. BOWER.

Q. You are the wife of Thomas Clio Rickman?

A. Yes.

Q. What trade is your husband?

A. A bookseller.

Q. Look at these books, and see who they appear to be printed by?

A. They appear to be printed by my husband.

Q. Did you know Mr. Thomas Paine?

A. Yes.

Q. During the time that these books were printing, where did Mr. Paine lodge?

A. I believe he was gone out of England at the time they were printed.

Q. Did he ever lodge at your house?

A. Yes.

Q. At what time?

A. From June to September, 1792.

Q. Did you ever see any of the sheets of that work, while that printing was going on?

A. Yes, I have.

Q. Where did you see them?

A. At our house.

Q. Your husband printed them?

A. No, he is no printer.

Q. The

Q. They were brought to your house as they were printed off?

A. I cannot say, I did not see them printed.

Q. Did you ever see sheets brought to your husband's house?

A. Yes, proof sheets I have.

Q. Where they brought there while that was printing?

A. Yes, of the large edition; there were two editions.

Q. You say there were two editions?

A. Yes, a large edition, and one of a smaller.

Q. Upon these works there was expected to have been a profit?

A. Yes.

Q. And how was the profit to have been divided?

A. Mr. Paine told me that we were to receive the profit of one, it was to be divided between Symonds and my husband.

Q. Of which?

A. The smaller one.

Q. Who was to receive the profit of the larger one?

A. Mr. Paine.

Q. Was Mr. Paine at your house during the time that was published?

A. He was at our house during the printing of the large one; of the large one I saw some of the proofs make their appearance before he left England, but it was not published before he left England, neither of them.

Q. Do they appear to be printed for any body else besides your husband?

A. Yes, Mr. Symonds.

JANE CLIO RICKMAN—cross examined by Mr. ERSKINE.

Q. Do you mean to swear, that you know these were the books printed for Mr. Symonds and your husband; do you mean to swear that these are two of them?

A. To the best of my knowledge they are, I always understood so.

Q. Can you take upon yourself, on your oath, to say, that these were not printed by somebody else, who may have annexed your husband's name to them, or can you by the paper and type say, that they were printed for your husband and Symonds; you have never read the book through to see it is the same?

A. I know nothing about what it contains, that book came out of my shop, it has my writing on it.

Q. Neither do you know the shape of the letter, the type, or the paper?

A. I never saw them in that shape.

Q. Therefore you cannot speak to the identity of the book?

Q. Where had you these books from?

A. I sup-

*A.* I suppose I had them of Mr. Johnson.

*Mr. Attorney-General.* I shall certainly object to these kind of questions.

*Mr. Erskine.* I require, and I ask no more, that when this society or that society is attacked, they may be attacked by the same evidence, as they would be if we were in a trial for a libel.

*Mr. Attorney-General.* I have not yet shewn, that I wished to have any loose proof, but I am by no means willing to admit the proposition to the extent that you now state it.

THOMAS CLIO RICKMAN sworn—examined by Mr. BOWER.

*Q.* Did you print one or both of these books?

*A.* They were printed with my name.

*Q.* With your knowledge?

*A.* No, without my knowledge.

*Q.* How came they to be printed with your name?—How came you to know that they were printed so?

*A.* I never knew it at the time, till I was informed; I was then in the country.

*Q.* At what time did you learn that this book was printed with your name?

*A.* I think it was early in September, 1792.

*Q.* Did you make any application to any body, to know why they were printed with your name?

*A.* I did apply to Mr. Johnson.

*Q.* Be so good as to tell me, who were to have the profits of these books?

*A.* That I never heard but from my wife.

*Q.* Mr. Thomas Paine lodged at your house?

*A.* Yes.

*Q.* Did you ever see any of the sheets of these works, as the publication was going on?

*A.* No, not as they were going on.

*Q.* Were any proof sheets brought to you?

*A.* Never.

*Q.* Look at them now, and tell us, if they were the books you published?

*A.* My name was put to them.

*Q.* Did you ever sell any of them?

*A.* We have, many.

*Mr. Attorney-General.* Whose hand writing is that upon the outside of the book?

*A.* My wife's hand writing.

*Mr. Erskine.* Mrs. Rickman admitted that before; I asked her and she proved it.

*Mr. Attorney-General.* Did you look at the matter of that  
T t book:

book : in the course of your profession, did you ever know any other book, entitled An Address to the Addressers ?

*A.* I never read any book under that title but this.

*Q.* Were you a member of the Constitutional Society ?

*A.* I was.

THOMAS CLIO RICKMAN, cross-examined by Mr. ERSKINE.

*Q.* You do not mean to say that you can take on yourself to swear that these are the two identical books ?

*A.* Certainly not.

*Q.* They may be exactly the same printed by others, with your name ; is there any thing about the paper, or the type, by which you can know them ; by which you can say they are the same ?

*A.* I know nothing of the paper or type. I know nothing about printing at all.

*Mr. Attorney-General.* Is that the book that you sold at your shop, as the Address to the Addressers, when such a book was asked for ? Look at the matter of it.

*Mr. Erskine.* I object to that.

*Lord President.* He must have knowledge enough of the book to be able to give an answer. It is sufficient if he is satisfied that this book contains the identical words that were commonly published under that title, nothing turns on an original or a copy. If you are sure it is a copy of the same book, it is the same as if it was the original.

*Mr. Attorney-General.* Suppose the Constitutional Society referred to Locke's Essay upon Human Understanding, how is it possible to identify that book, without calling the bookseller to prove that that is the book he usually sells for Locke on the Human Understanding ?

*Lord Chief Justice.* Certainly so, with reference to the evidence. The contents of a book is very good evidence in my opinion.

*Mr. Attorney-General.* Is that a book you would sell for the Address to the Addressers ?

*Court.* Did you ever read it ?

*Q.* Do you know the contents ?

*A.* I have read the book.

*Q.* Then look and see by the contents of the book, whether you would sell that book as the Address to the Addressers ? If any body was to ask for such a book. I will have an answer to this if I make you read it through.

*A.* I certainly have read the Address to the Addressers.

*Q.* Look at the contents of it, and tell me if the contents are not the same as the Address to the Addressers, which you have read ?

*A.* I have

*A.* I have no doubt about its being the same, from the complexion of the book altogether.

*Q.* You have been told three or four times to look at the contents. Now look at the contents—looking at it now, have you any doubt that that is the Address to the Addressers?

*A.* I certainly have no doubt.

*Mr. Erskine.* You say you have no doubt but it is the same? Is the reason you speak so from the general appearance of the book, or is it from having a perfect recollection of every sentence in the book?

*A.* Not every sentence.

*Q.* Can you take upon yourself, upon your oath, to say, that is the very same word by word and letter by letter?

*A.* No, I cannot say that.

*Mr. Attorney-General.* Have you any doubt of it?

*A.* No.

*Mr. Attorney-General. (to Mrs. Rickman.)* Did not you mark them to be sold in your shop as books to sell?

*A.* They have my name on them.

*Q.* On what occasion were they marked?

*A.* I had them in my shop as books to sell; and I marked them on giving them to Mr. White.

*Mr. Erskine.* There is another consideration before the book is read, I understand the Court to be of opinion, and I am not disposed to argue it, that this book must be taken at present to be the letter Addressed to the Addressers on the Proclamation, by Thomas Paine. What I wish to know is; how it is proposed to make this book evidence in this case. I perfectly understand why the Rights of Man was taken to be so; because of the Corresponding Society having come to a resolution to circulate this book. I understand that there is no evidence as yet before the Court of any resolution of either of the societies to circulate this book, to recommend it or to read it.

*Lord President.* You had better hear how they state it.

*Mr. Attorney-General.* Your Lordship will give me leave to observe, that Mr. Paine is proved to have published the first part of the Rights of Man; the second part of the Rights of Man; the Letter to the French Nation, and I believe, a Letter to Mr. Dundas. I am not certain, as I was out of court yesterday morning, but I understand, Mr. Paine is also proved to be a member of the Constitutional Society. Rickman, who stands at the bar, and was the person in whose hands it was to be sold, is also proved to be a member of the Constitutional Society. Under these circumstances, I submit to your Lordship, that Mr. Paine and Mr. Rickman, both being members, what the one writes for publication, and the other says he gave him for publication, is evidence.

*Lord President.* I do not imagine that these facts, which are

so perfectly wide of the particular subject of this indictment, can possibly implicate them, so as to make what this book asserts evidence in the cause.

*Mr Attorney-General.* If that is your Lordship's opinion, I will not press it further. I shall now produce a resolution for printing part of this in the Argus, and read that part of it which is printed in the Argus.

*Lord President.* You may read the whole if you wish to prove a resolution for printing or recommending a part of it; that alters the case widely.

*Mr. Erskine.* It may shew a knowledge of all, but it will not shew a publication of all.

*Lord President.* Certainly not.

*Mr Attorney-General.* I will not trouble your Lordship with it in this trial.

*Mr. Gurnell called in.*

*Mr. Attorney-General.* I am now going to give evidence about arming.

*Mr. Bower.* (To Gurnell.) Where did you seize this paper?

*A.* In Mr. Hardy's house.

(The Clerk reads.)

Letter, dated Sheffield, 24th of April, 1794. Signed, Richard Davidson; and addressed Citizen Hardy, No. 9, Piccadilly London,

"FELLOW CITIZENS, Sheffield, April 24, 1794.

"The barefaced aristocracy of the present administration has made it necessary that we should be prepared to act on the defensive against any attack they may command their newly armed minions to make upon us. A plan has been hit upon, and if encouraged sufficiently, will, no doubt, have the effect of furnishing a quantity of pikes to the patriots; great enough to make them formidable. The blades are made of steel, tempered and polished after an approved form; they may be fixed into any shafts; but fir ones are recommended, of the girth of the accompanying hoops at the top end, and about an inch more at the bottom; the blades and hoops, more than which cannot be properly sent to any great distance, will be charged one shilling. Money to be sent with the order. As the institution is in its infancy, immediate encouragement is necessary.

Struck through in the { Orders may be sent to the secretary of  
original. { the Sheffield Constitutional Society.

(Signed) "RICHARD DAVIDSON.

"To prevent post suspicion, direct to Mr. Robert Moody, China-square, Sheffield."

*Mr. Attorney-*

*Mr. Attorney-General. (To the Clerk)* Does there appear any thing struck out?

*A.* Yes; (*Orders may be sent to the secretary of the Sheffield Constitutional Society*) that is struck out.

*Q.* Then read what follows:

(*Reads.*)—"To prevent suspicion, &c. as before."

*Mr. Attorney-General.* Now read the letter that was inclosed.

*Q. (To Gurnell)* Did you find this letter in Mr. Hardy's possession?

*A.* Yes:

(*The Clerk reads.*)

A letter without a date, directed to the secretary of the Norwich Patriotic Society. Signed, Richard Davidson.

"FELLOW CITIZENS,

"The barefaced aristocracy of the present administration has made it necessary to prepare to act upon the defensive, in case of any attack upon the patriots.

"A plan has been formed for carrying into effect this necessary business. Pike-blades are made with hoops for the shafts to fit the top-ends; the bottom end of the shafts should be about an inch thicker, and fir is recommended for the shafts, selected by persons who are judges of wood. The blades and hoops will be sold at the rate of one shilling, properly tempered and polished. The money sent with the orders.

(Signed)

"RICHARD DAVIDSON.

"Direct to Robert Moody, China-square, Sheffield, to prevent the post-master's suspicion."

*Jury.* Is that second letter addressed to the Patriotic Society at Norwich without a date?

*A.* It is, and was inclosed in the former.

*William Camage called.*

*Mr. Attorney General.* I call this person to prove that there was such a person as William Davison connected with the Constitutional Society of Sheffield, and to prove that these letters are his hand-writing.

WILLIAM CAMAGE sworn—examined by Mr. LAW.

*Q.* Was you a member of the Society for Constitutional Information at Sheffield?

*A.* Yes.

*Q.* When did you first begin to be such member?

*A.* About the latter end of the year 1791.

*Q.* Did you ever act as secretary to that society?

*A.* Yes.

*Q.* For how long?

*A.* Perhaps five or six months; I cannot exactly tell the time.

*Q.* When



Q. When did you cease to act in that capacity?

A. The latter end of April; or the beginning of May, last year.

Q. Did you in that character write letters for the society?

A. No; I did not, I was to sign the letters.

Q. By whom was the business of this society managed?

A. By different persons.

Q. Did they form a committee, or in what way did they manage the business?

A. Yes, there was a committee.

Q. Who were the leading persons in that committee?

A. Edward Martin was one of the committee; John Alcock, George Widdison, Matthew Dodwell.

*Mr. Attorney General.* I beg your Lordship's attention; I only have these names mentioned to see how many among them were of the twelve who were associated with the constitutional society the beginning of May 1792.

*Mr. Law.* In the conversations among the society, what was their professed object when you first became a member?

A. A parliamentary reform.

Q. Among the persons attending these meetings, what was their professed object?

A. A parliamentary reform.

Q. Did they profess any other object during the time you belonged to the society?

A. That continued to be their object during my secretaryship.

Q. Was there any talk about suffrage?

A. Not in my secretaryship.

Q. You ceased to be secretary about April last?

A. April or May last year 1793.

Q. Did you continue to be a member of that society?

A. Yes.

Q. What was the professed object of the society subsequent to that?

A. I cannot properly speak to that; the other secretary that will be examined can speak more properly than I can.

Q. Do you remember the society at Sheffield choosing any person as their delegate to the convention in Scotland?

A. Yes, Matthew Campbell Brown.

Q. Do you know whether he went upon that delegation?

A. Yes, I believe he did.

Q. Do you know whether Brown was ever taken into custody?

A. Yes.

Q. Did you go down to him at the time when he was in custody?

A. No;

*A.* No; he was not in custody when I went to him.

*Q.* Was you sent to him while he was in Edinburgh?

*A.* Yes.

*Q.* By whom?

*A.* By the society.

*Q.* What was you sent to him for?

*A.* To carry him a supply of cash.

*Q.* Did you so?

*A.* Yes, I took him to the amount of 10l. from Sheffield, and I called at Leeds and took him nearly the same sum from there.

*Q.* Did you carry money from any other societies?

*A.* No.

*Q.* Did you know how the money so carried was collected?

*A.* No; I did not.

*One of the Jury.* Did you go to Scotland.

*A.* Yes.

*Q.* Did you see him at Edinburgh?

*A.* Yes.

*Mr. Law.* How were your own expences defrayed?

*A.* At the expence of the society.

*Q.* Who did you receive the money immediately from?

*A.* From the hands of Mr. Gales, a printer of Sheffield.

*Q.* Was he a member of the Constitutional Society there?

*A.* Yes; I believe he was.

*Q.* Do you remember, before you gave up your place as secretary, any person of the name of Yorke or Redhead, who became a member of that society?

*A.* I knew one Henry Yorke.

*Q.* Did you ever know him by any other name?

*A.* No.

*Q.* Do you know where Gales the printer is now?

*A.* I do not know any thing at all of him.

*Q.* Has he ceased to be seen at Sheffield?

*A.* Yes; he has.

*Q.* You know a person, you say, of the name of Yorke?

*A.* Yes.

*Q.* Have you known him before or since, by any other name?

*A.* No; never.

*Q.* He attended the meetings of this society?

*A.* Yes.

*Q.* Since the time he came as a member of this society, did he frequent the meetings pretty regularly?

*A.* No; he did not.

*Q.* Did

Q. Did he take any active part of the proceedings of the meetings when he did happen to attend?

A. He used to exhort sometimes.

Q. Do you recollect the subject of his exhortation?

A. No; they were too complicated for me to remember.

Q. Do you ever remember hearing him mention the subject of arms?

A. No; never in public.

Q. What were the means that he recommended to the society?

A. A parliamentary reform.

Q. How was that to be brought about?

A. By petitioning the parliament, at first I heard him, that was his principal exhortation.

Q. What was the next measure, supposing the petition rejected?

A. I never heard any specific plan spoke of by him.

Q. No specific plan?

A. No, no plan at all.

Q. You said he did not in public advise the use of arms?

A. No, never in public.

Q. Now, I ask you what you have heard him advise on that subject in private?

*Mr. Erskine.* What a man said in private, is that to be admitted?

*Lord Chief Justice.* He was a delegate from the Constitutional Society to the Scotch Convention.

*Mr. Erskine.* I do not mean to press it; my idea was, that what an agent says in private cannot be produced in evidence.

*Lord Chief Justice.* He is not an agent, but a party.

*Mr. Law.* I am enquiring about the time when he was at Sheffield, not while he was an agent merely: I ask you, sir, whether in private you ever heard him give recommendations of that sort?

A. The society was threatened to be dispersed in their meetings by the people of Sheffield, by the opposite party, and in private the people thought it necessary they should have arms for their defence, and he approved of it, that they had a right to be armed: he did not see any harm in the business for their own defence.

Q. Defence against what?

A. Against any illegal attack from that party that had threatened.

Q. Who were the people that thought it necessary to be armed?

A. The friends of reform, to protect their meetings.

Q. The

Q. The Constitutional Society ?

A. Yes.

Q. Who did you hear, members of the Constitutional Society, express this idea ?

A. I cannot recollect their names, it was a general idea.

Q. And Mr. Yorke, you say, approved of that idea ?

A. Yes.

Q. Did you ever hear him mention any particular sort of arms, as distinguished from arms in general ?

A. No, not at the first.

Q. I am not asking at the first ; did you never hear him recommend any particular species of arms to be used for this purpose ?

A. He was shewn the blade of a pike, which he approved of.

Q. By whom was he shewn that ?

A. By me, and Henry Hill.

Q. Who is Henry Hill ?

A. A shoemaker's knife forger.

Q. By whom was that pike made ?

A. By him I believe.

Q. Did he mention any other sort of arms ?

A. No, he did not.

Q. Nor instruments.

A. No.

Q. Have you ever had any conversation with him respecting mulquets ?

A. No, I don't know that ever I had.

Q. You said that Hill and you shewed him a pike. Did he approve or disapprove of the form of the pike which you shewed him ?

A. He approved of the form of that we shewed him at that time.

Q. Did he suggest any alteration to be made in the form of it ?

A. Not in that.

Q. What other pike was shewn him ?

A. I believe he had another shewn to him.

Q. Was you present ?

A. I was not.

Q. Did you ever hear him talk of any other pike being shewn to him ?

A. No, I never heard him talk of it.

Q. Had you ever before Yorke came among you, heard any recommendation to arm ?

*Mr. Attorney-General.* Did he mention any country in which pikes were used ?

A. No, I never heard him mention any country.

*Mr. Law.* How soon after this pike was shewn to Mr Yorke, do you know of any having been begun to be made at Sheffield?

*A.* No, none before that.

*Q.* Do you know of any considerable quantity having been made after that?

*A.* No; three dozen only that I saw made myself.

*Q.* By whom were those three dozen made?

*A.* By Henry Hill.

*Q.* Do you know one Widdison, of Parkgate, in Sheffield, a turner?

*A.* Yes.

*Q.* Do you know whether he was employed in making any part of these pikes?

*A.* I have heard him say he was employed in making handles.

*Q.* Had you ever any conversation with Widdison, in Mr. Yorke's presence?

*A.* No, I have been at Mr. Yorke's lodging, Widdison was there, but I do not recollect any conversation

*Q.* Did you ever see a pike handle at Widdison's, of the same form as those you shewed to Mr. Yorke?

*A.* Yes, I did see one in Widdison's possession.

*Q.* Of the same form as that which you and Hill had shewn to Yorke?

*A.* Yes, nearly the same form.

*Lord Chief Justice.* Do you know how Widdison came by that?

*A.* No, I do not know.

*Mr. Law.* Was it in the day time or night you went to Mr. Yorke's

*A.* It was in the night?

*Q.* What time of night?

*A.* Between eight and nine.

*Q.* Did Mr. Yorke take it in his hand?

*A.* Yes, he did.

*Q.* Did he look at it for any length of time?

*A.* No, he did not.

*Q.* Do you recollect what observations he made on taking it into his hand?

*A.* No particular observation that I recollect, no further than he approved of it.

*Q.* From the conversation which passed between Mr. Yorke and Hill and you, could you collect whether Mr. Yorke had any pikes shewn him before of a construction which he did not approve?

*A.* No, not by any conversation at that time. I understood by Henry Hill, that he had shewn him some before.

*Q.* Now

Q. Now, Sir, will you recollect yourself, of what number of persons might that meeting consist, when Mr. Yorke advised to get arms?

A. I do not know there was any body there in his lodgings, but himself and me at that time.

Q. Was there at any other time?

A. I do not recollect that there was.

Q. Do you recollect any meeting in the month of March, 1794, in which the providing of arms was talked of?

A. No, I never heard that there was a meeting of that sort.

Q. You was not present at that meeting?

A. No, I was not.

Q. You was present at a meeting in March?

A. Not where arms were recommended.

Q. I am not speaking of a meeting of a society; but was you present with Mr. Yorke and others at any time in the month of March, 1794, when Mr. Yorke and others recommended the procuring of arms?

A. No.

Q. Upon the Castle-hill do you remember being with him?

A. Yes.

Q. Did he recommend any thing of the kind then?

A. No.

Q. Do you know one Davidson, who lived with Gales, the printer?

A. Yes.

Q. Did you ever see any pikes when you have been in company with him?

A. No, I never did; I never saw any in his possession.

Q. Did you in his presence?

A. No, I did not.

Q. Do you know one Robert Moody?

A. Yes.

Q. Do you remember any meeting in the month of April, or any month in the year 1794, when Mr. Yorke recommended the providing themselves with arms?

A. No, I do not.

Q. Do you remember any speech made by Mr. Yorke upon the Castle-hill, Sheffield?

A. Yes.

Q. What did he recommend in that speech to the persons assembled, respecting a reform in Parliament?

A. I cannot recollect at present to make mention of the words he made use of, only respecting the reform in Parliament.

Q. Did he recommend to them to petition Parliament, or that they should not?

A. That they should not; and a resolve was passed for that purpose.

Q. Were any other means then recommended by, or resolved upon, by the societies then assembled?

A. No.

Q. Did you hear an address to the nation ever talked of there?

A. I heard something of a kind of address to the people.

Q. Was that recommended by Mr. Yorke?

A. I believe it was?

Q. Then he recommended to them not to petition Parliament, that was agreed upon, and he recommended an address to the nation?

A. Yes.

Q. Did Mr. Yorke walk home, or go home in any sort of triumph?

A. He was conducted home in a carriage.

Q. What do you mean by conducted?

A. Without horses.

Q. Drawn by the people?

A. Yes.

Q. Conducted home in triumph?

A. Yes.

Q. Did you ever hear Mr. Yorke say any thing respecting a convention?

A. No, I never did.

Q. Never?

A. Never.

Q. Did you ever hear him say any thing what would be the best means of redressing grievances?

A. No, not that I recollect.

Q. Or any thing respecting a convention?

A. I have heard him disapprove of the Scotch convention.

Q. On what ground did he profess himself to disapprove of the Scotch convention?

A. He thought it was a very wrong piece of business for them to assemble, because the people were much unprepared.

Q. How unprepared?

A. I have told you that I cannot recollect about it.

Q. In what manner unprepared he did not specify?

A. No, I do not recollect he did.

Q. Did he mention any steps that they should have taken preparatory to their assembling in Convention?

A. I do not recollect any thing particular.

Q. You

Q. You was down at Edinburgh?

A. Yes.

Q. Did he state any thing they should have done before they declared themselves, the British Convention?

A. He said they had split on a rock; they should have first brought out an address to the people before they declared themselves a convention, or something to that purpose.

Mr. Attorney-General. Did you ever see that before, Mr. Camage? (*shewing him a letter.*)

A. Yes.

Q. Where did you see that letter before?

A. In the possession of Richard Davidson.

Q. At what place?

A. In my own house, in Sheffield.

Lord Chief Justice. What is that?

Mr. Attorney-General. That is a letter that we have heard on the subject of arms, that was sent to Mr. Hardy.

Q. Look at that. Did you ever see that before? (*a second letter shewn him.*)

A. No, I do not recollect this letter.

Q. How long had Davidson lived at Sheffield?

A. I cannot rightly tell you. He came to Sheffield some time about the beginning of this year, I believe.

Q. Where did he come from?

A. From Leeds. I believe he acted as secretary to the society at Leeds, when I was at Edinburgh.

Q. Had you any conversation about the place to which the person to whom the letter was directed was to send his answer?

A. Yes, he desired a letter to be directed to Mr. Moody.

Q. What did he say about Moody?

A. He said that the direction in that letter, should come to Robert Moody from London.

Q. There is the name of Bromptonhead which is scratched out. Had you no talk how it happened?

A. We had reason to believe that a letter to the secretary was sometimes intercepted.

Q. What is Moody?

A. A carpenter and joiner.

Q. Had he any thing to do with pikes?

A. Yes.

Q. What is Widdison?

A. A hair-dresser and turner.

Q. What had Moody to do with pikes?

A. He put handles, I believe, to three dozen.

Q. What length were the handles?

A. Some were about seven foot, I believe.

Q. What



Q. What length were the blades?

A. About ten inches, I think, as near as I can recollect; nine or ten inches, I am not certain which.

Q. In what shape were the blades?

A. About the same shape as a bayonet.

Q. Do you mean that they were fluted like a bayonet?

A. Yes.

*One of the Jury.* And pointed?

A. Yes, in the shape of a bayonet.

*Mr. Attorney-General.* Was there any of any other shape?

A. No, none that were shafted.

Q. Were there any other blades made that were not shafted, of any other shape?

A. There was one made I believe, that was not of that shape.

Q. Was that one that was made before not of the shape, ever shewn to Mr Yorke?

A. I believe it was the one that Hill took up and shewed to Yorke; I am not certain.

Q. Have you seen that one?

A. Yes.

Q. Then those that were actually shafted were in the shape of a bayonet.

A. Yes.

Q. And the handle was seven foot long, and the blade about ten inches?

A. Yes.

Q. What wood were the handles made of?

A. I believe of fir.

Q. Was there any particular reasons given why the handles were made of fir?

A. Not that I know of.

Q. Had Davidson been long at Sheffield?

A. No, he had not.

Q. Do you know where he is now?

A. I do not; I have never heard of him ever since I was taken up.

Q. Had he left Sheffield before that time?

A. Yes, about a fortnight before I was taken up.

Q. How long had Gales left it before you were taken up?

A. Nearly about the same time, I believe.

Q. Did you ever hear of such a thing as a cat?

A. Yes.

Q. What is the name of it?

A. A night-cat.

Q. What is a night-cat?

A. It

*A.* It stands with four points; so that when it is thrown on the ground, one point always presents itself.

*Q.* Have you seen one?

*A.* I saw the model of one five or six weeks before I was taken up.

*Q.* Had you ever seen such a thing before?

*A.* No.

*Q.* What was the use of it?

*A.* I understood it was for acting against the cavalry.

*Q.* How was a night-cat to act against cavalry?

*A.* I cannot tell.

*Q.* You must know, how could it hurt a horse?

*A.* By throwing them in the street.

*Q.* What would it do, run into his neck, or what other part of it?

*A.* Into his foot, I suppose.

WILLIAM CAMAGE—cross examined by Mr. ERSKINE.

*Q.* You have been asked what was the object of this society, and you said it was a parliamentary reform?

*A.* Yes.

*Q.* Was that your object when you became a member of that society?

*A.* It was.

*Q.* You say you was secretary to that society?

*A.* Yes.

*Q.* And you was a member of this society from the year 1791 to 1794?

*A.* Yes.

*Q.* Explain to the gentlemen of the jury when you become a member of this society, in order to have a parliamentary reform; what sort of parliamentary reform was it that you wished for?

*A.* A more equal representation of the people in parliament.

*Q.* In what branch of the parliament?

*A.* In the House of Commons.

*Q.* Had you any idea by a parliamentary reform in your own mind, when you became a member, or when you continued there, to touch the King's majesty, or the House of Lords?

*A.* Never in my life.

*Q.* I ask you, in the presence of God, before whom you must answer, if you had any idea of destroying the king?

*A.* No, God forbid.

*Q.* Did you ever in the whole course of the time you was secretary, did you ever observe, from any proceedings of the society, from what passed amongst the members, and what they said and what

What they did, had you any reason to believe that any of them meant different from yourself?

*A.* Never an individual among the whole society.

*Q.* Then I understand you to say, upon the oath you have taken, and subject to the consequences here and hereafter, that there was no such idea either in your own mind, and from what they said, in the mind of the other members?

*A.* Never.

*Q.* When you said that the resolve was not to petition parliament, did you mean to petition it at that time, or never to petition it?

*A.* I cannot speak to that; there was never any specific plan pointed out, by what means redress should be obtained.

*Q.* Was it ever pointed out that this change in the representation of the people in the House of Commons was to be carried by force of arms and violence?

*A.* No, never.

*Q.* If you had any idea that the members of your society, or of other societies, meant, by combining force, to over-rule the inclinations of the people at large and the inclinations of the parliament, would you have continued a member?

*A.* No; I would not.

*Q.* I ask you, under the solemnity of the oath you have taken, whether you ever saw any thing that led you to suspect or believe that was the intention of your society?

*A.* Never.

*Q.* Did you ever see any thing done, or hear any thing said, that it was the intention of any mischievous individuals among you?

*A.* No; I never had cause to suspect any one.

*Q.* If you had had an idea independently of force, that the object you was about might ultimately have affected the safety of the Monarch upon the throne, would you have continued in that society?

*A.* No; I would not.

*Q.* You say you continued secretary till the year 1793. Did you read with attention all you signed, or did you take it upon trust that it was what it ought to be?

*A.* I generally read it before I signed it.

*Q.* You continued a member after you ceased to be secretary?

*A.* Yes.

*Q.* You continued a member till the time you was taken up?

*A.* Yes, I did.

*Q.* Did you see any reason before you was taken up to change your opinion of the sentiments of those with whom you were associated?

*A.* No;

*A.* No; I did not.

*Q.* Had you ever any reason to believe, from what you have heard them say or do—I ask you to look into your own soul, and tell me whether you ever did yourself, or whether you have reason to believe that any other member of the society began to intend mischief?

*A.* No, I never did.

*Q.* Tell us when it was that your meetings began to be threatened with interruptions?

*A.* About the beginning of April or March 1794.

*Q.* Do you remember the time when the Convention was to be held at Edinburgh?

*A.* Yes.

*Q.* Was there any thing proposed by the society of which you was a member; or did you ever hear any thing said, or see any thing done, to the effect that this Convention was to put down the King and Parliament, and be itself the King and Parliament?

*A.* Never.

*Q.* Did it ever enter into your conception that this Convention was to make laws, or take upon it the functions belonging to the state?

*A.* I never understood it so.

*Q.* Did you conceive it meant any thing more than to consider of the best means to effect a change in the representation of the people in the House of Commons?

*A.* The idea the Sheffield Society had at that time, was; that the Scotch Convention were to petition parliament.

*Q.* Was it universally said amongst your society, that though a petition from a smaller number of individuals will be neglected and fruitless, was it not the general opinion that; when you had got the sentiments of a great number of the respectable part of the people, and then petition as a convention, that the House of Commons would attend to you, though they would not to a smaller number?

*A.* Yes, at that time it was.

*Q.* Was that; upon your oath, what you collected of the general sentiments of the people?

*A.* Yes it was, according to my ideas.

*Q.* Was you, while you continued a member of the society; and till the time you was taken up; a friend to the British constitution in its purity?

*A.* Yes, I was.

*Q.* Had you any wish to bring into England the desolations and the anarchies that are in France?

*A.* Never.

*Q.* Had you a wish to see the King put down from his throne.

throne, leaving out his death, and his royal family taken down from their state and dignity ?

*A.* No, God forbid that I should ever live to see it.

*Q.* Should you not have thought yourself the most wicked and abandoned of mankind to have remained an hour in that society after you discovered that to be the wish of the society ?

*A.* Yes, I should.

*Q.* Did you, from what you see, suspect that to be the intentions of these people behind the curtain ?

*Mr. Garrow.* I must object to that ; that is matter of observation for the Jury.

*Mr. Attorney-General.* I certainly will not object to it ; at the same time, I desire to be understood that I by no means think it a question proper to be put unless I consented to it.

*Mr. Erskine.* I am much more disposed to take advantage of the permission than to go out of my way on the present occasion, in order to make any remarks on the interruption of the learned gentleman on the manner in which his disapprobation of the question was conveyed.

*Mr. Erskine. (To witnesses)* Have you any reason to suspect, or do you now believe, that notwithstanding the papers that were signed, carried on the face of them parliamentary reform ; had you any reason to believe, that there was an intention to destroy the constitution of Great-Britain ?

*A.* I never had any such suspicion.

*Q.* Now you say for the first time you began to be interrupted in your proceedings in 1794 ; what was the nature of the threats, and what were you afraid of ?

*A.* We were afraid of the opposite party.

*Q.* What do you call the opposite party ?

*A.* The people who did not think with us in general.

*Q.* You was not afraid from the authority of the state ?

*A.* No.

*Q.* But that people who differed from you would persecute you ?

*A.* Yes.

*Q.* At the time you were interrupted, in your conscience, did you believe that what you was doing every thing that was legal ?

*A.* I did not know that I was committing any thing that was wrong.

*Q.* Was that the way in which the continuance of the society was argued among you when you were threatened ?

*A.* Yes.

*Q.* Let me ask you what sort of an attack was it you expected to be made on you ?

*A.* I cannot speak to that.

*Q.* What

Q. What was the nature of the apprehension at the time Mr. Yorke proposed having arms to defend yourselves?

A. The notion that I had was, that the opposite party would do it by force of arms if they attacked us.

Q. Had you any intention, or did you hear from Mr. Yorke, or any body else in the society, that any other use was to be made of even these nine dozen pikes than to defend yourselves in your peaceable sitting?

A. Nothing at all else.

Q. From any that ever you heard or see, do you believe it to have been in the contemplation of any body, that it was intended to employ these pikes against the King and Parliament?

A. No, never.

Q. Would you have remained an hour in that society if you had had any reason to believe that that was their intention?

A. I would not.

Q. Did you believe that you had a right to arms for your defence under the law of your country?

A. Yes.

Q. Under what law of your country?

A. By the bill of rights.

Q. Was that the ground upon which this right was argued in your society?

A. It was never argued, but we thought we had a right, from the bill of rights, to defend ourselves against any individual of the state, who might attack us.

*Mr. Garrow.* Who told you that?

A. I heard Mr. Yorke say so.

Q. Was it ever debated among you, that if you were opposed by the whole authority of the state, you were to raise arms among the people to support the authority of your convention as a parliament?

A. No, never.

Q. Was it ever supposed, or any hint given, that the laws were to be made by these twenty or thirty people at Edinburgh?

A. No.

Q. What did you consider this convention were to do?

A. I cannot speak to that purpose.

Q. Were they to consider what was the best means to go on in a peaceable, constitutional, and legal manner, as you understood it?

A. Yes; I understood it so.

Q. Did you know Mr. Hardy?

A. No; I never did.

Q. Then am I to understand that you, good subjects of the King,

King, and very much for the interest of the country, really thought you was contending for rights that rendered more beneficial and more secure the King's title?

*A.* Yes, I did.

*Mr. Erskine.* I think the same, upon my honour.

*Mr. Garrow.* What with pikes?

*Lord Chief Justice.* You differ entirely in your mode of reasoning.

*Mr. Erskine.* Do you recollect why that particular species of arms was recommended, or any thing said about it?

*A.* I believe it was the cheapness of the article that recommended them.

*Q.* Then I understand you to say, that in order to get these pikes, there were only nine dozen.

*A.* Three dozen.

*Q.* You saw a model of this cat?

*A.* Yes.

*Q.* Was you an inhabitant of Sheffield at that time?

*A.* Yes.

*Q.* Did you ever see or know that there was ever one made from that model?

*A.* I never saw one.—A person there said he had seen these things many years before at Newcastle.

*Q.* But you never did yourself, nor any of your society, to your knowledge, ever see an instrument made after this model?

*A.* I never saw any, nor any of the society, to my knowledge.

*Mr. Attorney-General.* Who told you that the bill of rights permitted you to have arms?

*A.* Mr. Yorke.

*Q.* You say this man said that he had seen some of these night-cats at Newcastle?

*A.* Yes.

*Q.* Did he tell you at what time it was that he saw them?

*A.* It was during his life-time.

*Q.* Did he say at what time in the history of the country he saw them?

*A.* No, he did not mention the year.

*Q.* You know what I mean very well. Did he say what was going on in the country at the time he saw these at Newcastle?

*A.* I think he said some time about the American war.

*Q.* You say you expected opposition from the other party at Sheffield?

*A.* Yes.

*Q.* How came you and Davidson to send to London about opposing the other party at Sheffield?

*A.* It

*A.* It was Davidson sent the letter.—He might have the same idea of the people at London as at Sheffield.

*Q.* Now you talk about cavalry, who were the opposite party at Sheffield that were to attack you with cavalry?

*A.* I never heard of any cavalry in Sheffield.

*Q.* Your opinion was about the opposite party at Sheffield, and Davidson's about the opposite party at London, that was what his letter calls "the bare-faced aristocracy of the present Administration." What did you understand by that?

*A.* I only understood that he meant the opposite party.

*Q.* This Davidson, that meant as little as you, was not so bold as you—he ran away a fortnight before you was taken up.—How came Davidson to run away?

*A.* I cannot give any other reason than that he had heard there were some persons in Sheffield in search of him.

*Q.* You told us the cheapness of the article was the reason why you thought of pikes?

*A.* Yes.

*Q.* Will you have the goodness to inform me how much were they to cost?

*A.* Twenty-pence.

*Q.* So that thirteen-pence would not pay for them?

*A.* The hoop and the blade would come to that.

*Q.* Then if the blade and hoop had come to London at the price of one shilling, there would be some expence to pay, that somebody else must provide for?

*A.* Yes; there would be the expence of the shaft to add to it.

*Q.* Did you ever hear of such a place as the Parrot in Green-Arbour-Ally, London?

*A.* No.

*Q.* Had you any conversation with Davidson about these pikes after he shewed you the letter?

*A.* Not that I can bring to my recollection what it was.

WILLIAM BROOMHEAD sworn—examined by Mr. GARROW.

*Q.* You reside at Sheffield?

*A.* Yes.

*Q.* Speak out loud, and speak across the Court to these gentlemen.—What are you by business?

*A.* A cutler.

*Q.* Was you a member of any society at Sheffield, that had the name of the Constitutional Society.

*A.* I was.

*Q.* At what time did you become a member of it?

*A.* It was at the first institution of the society, I think in the year 1791.

*Q.* Was



Q. Was you one of the twelve of that society, who were afterwards associated with the Constitutional Society of London?

A. I was not then a member of any committee, nor did not act in any public character.

Q. That is not the question I put to you; I ask whether, during any period, at any time, you became a member, an associated member of a society in London, called the Constitutional Society?

A. I never was a member of that Constitutional Society in London.

Q. I did not ask you whether you was or not, but whether you was one of the twelve of the society at Sheffield, who were associated with the Constitutional Society in London?

A. We were above twelve when that was wrote to us; and therefore, I do not understand you.

Q. Your society at Sheffield were more numerous than twelve?

A. Yes.

Q. At which period the Constitutional Society in London was written to you by your Society?

A. Yes.

Q. Did your society when you wrote to the other, propose any names to be associated to the society in London?

A. I never heard any names spoken of for that purpose.

Q. Did you know whether that you or any other persons were received as associated members of the Constitutional Society in London?

A. I do not recollect any such thing. I do not know of any such members.

Q. Did I understand you, that you did recollect such a proposition from your society?

A. Letters were wrote from one society to the other.

Q. Proposing such a measure?

A. That they acted in conjunction; I always understood it so.

Q. Did I understand you right, that one of the modes by which that acting in conjunction was to be brought about, was, that twelve of your number should be associated to the London Constitutional Society for the purpose of conjunctive acts?

A. I do not know that ever such a subject was settled; I know nothing of the further junction of the society but what passed by letter, no particulars.

Q. Did you ever act as secretary to that society in Sheffield?

A. Yes, about five months.

Q. The last five months before you was apprehended?

A. Yes,

*A.* Yes.

*Q.* When was you apprehended?

*A.* I think it was in May last.

*Q.* Now Sir, will you be so good as to tell us for what purpose your Constitutional Society were assembled, and what the professed object of their assembling was?

*A.* The object was a parliamentary reform.

*Q.* By what means was that reform to be effected?

*A.* By meeting and endeavouring to enlighten each other, and spread that knowledge both of the grievances which we considered as such, or which is frequently wrote of, and informing the people of the necessity of a parliamentary reform, that they might unite and move for it in the most unexceptionable mode.

*Q.* Was there any peculiar mode by which the election for the members of the House of Commons was to be affected according to your proposition as to the right of voting?

*A.* That subject was never discussed to my knowledge.

*Q.* Are you acquainted with the expression, universal suffrage?

*A.* I expect I am.

*Q.* I have no doubt of it. Was it or was it not, the scheme of the Constitutional Society at Sheffield, that the reform was to be produced by universal suffrage?

*A.* It never was, as far as my recollection, till the Edinburgh Convention, I never heard of universal suffrage until that time.

*Q.* Was the circumstance of the Edinburgh Convention known to the Constitutional Society at Sheffield?

*A.* They sent a delegate to the Convention, and therefore they certainly must know it.

*Q.* Who was their delegate?

*A.* A Matthew Campbell Brown; but I was not secretary at that time; they called upon me to take the secretaryship just after he was gone to Edinburgh.

*Q.* Do you know a person of the name of Henry Yorke?

*A.* I know a person who goes by that name.

*Q.* Perhaps by another name?

*A.* I have heard him go by another name, Henry Readhead.

*Q.* Did Yorke, or Readhead, whatever be his name, reside at any time in Sheffield.

*A.* Several times he has been in Sheffield.

*Q.* Did he reside there any time this last time?

*A.* The last time, I do not exactly know how long, it might be six weeks, or it might be seven or eight.

*Q.* Do