

# CENTRAL CRIMINAL COURT.

**SESSIONS' PAPER.**



**HOOPER, MAYOR.**

ELEVENTH SESSION, HELD SEPTEMBER 18<sup>TH</sup>, 1848.

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**MINUTES OF EVIDENCE,**

*Taken in Shorthand*

BY

**JAMES DROVER BARNETT**

AND

**ALEXANDER BUCKLER,**

*33, Southampton-street, Strand.*

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**LONDON:**

**GEORGE HEBERT, CHEAPSIDE.**

**TYLER & REED, PRINTERS, BOLT-COURT, FLEET STREET.**

1848.

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**Proceedings of the Central Criminal Court Sessions (Old Bailey) 18th September 1848 -  
HOOPER, Mayor. - Eleventh Session, 1847--48 -**

Before Mr. Justice Erle and the Third Jury

2127. WILLIAM DOWLING was indicted for that he with others feloniously did on 16th Aug. and divers other days, compass, imagine, divine, and intend to levy war against the Queen, in order by force and constraint to compel her to change her councils, and that they did evidence that compassing, &c., by divers overt acts, set forth in the indictment: 2nd Count, for a like compassing with intent to depose the Queen from the style, honour, and dignity of the Imperial Crown.

Mr. ATTORNEY-GENERAL, with MESSRS. WELSBY, CLARKSON, BODKIN and CLERK conducted the Prosecution.

JOSEPH THOMPSON (police-sergeant, F11). On the night of the 20 Aug, in consequence of information, I apprehended the prisoner in Lambeth-walk - I told him I took him on a charge of felony, and mentioned a portion of the charge, but did not recollect it all-I asked him if that was sufficient-he said, "Yes," and asked if I had a warrant against him-I said, No, it was felony, and there was no necessity for a warrant-he said his name was William Dowling-I said, "You live at No. 5, Nassau-street"-he said, "Oh, that is of no consequence you know, as I am going to leave there I give you the Pratt-street address, that will do, it is quite sufficient"-I took a pocket book from him, and this letter (marked No. 1,) which was folded up, but not sealed-he said, "You will not take that letter, I suppose; it is only a private letter from a friend"—

I had been to 5, Nassau-street the day before, and then found some papers in the back-room, second floor, which Mrs. Dorothy Jarvis pointed out to me were two receipts for making gun-cotton--(producing the letter marked 1; book marked 2; paper, 3; list of members of the Davis Confederation Club, 4; a number of cards of admission to that club, 5; appointment of collectors to that club, and a book, entitled "National Defence Fund," 7; a list of subscriptions to the club, and a fund for Mrs. Mitchell, 8; a paper headed "Defence Fund Account," 9; and a letter from a person names McManus to the prisoner, containing an account of expenses attendant on the defence of Frank Looney and others.

*Cross-examined by MR. KENEALEY. Q.* Did you attend any of the meetings of that club?

A. No, I was very anxious to get the prisoner into custody-I shall not tell you when I received information that he was at Lambeth-it was from some conversation that I had with some police-Sergeant West and Constable 144 were with me when I apprehended him-I do not know Sergeant Kennell, a sergeant from F division-I know Sergeant Cox of the F division-it was not him that told me where the prisoner was to be found--I did not offer twenty guineas or twenty shillings to any person who would inform me where he was to be found--he did not resist in any way--I do not know positively what the word "Defence Fund" refers to.

DOROTHY JARVIS. I am the wife of the landlord of No. 5, Nassau street, Middlesex Hospital--the prisoner occupied an apartment in our house for about twelve months before 18th Aug.--I know Thompson, who came there to search on the 19th--the room I pointed out to him, the second-floor back room, was the one the prisoner occupied--I saw Thompson find and take away these books and papers.

*Cross-examined.* Q. Had you opportunities of knowing the prisoner's character?

A. Yes--he was a particularly quiet, inoffensive man--I never heard him express any sentiments disloyal or in any way against the Queen, or any sentiments relative to war or fighting.

CHARLES FREDERICK CHUBB. I am an attorney, residing in Gray's Inn. I have known the prisoner about a year and a half--I have occasionally corresponded with him--I have never seen him write, to my knowledge--I believe this to be his writing (looking at letter No. 1)--there is a difference in the writing in this book (No. 2)--I can point out what I think to be his writing--this entry of 12th June, I believe to be his--this of the 14th June appears to be very different writing from that--the first three and a half lines of Jun 12th I have no doubt are his--I do not think the first four lines on 14th June are his--I have seen this book before, but very cursorily--I think the whole of the entry of the 16th is his writing, except the last four lines--there is a peculiarity of style about his writing, he generally wrote in a large hand, but the very small hand I cannot detect--I have no doubt that this Monday, 3rd July, is his writing, and the whole under that head--the whole under 10th and 12th of July, and I believe 14th, 17th, and 19th--that is the whole of the page--I have not read any part of it--I have only looked at the different words--I believe this under the head of meetings 15th, 17th, 19th of May is his writing, and that of 3rd of May also--the whole of book No. 6, I believe to be his writing.

*Cross-examined.* Q. How long have you known the prisoner?

A. About a year and a half--he is the son of a respectable solicitor--he is a portrait painter of very considerable talent--I have known him intimately for the year and a half--during that time I knew him he appeared a perfectly loyal subject of the Queen--I always believed him a very inoffensive man, and I did not believe he had any particular view on any particular subject--he was a person of very mild demeanour--he has always expressed and conducted himself as a peaceable subject.

The following entries were read from book No. 2:

*"May 12th. Committee meeting.*

*Mr Dowling in the chair.*

*The minutes of the last meeting were read and passed.*

*The secretary called attention of the members to the necessity of procuring new members to the club. Notice of the following motion:*

*"That a committee of seven be appointed to consider the most effectual mode of organising the Irishmen in"--(a word scratched out, and the word "Heaven" put in)--"so as to form a National Guard Brigade, or any other name that may be proper."*

*--Notice of motion by T. O'Mahoney, ' that the club take the earliest opportunity of holding a public dinner, to which to invite the prosecuted patriots, Messrs. Meagher, O'Brien and Mitchell, &c.' - - Friday, 16th June.*

*Mr Kenealey moved the following resolution: 'That this club disclaims all connection with pikes, daggers, and pistols, and will use none other than legal and constitutional means for accomplishing the object it has in view.'*

*Mr Dowling moved an amendment, 'that it be postponed to the day of judgement;' which was seconded, and supported by Messrs. Nowlan, Barry, English, and others.*

*Mr. Kenny moved a second amendment, which was seconded, and after a protracted and stormy discussion, the first amendment was carried almost unanimously." -- 12th July.*

*A resolution was moved by Mr. Dowling, and seconded by Mr. James Barry, tendering the allegiance of the club to the Irish League, Mr. Crowe spoke to the resolution; carried unanimously." -- 14th July.*

*The Secretary gave notice 'that on Friday next he would move the dissolution of the Davis Club and the formation of a league club, or such other body as may be deemed advisable.'"*

-- Several other extracts were also read.

(Letter marked "No. 1" read –

London,  
Sunday.

*My dear Ann,*

*This has been an eventful week in my history. It was only last Monday that I had made up my mind to abandon politics for a while, and retire into the quiet neighbourhood of Gloucester and Wiltshire, and recruit my health and purse; for it has so happened that almost all my connection in London has come from these parts, and these have fathers, and mothers, and brothers there, who are all anxiously awaiting for a visit from me, which I have been for the last twelve months promising, to paint their portraits: a nice connection, ready cut and dried, to my hand.*

*My friend William Chubb went down last week, to spend a month with his father, who is a Magistrate, and solicitor to the Corporation of Malmesbury, and he wrote to me on Thursday, inviting me down, and requesting me to fix the day. Previous to my receiving his letter, the events of which I wrote of to John, occurred. On Friday evening I was informed that the secretary of the Felon-club was arrested, and I knew immediately that my turn was next; I accordingly resolved not to return home till late, and to start for Malmesbury next night. I spent the night in bidding farewell to some quiet English friends, who abominate Chartism, and where I was obliged to act the hypocrite, which I am pretty well used to now; and after midnight I made for home, reconnoitering cautiously as I went along.*

*As I drew near to my own street, I perceived a figure watching me sideways, I strove to avoid him, but he walked up to me; it was a friend; he gave me a sign to keep quiet, and we proceeded quickly in another direction, when he told me he had discovered, through a friend in the police, that there was a warrant out for me, and that there were two policemen, in plain clothes, waiting opposite my own door, he and another friend had posted themselves at either end of the street, outside the police, so as to prevent my falling into their hands at either side; it was, however, a very narrow escape; for the police had noticed their movements.*

*I went with my friends to the private residence of one of the foreign ambassadors, where I supped, slept, and breakfasted next morning; not with his excellency, however, for he was not in town; but with his landlord, a jolly old brick, who seemed quite pleased with the mystery. I was introduced to his wife and daughter, as a Mr. Robinson, and I was near getting into a little hobble by forgetting my new name. (an erasure was here made) I scratch this out for fear of this letter being opened.*

*When I went out I learnt that two of my friends went to my lodging, and burned or carried away every paper that had any allusion to political matters before four o'clock on Saturday; they were scarce gone when police arrived, and carried away everything they could find, and among the rest Wm. Chubb's letter, which gave them a clue to my intended route, and of course compels me to forego all my connections, and wander somewhere where I have no friends;*

*I am now an outlaw, and there's no use in bilking the question, my neck is in danger if I am caught; however, I am in excellent spirits, and the only thing in the world that frets me is the bad opinion that will be formed of me by Wm. Chubb and a few other English friends, whose good opinion I valued. However, my conscience is quite at rest; I calculated the risk before I entered upon this business, and I am quite content to abide the consequences.*

*I must write very little to any of you for a while, and that little will come to you with the London post-mark. As long as I am silent you may be sure I am safe, as I will write the moment I am arrested, if I am so unfortunate. My friends are all astonished that I am so little uneasy, but I only laugh at them; it is, however, most strange; for it has always happened with me that even trifling misfortunes have preyed upon my spirits; but this utter wreck of my prospects has produced a kind of reckless levity, that seems almost unnatural.*

*I have met with the greatest kindness from parties from whom I could not have expected it, but it is only in adversity that you can know your friends.*

*Whenever any of you want to write to me, seal up the letter, without any direction except the word "forward" on the upper left-hand corner, and enclose it, under cover, to*

*Mr. J Lawler,*

*17 Pratt Street,*

*Lambeth;*

*and in writing to be cautious to say nothing that will give any clue to them if they should open it. I will adopt my mother's name, but do not endorse it on your letters, Mr Lawler will do that.*

*Write very soon. God bless you all. I was delighted that you wrote to me. Ask Margaret to write to me, but you must not expect answers for some time. Give my love to Mrs. Johanna Kennedy and Mary O.B.-- O'Bother, I mean. Mrs. -----; faith, I forgot her name.*

*Yours ever,*

*Roderic Vich Alpine Dhu.*

*Mind always to both wafer and seal your letters, seal both enclosure and cover, so that Mr. Lawler may know if they have been opened. I should have mentioned that it was one of the Chartists, a fellow named Johnson, his real name being Powell, who betrayed us.*

*W.D. To*

*Miss Dowling,*

*McConnell-buildings,*

*36, Jervis-street, Dublin."*

[Note: Roderic Vich Alpine Dhu [a fictional character from the poem 'The Lady of the Lake' by Sir Walter Scott].

THOMAS POWELL. Early in the present year I became a member of the Chartist Association. I believe it was between April and May; after 10th April -- I continued to attend the meetings of the Association from time to time down to June, July, and Aug. last -- I have always understood there are district organisations of the Chartists -- I was a member of the Cripplegate locality -- there was a council of management consisting of five persons -- it was appointed after I joined them -- it consisted of Mr. Battice, Mr. Fowler, Mr. Carter, Mr. Owen Jones, and myself --

I entered by the name of Johnson, and was known in the Chartist Association by that name -- the council had the general superintendence of the business of the Association -- they usually met in the front long-room up-stairs, at Cartwright's Coffee-house, in Red Cross-street -- about 20th July a committee was formed to meet at the Black Jack public-house, in Portugal-street, Lincoln's-inn-fields -- it was called the Secret Committee -- I was elected by the Council as a delegate -- I attended a meeting of that committee on Thursday, 20th July, at the Black Jack -- there were about fourteen persons present at that meeting -- I have notes which I made, not the same day, but the next -- the notes were made by myself -- (referring to them) -- Mr. Payne, Mr. Brewster, Mr. Rose, Mr. Mullins, Mr. Dowling, a delegate from Greenwich, myself, Mr. Battice, and another Confederate delegate, a Mr. Allnutt, of another locality, and two strangers, whose names I do not remember -- each of those fourteen attended, like myself, as delegates from different districts --

Mr. Dowling attended as one of the Irish confederates; I was informed so that evening -- there was also another person, a stranger, who represented himself as a delegate from the Confederates -- I have no note of the transactions of that meeting, but I can remember them -- verbal reports were given in of the state of feeling of the members of their respective localities with regard to the physical force movement, and each delegate returned the number of men he could depend on, and were willing to fight -- a committee was appointed for the purpose of drawing up five plans of action -- Payne, Brewster, Rose, Mullins, and the prisoner Dowling were appointed on that committee -- the meeting commenced at nine o'clock, or a little after, and lasted till about ten minutes after twelve -- Battice was present the whole time -- he had been requested by the Council to accompany me to witness the proceedings --

we were to meet again at Dennis's Coffee-house, Great St. Andrew-street, Seven Dials, on the next Sunday morning, 23rd -- when I went to the Black Jack, on Thursday, I was asked to produce my credentials, and I produced a paper which I had procured from a Mr. Bezer on my way to the meeting -- Battice was with me at the time I received it, and Bezer said, in his presence they were going to get up a bloody revolution -- on Sunday morning, 23rd, at ten o'clock, I attended at Dennis's Coffee-house -- I found the prisoner and Rose, Mullins, Brewster and Payne accompanied me -- we were together about an hour before anyone else joined us -- during that hour Mullins laid a pocket-book on the table with a map of London unfolded, and the whole of the persons present had papers in their hands -- there was also a pen-and-ink sketch of various parts of London, belonging to Mullins, and a portion of it marked Seven Dials -- I did not see either of the other four plans -- the prisoner told Mullins that he thought it was difficult him (Dowling) to undertake the management of the Seven Dials -- in the course of the evening Payne, who occupied the chair, said, "Gentlemen, our object is to destroy the power of the Queen, and, if possible, to establish a republic," and there was a general acquiescence in that -- I do not remember the words they used -- there was some conversation about vitriol, and assassinating the police -- I can't exactly remember the purport of it -- Rose said, "We must first assassinate the police, burn down the station-houses, and build barricades" -- that appeared to be generally received -- at the end of the hour Allnutt, a member from Greenwich, and another Confederate leader, came: there were ten persons present --



I do not know anything of this paper (looking at a plan) -- I can almost swear this paper (marked A) is the one I saw in Mullin's possession -- I saw him put it into his pocket-book, and put the pocket-book into his pocket -- I never saw anything of the others (looking at the others), but I believe I may safely swear to this, I was on impressed with the first sketch of it -- there is no particular mark on it, but I will explain how I am positive of it -- I had a view of it, and I observed this drawing and also these pencil-marks for barricades -- there was some conversation by Brewster about the barricades being half-way down some street in Oxford-street, leading to some square -- after the others came in, Mullins said he was sorry they had not quite matured the plans for their inspection -- Payne left about half-past eleven, and the meeting soon after adjourned, and it was arranged they should meet at Cartwright's on the same evening --

we met there -- Payne, Mullins, Brewster, and Rose, were there -- Dowling was not -- they went into the back room -- I did not accompany them -- I next met the same parties on Wednesday, 26 July, at Hopkinson's Coffee-house, Saffron-hill -- that had been arranged on the Sunday morning -- there were eighteen present, Dowling, Rose, Mullins, myself, a delegate from Greenwich, Brewster, Ferdinando (this was his first appearance), a delegate from the Green Gate, Hackney-road, whose name I do not know, Flanagan, Allnutt, and others -- I sometimes made my notes when I got home the same night, and sometimes the next day -- as regards this particular meeting, I must have made the note soon after I got home at night, or early in the morning -- a return was given of the number of new delegates -- there was nothing at all in writing, it was all done as matter of confidence one with the other -- reports were given of the feelings of the members of each locality, and the number of men they could depend on as fighting men -- there was a motion made respecting an advertisement to be put in the Northern Star, calling on every Chartist and Confederate locality to send two delegates to meet on the following Tuesday, at the Dispatch coffee-house, Bride-lane, Fleet-street -- that was adopted -- there was nothing further of any consequence transacted that evening -- they adjourned to the same place on the Friday, the 28th --

there were fourteen persons present then -- there were two new delegates -- there were reports made of the feeling of their localities, and the number of fighting men -- each new delegate made a similar report with respect to his own locality -- a resolution was passed that the sum of 10s. should be sent by the delegates of each locality, for the purpose of carrying out the object of the committee -- we adjourned, to meet at Cartwright's on the 30th -- I attended there -- there were twenty-eight person present -- there were Payne, Dowling, Brewster, Rose,, Mullins, Bassett (his first appearance) Stevenson, a new delegate, myself, Ferdinando, Fay, and others -- there was a return made from the new delegates of the feelings of the members of their localities, and also the number of fighting men that they could depend on -- I believe that afternoon there was a resignation of the committee that met at the Black Jack, on account of the charges brought against Rose and Mullins, as being spies -- a new committee, called the Ulterior Committee, was then appointed, composed of Payne, Rose, Mullins, Bassett, and the prisoner -- that was the same Rose as had been suggested was a spy -- there was talk about his election -- the person who charged him as being a spy was not left out (I judged it was Brewster) -- he was elected, after discussion and an explanation -- it was not stated what the Ulterior Committee were to take into their consideration -- it was generally understood what they were appointed for -- a resolution was passed that the delegates should meet, if necessary, at Cartwright's, on the following Monday evening -- there was no meeting that evening --

the next meeting was on Tuesday, 1st Aug. -- that was the meeting which I alluded to, that was to take place at the Dispatch coffee-house, Bride-lane -- there were thirty-four persons present, all delegates, or representing themselves as such, Payne, Rose, Mullins, Brewster, Dowling, Bezer, myself, Fay, Thompson, Donovan, Lynch, Fuzzon, Warry, Allnut, Ferdinando, Raymond, and others -- a report was given in by the new delegates the same as before -- (there had been a resolution passed at Cartwright's on July 30th, that four more should be added to the Ulterior Committee, to make it nine) -- I do not think I saw this paper there -- I might have done so -- Bezer gave in his return of fighting men as fifty -- he came from our district, Cartwright's -- I cannot say what number the others returned -- it was taken down either in pencil or ink -- the Irish Felon society was held in our locality, and the Star Society -- there was also a club called the Davis' Club, the Emmett Brigade, and the Tom Paine's locality, and various others -- there were delegates from each of those localities at the meetings I have mentioned -- there was a jealousy that there were not enough Irish on the Ulterior Committee, and four more were added -- they were Thompson, Lynch, Fay, and Donovan --

there was a discussion on the propriety of sending a person to some part of Limerick or Cork, to ascertain how they were getting on -- I do not know who proposed it -- it was not adopted -- the reason stated was because it was not likely they could get any true intelligence of the state of the country -- a proposition was made by the prisoner that there should be a demonstration on Sunday 6th Aug., at two o'clock, of Chartists and Confederates, on Primrose-hill, to ascertain the strength and numbers of the people -- it was lost by a majority of five -- a resolution was carried to the effect that every delegate should return to his locality, and ascertain how members were for regularity of preparation, and ready to be called out at an hour's notice -- I do not know that that was a substitute for the primrose-hill meeting -- it was after that had been disposed of -- a resolution was passed that they should meet at Cartwright's on Friday, Aug. 4th, at eight o'clock -- Mullins stated he had seen Mr. Kydd that day, 1st Aug., and that Mr. Kydd had said, if the people came out in physical force, he would not be backward in heading them; but that he, Kydd, had entered on the executive as a moral-force man, and had taken the office only on that ground -- that was what Mullins remarked on Kydd's statement to him -- that was received with a degree of belief -- Kydd was one of the executive of the council of Chartists, of the convention that sat in John-street --

I know our Cripple-gate-street district was in communication with the executive in John-street -- we next met at Cartwright's on Friday evening, 4th Aug. --there were thirty-two present -- Mr. Payne was in the chair -- Rose, Brewster, Gurney, (his first appearance,) Mullins, Bassett, (his second appearance,) Cuffey, Donovan, Lynch, Dowling, myself, Thompson, and others -- the committee had met previously at three, before the whole body -- the prisoner was present in the evening, but I will not say he was present at the committee -- the committee sat half an hour or an hour, before the rest of the body joined them, and there was a discussion about what scarfs were to be worn as a sign of officership -- a red scarf was mentioned; and it was determined that they should have red scarfs -- I was present, and Brewster also -- a report was given in that evening by the new delegates of the number of men, the same as before --

I should tell you that the committee who were sitting, Payne, Rose, Brewster, Mullins and Bassett, had some convention about a circular that Mr. Kydd had received, stating that they were desirous of knowing how far the committee of delegates then sitting in London were disposed to send a delegate to Manchester -- it was decided to do so -- Mr. Lacey's name was mentioned, and Bassett was deputed to wait upon him, and Rose gave Bassett money that Lacey might go on the following morning (Saturday) -- a resolution was passed that evening, to the effect that the delegates should submit to the determination of the ulterior committee, whatever it was -- the thirty-two were then present --

a resolution was passed that the delegates should call on the members in their localities to meet at half-past two on the following Sunday, the 6th, at their localities, and to prevent if possible the members attending the meeting on Kennington-common; to wait there till their delegates returned from Kennington-common -- there was a meeting advertised to take place at Kennington-common that day, called by Mr. Dwaine -- to the best of my belief it was to be at three o'clock --

each delegate, in his particular district, was to have his members at their place of meeting, to keep them from going, till the delegates returned from the Dispatch Coffee-house -- it being an unlawful meeting, many of the members would be brought in contact with the police, and they were desirous of preventing it -- there was a resolution passed that we should meet on the following Sunday at the Dispatch Coffee-house -- there was also another resolution passed for every delegate to select four men, to appoint them as telegraphs on the Sunday, and to station them from Fleet-street to Kennington-common -- the delegates were then to be at the Dispatch Coffee-house, and thus communicate with the persons at Kennington-common -- I attended the meeting on Sunday -- there were twenty-five to thirty persons present -- I do not recollect that the prisoner was present --

the arrangement was carried out of having men placed between the Dispatch Coffee-house and the Common -- I was appointed as one of the lookers-on, to see that the telegraphs should be stationed -- a resolution was passed that they should meet at Dennis's Coffee-house on Monday evening -- I attended it -- there were about thirty present -- it began at eight -- the prisoner was there -- Ritchie and Cuffey, and the whole nine of the ulterior committee were there, and others, amounting to thirty -- that night the ulterior committee resigned on account of the reports in the papers of the arrest of Smith O'Brien in Ireland, and Mullins explained that he had no confidence in the other men who were selected on the committee, that he had not seen their plans -- he alluded to the four new Irishmen that had been added -- one or two of the others made the same statement -- there was a fresh election -- Messrs. Rose, Mullins, Brewster, Payne, and Bassett were elected, and were called the ulterior committee --

A resolution was passed that there should be a president, and that the one who had the lowest post on the committee was to retire when the president came in -- this was a visionary president -- he was not named -- there was some remark made by persons present that he was somebody and nobody -- he was somebody to be talked about, and nothing more -- a resolution was then passed that the sum of three-farthings should be levied on every member of every locality for the purpose of paying the president, to supply him with a salary -- no time was specified for the payment -- every delegate was to make the statement to the members in his locality -- a letter was read by Mr. Payne, which I can only explain in this way, as he read it, that trade, was very good, and we should soon have a good order -- he stated that the letter came from Mr. Lacey, who had been sent to Manchester -- there was some degree of satisfaction expressed by many of the delegates present -- they were glad to hear Lacey was going on well -- a resolution was passed that they should meet on Wednesday, Aug. 9th, at the Lord Denman beer-shop, in Suffolk-street, Blackfriar's-road -- Messrs. Payne, Brewster, Rose, Mullins, Dowling, myself, Gurney, Donovan, Bassett, and others, twenty-eight in all, were present -- reports were given in by the new delegates of the feeling of their localities, and the number of fighting men, and the state of preparation they were in -- I do not think anything was said about ball-cartridges, or anything of that sort; merely about preparations --

Payne was in the chair, but Mullins acted as chief speaker -- he was vice-chairman, and sat at the other end of the table -- he called on the delegates to declare their allegiance and determination to abide by the decision of the committee for the good of the people -- they did not swear, but some declared solemnly, and some said they were determined to risk their lives, and abide by the decision of the committee --

Payne read another letter from Lacey, stating that all was going well, that he was still at Manchester or some other part of the country, and there was a question asked how long he was to continue there, and Payne said he was to remain there as long as necessary -- a resolution was passed that they should meet at Perry's coffee-house, Church-street, Bethnal-green, or Shoreditch, on the following Friday, 11th, at eight o'clock -- I went, but found no meeting -- I was informed that the police had been to Rose's house, and seized his papers, and that all was up -- I then went home -- I heard on the following Sunday that there was to be a meeting on the following Monday night, 14th, at the Orange Tree beer-shop, Orange-street, Red Lion-square -- I attended it, and I was asked why I was not at the other two meetings that had taken place since Wednesday -- I found, I should say, twenty-five there -- I have not got their names, but I think I can tell them -- there was Cuffey, Brewster, Payne, Mullins, Gurney, Fay, Ritchie, Scurry, myself and others -- Dowling was not there, at least I did not see him there -- Gurney asked me how it was I did not go to the meeting at Perry's coffee-house -- I said I did go, and there was none held -- he said there was, and then he told me where it was held --

Payne was in the chair at the Orange Tree, but Mullins was the spokesman, and he was chief spokesman on all occasions -- he called on us to give a return of the number of ball-cartridges that each delegate and his members had prepared -- each delegate gave in his return of ball-cartridges that he had prepared, and also what the members of his particular district had prepared -- I did not take any note of the number -- I think it was somewhere about 500 or 600 -- there was a return given in of the number of fighting men -- Mullins stated that there were nearly 5000 fighting men of the Chartists alone -- a return was also given from the Confederates -- I cannot remember the number of them for a certainty, but I think it was something bordering on the same number -- it was a considerable number -- Mullins said that the time was near at hand -- he said, "Gentlemen, the next business is that I want every delegate to select four or six men, or more, as many as he can select from his locality" -- there was a question asked as to what they were for, I do not know by whom -- Cuffey answered, "To fire houses, railway premises, trains, or anything" -- I did not put anything down at the meeting -- I was obliged to be cautious not to put anything down --

Mullins looked up at the gas which goes along the ceiling, and said "If I look up at the gas, you will all know what I mean" -- I was asked how many men I thought I could select, and I said two, and the other delegates right round gave in a return also -- it was said they were to be men who could be depended on, who would do anything and everything -- in the course of the evening there was a proposition made and carried, to send a deputation of two persons to have an interview with some of the North-Western Railway engineers, and ascertain what their feelings were, and whether they were willing to come over and assist the Chartists -- Ritchie and Scurry were proposed and unanimously carried for the purpose -- I was not aware till that evening that there had been a difference between engineers and the company -- it was mentioned then, because it was requested to know what they were going for -- 1s. 6d. was voted to defray their expenses for refreshment -- they left forthwith on their mission -- they were not present when the other resolutions were passed -- I did not see any more of them that evening -- there was a resolution passed that we should meet at half-past seven at the Lord Denman on the following Tuesday evening -- I went -- Payne, Brewster, Mullins, Cuffey, Dowling, Allnutt, Fay, Gurney, Lacey, Ritchie, Ferdinando, and others, in all about forty, were there --

Lacey was there when I got there -- he entered into conversation with several of us, and told us of the men of Birmingham and Manchester, and I think he said Liverpool, but I am not certain, were up and doing, or would be doing that night, and he had been watched all day by the police, and as he was coming out of his street-door, a boy came up and told him that he was watched by the police -- I had never seen Lacey before, I had only heard of him -- he said he had been to Birmingham and Manchester, and other places, but I do not remember for a certainty what those places were, and he had also been watched for two hours, and he gave police the double, and had reached the place in safety -- about three quarters of an hour after that, there was a distribution of colours by Brewster -- they were twisted plaited ribbons, and were given to delegates so that they might be recognised as the leaders of the people -- Brewster states so -- they were to be put on the left arm -- they were three colours, red, white, and some other -- I received one --

Mullins was present at their distribution, and after that some of the committee came in -- they were not all present, at least I did not see them, but one or two of them spoke, and told Lacey they had better retire and consult -- the room up-stairs was occupied by a sing-song, and we had the lower room -- Lacey said, "If you wait a while I will go and see at a neighbour's coffee-house, whether we cannot have a room" -- he went out, returned, and said "All right," or some such words, and the committee went out with him -- I did not go -- they were gone about three quarters of an hour, or it might have been an hour -- the delegates remained till they returned -- they went away, to consult together -- when they returned, Cuffey said, "Now, Mr. Chairman, you had better give the instructions as quick as possible" -- Mullins was acting as chairman --

Lacey went with them when they went out -- I did not see him return with them, and was surprised at it -- Cuffey was secretary; I was informed he was chosen secretary by the committee -- Mullins said, "Gentlemen, as you are aware, the committee have retired, and come to certain resolutions and decisions; they have directed me to give you the following instructions; and as our friend, Mr. Lacey, has informed us that the men of Birmingham and Manchester are up, and will be doing to-night, and we have no doubt to doubt the correctness of his statement, therefore, gentlemen, to-morrow night you must come out to fight and strike the blow; and it is necessary, gentlemen, that you should speak out honestly and boldly, for there must be no flinching in the matter" -- Cuffey stood by the fireplace, and said, "You had better put it round, Mr. Chairman, to everyone present; let them answer, 'Yes' or 'No'" -- Mullins on that appealed to a delegate sitting by me, and said, "Will you come out to fight?" -- he said, "Yes" -- he said to me, "Will you?" and I said, "Yes" -- then he said "Will you?" addressing each in turn, one by one, round the room, till he came to Mr. Ferdinando, who made a bit of a speech, and explained the reasons that he could not conscientiously say "Yes" to coming out -- he objected, he was not agreeable; in fact he said, "No" -- he gave his reason, and then said, "No," and sat down -- there was one more of the same opinion -- I do not know his name -- he was companion delegate, I understood, to Allnutt, who sat by his side -- with the exception of these two, the answer from the rest was, "Yes" -- after that Mullins said, "Gentlemen, you must understand we shall take up four positions: Clerkenwell-green will be taken by Mr. Brewster; the Tower Hamlets will be taken by Mr. Payne;" and the Seven Dials, and the Broadway, Westminster, were the other two positions -- Bassett and Mullins were to take those two -- I do not know which was to take each -- Mullins said, after giving the instructions in that manner, "Gentlemen, every delegate must assemble the members of his locality, for them to communicate to their locality at eight o'clock precisely" -- it was to be the next night -- there was a question asked by a delegate, I do not know who, how they were to get them there with their pikes and poles? --

Mullins said, "I can only say they must get them there the best way they can," (some poles were ten feet long), "and at twenty minutes past nine, to a second, every delegate must be with his men at their respective positions" -- the delegates were to come armed -- Mullins proposed, and it was carried unanimously, that Ritchie was to superintend and direct those men that were to be selected for the purpose of firing houses, railway premises, trains, or anything -- Ritchie undertook it -- the Orange Tree was to be the place of meeting -- a question was asked, how Ritchie was to know these men, and some person said, "I propose the password to be, 'Frost and Mitchell' " -- Allnut proposed the word "Justice" -- it was put, and carried unanimously; so that when these men entered the room Ritchie might ask them "What do you want? who do you want?" and they would make the reply, "Justice;" and then he would know them --

Mullins said to Payne, "Just take a list of the number of men; " and he put them down; but he made a mistake, and there was some little confusion with the delegates -- he went around the room again, and the number was reckoned forty-six -- he applied to the person who sat next to me first, and then to me, and I said, "Two," but I could only depend on one -- he went round to every delegate, and in that way forty-six was made up -- Gurney was there at the time, and when I said I could select two, he said, "Oh, nonsense, you can select more than that, half a dozen, I know" -- I was rather put out at his taking on himself to judge upon it; in fact there was but one man that I could depend on for the purpose -- Gurney was one of the wardens before I was elected on the council -- each warden has 100 men under him, according to the rules of the Society -- after the number of men was taken, the last words Mullins uttered were, "May the bitterest curse of God hang on the soul of that man that shall betray any one of us" -- it was such a colour as this (produced) that was to be tied round the arm -- nothing more took place that I remember -- I came away -- the prisoner was there that night, and sat nearly opposite me --

I attended a meeting on the following day, 15th -- it had been arranged on the Tuesday evening, at the Lord Denman, that our locality, the Finsbury, City and Clerkenwell localities, were to meet Brewster at twelve o'clock, at the Crispin, in Milton-street, Cripplegate, to receive the delegates from each locality -- I went, but did not arrive till quarter to one -- I found Brewster, Gill, Gurney, and I believe Fay, and others, eight or nine altogether -- I have not made a note -- Brewster said it was his intention to attack the Artillery-ground, and if possible, to take it, and he should have to fight b---y hard, and that we should know by four o'clock in the afternoon whether the Government had received any intimation of what was going on -- there was another person with him at the time; in fact, it was the man who told me at Perry's coffee-shop that there was no meeting there, and that it was all up with Rose -- Brewster pointed to this person, and said, "Wait on me at Clerkenwell-green when you are all there" -- Brewster said, "Don't be afraid because you do not see the signals for a little while; you might not see the signals for half an hour, but wait a bit" -- it had been arranged at the Orange Tree that there were to be bonfires -- the men who were selected, were spoken to on that same evening, for I spoke to my men -- Brewster also said, "Ritchie swears, so help his God, he will shoot the first person dead that flinches from his duty."

*Cross-examined by Mr. KENEALEY.* Q. Have you attended many of the Chartist meetings at Kennington-common and other places?

A. I believe only one on Kennington-common; that was on a Sunday -- I went with a son of mine out of curiosity -- I should think that was not above five months ago -- perhaps more, but I think it was under that -- I do not know whether it was before or after I became a delegate, but I rather think it was before it -- that was the only one I attended -- I did attend at Bishop Bonner's-fields twice or three times, when the meetings were on Sundays -- I attended a public meeting at Milton-street for a short time -- I think five or six is all I have attended -- I cannot say how many I attended before I became a delegate --

I entered the Chartist Society after 10 April -- I cannot say how many public meetings of the Chartists I attended before I became a member -- I cannot say whether I attended any -- I cannot recollect it -- it was not by attending these meetings that I got acquainted with their principles or with them -- I went to Kennington-common on 10th April -- I believe that was the first meeting I attended -- it was some time after that that I became a member -- I never saw the prisoner at any Chartist meetings -- I never considered him a Chartist, only a Confederate -- I do not know that I have heard him say he was not a Chartist -- I do not recollect his saying that the Charter was not worth fighting for, and that it would be obtained peaceably in two years; he might -- I will not swear he did not say so in my presence -- I should not have been surprised if he said so -- he was a very quiet speaking man, and never took an active part -- I always took him to be inoffensive and quiet -- I consider it would have been in accordance with his principles if he had said so -- I do not recollect his saying that he was perfectly loyal to the Queen, and he considered her as one of the best sovereigns that ever was in England -- I have met him at other places besides at the committee meetings -- I never heard him say a word about the Queen --

there were about forty delegates present at the meeting at the Lord Denman, when Mullins was in the chair, and when he asked them all if they would come out and fight -- the prisoner sat nearly opposite me, on the other side of the table, at that meeting -- I had a full view of him -- I will positively swear he was not one of the two who refused to fight or to say "Yes" -- I positively swear I heard him say, "Yes" -- I have not got the credentials which I got from Bezer -- it was the leaf of a book which was handed by me to Payne, who compared it with his book -- it corresponded, and he said, "That will do" -- there was no writing on it, it was a plain leaf out of a book -- at the latter part of the time persons were allowed to sit among the delegates without producing credentials -- there was a great deal of imprudence in doing so -- it was not allowed when I first went among them, no person then could possibly have been allowed there unless he was a delegate, and produced credentials --

I do not remember that the chairman at the Lord Denman said, "Oh, that is all right" -- the first meeting that I recollect seeing the prisoner at was on 20th July, at the Black Hart -- that meeting consisted entirely of delegates and persons who delivered credentials -- one person was admitted without credentials; but I objected to it, and he was not allowed to stop -- I do not recollect that there was some conversation at that meeting about Dowling having no credentials -- Dowling was there before I got there -- five persons were proposed and carried, to draw out five plans of operation, and five plans were to be produced on the next morning at Dennis's Coffee-house -- they were to be inspected by all the delegates present, and the best was to be decided on -- it was usual to produce credentials as the persons came in -- the chairman was in the chair at the time -- I did not see Dowling produce any credentials.

Q. What induced you to first join the Chartist body?

A. Two things, curiosity and for the purpose of obtaining information and giving information to the authorities -- I joined them of my own free will -- I found as soon as I had been to the place once or twice that they were a rum lot -- I did not know before I joined them that they were rather a rum lot -- I found it as soon as I entered -- I went to the place before I joined them -- I thought perhaps they would do something to me -- nothing about money, but something worse than money -- I should say a bit of steel was worse than money -- I judged that these parties would be inclined to put a bit of steel into me -- I did not give them any provocation -- I judged so from the conversations I heard -- it was not conversations relative to myself -- I considered that they were of that class of persons that would not be scrupulous of doing anything -- that was before I joined them --

there were many man that I thought would do anything or commit any kind of deed, and my impressions have been confirmed -- the phrase "anything and everything" is not a favourite of mine -- I should say these men would have had very little hesitation in putting steel into me, and particularly now -- they would not have minded it before if they found it was necessary -- I am a carpenter by trade -- I live partly on property which I have, and partly upon my hand labour -- that was sufficient -- I am like everybody else, anxious to get more if they can -- my object in joining the Chartists was not to make money by betraying them, it was for the good of the country -- I swear that I had no pecuniary object in giving information against these persons -- I did it merely to do my country service --

I put myself in communication with the police almost directly I had become associated with these men -- I introduced myself to these men -- I visited Cartwright's, and ultimately became a member -- I did not tell them anything particular when I first visited them -- I mixed with them of course -- I do not think I ever shouted for the Charter -- I did not do so at Kennington-common -- I cannot tell you the amount of money the General Delegation had in their coffers from beginning to end -- the money was appropriated in various ways, the secretaries managed that -- they could tell from their books -- I should say they had a good deal more than 5l. of 6l. [l = £] -- I cannot tell how much they had, not 1000l. -- I should say what they collected from beginning to end would amount to a good deal more than 20l. -- I cannot tell you the amount, I was not secretary, I had very little to do with the books --

When I put myself in communication with the police they did not tell me to take notes of all meetings I attended, that was my own suggestion -- I have never shown my notes to any person -- some of these notes were made when I got home after the meetings, and some were made next day, but I swear none were made later than a day after, and the latter part of it I can positively state when I did it -- I was at work at this time -- I did not make any gunpowder -- I made ball-cartridges, at least I have filled ball-cartridges for Gurney, our warden, and occasionally cast bullets and delivered them to him -- I suppose I have cast fourteen or fifteen dozen for Gurney -- I filled no cartridges except sixty-eight, which I had from him out of his cupboard, and I still have them in my possession -- I did not make any fire-balls, or any other combustibles -- I confined myself to bullets and cartridges, according to Gurney's directions -- I did not make any pike-handles or any other implements for fighting.



Q. I believe you thought these men were not going quick enough to work, and you suggested that they ought to procure larger quantities of powder?

A. I suggested what I declared according to the resolution come to at the delegate meetings -- I did not suggest to them to make quantities of cartridges and bullets -- I am speaking of Gurney -- I did not suggest anything to Gurney -- that was merely a word that fell out -- I did not say at Bow-street that I stimulated these men to cast these bullets -- I never gave any powder or bullets to any mortal being save Gurney -- he is now in custody -- I know a man named Dennis Dwaine -- I do not remember having any conversation with him about the absurdity of his moral force doctrines -- I do not know him personally, I do not think I ever spoke to him.

Q. Where have you been living since this?

A. That is a question I do not know that I ought to answer -- I have partly been living at Her Majesty's expense, I suppose -- I do not know that it has come from Her Majesty -- there is not a great contrast between the style of my dinner since I betrayed these men to what it was before; in fact, I lived better before -- I am paid badly -- I am receiving money for my support -- my life has been threatened --

I am not receiving as much as when I was a journeyman -- I am receiving only a pound a week - - I am not to get a farthing if I convict these men, I positively swear that -- no one has told me so -- I only judge so -- such a thing has not been broached -- I do not entertain any hope of getting any money for it, I look for protection from personal danger, and that is all -- I do not look for any promotion or pecuniary reward of any kind -- I never told these men to set fire to any places -- I have heard it spoken of --

I never told them I did not approve of the slowness and tediousness of their proceedings -- I have said I was sick of their talking, they evinced so much talk, and that was all that would be done with them -- I might have said such words as those -- I do not remember saying that I was sick of their talking and doing nothing; I might -- I cannot tell you what I meant by saying I was sick of their talking -- words may have been spoken by me at times which I really had no meaning to -- I do not remember whether it was at any of the delegate meetings that I told them I was sick of their talking -- I believe I have stated all that I repeated myself -- I do not remember saying I was sick of talking, and wanted them to go to work -- I did not say that I told them I was of their talking -- I may have said so, but I am not -- sure -- I will not say I did not say so -- I did not tell them they were going too slow to work, and the best way to get their rights would be to set fire to London -- I do not believe such words were ever uttered by me, or anything to that effect -- I did not in any way stimulate them to get bullets and gunpowder --

I did not cast bullets for anybody but him -- I considered that was stimulating them -- (the witness's deposition being read, stated, "I stimulated them in some respects -- I gave them some bullets and powder -- I gave Gurney some bullets and powder only, and not anybody else") -- I meant Gurney only -- I swear positively I never gave powder, bullets, or paper to any other mortal being save Gurney -- I do not think I said at Bow-street, in answer to Mr. Macnamara, that I stimulated the people on -- I meant that I stimulated Gurney -- I meant to confine it to him -- I used no stimulation to him, except that he asked me to get some lead and powder, and such like for him to make cartridges, and I did so -- he said the cartridges were for use -- I expected what they were for -- he knew what was going on -- I believe of course he intended to use them on a future occasion, I suppose in fighting.

Q. Against the Queen?

A. I do not know about against the Queen, but if a collision took place between Chartists and the police of course he would have used them, I suppose so -- I made them at his desire, it was his suggestion, not mine -- he had been a long time making these things -- I am aware that Gurney is to be tried -- there was a suspicion of spies -- they suspected me a spy -- I can hardly tell you what I was suspected for at first -- am I bound to say how they came to suspect me?

Court. Of course you are.

A. Then I will tell you how it was -- a person, named Rowland, who is a carman to a brother-in-law of mine, is a Chartist, and had been for years, and I was in communication with a certain party; that party called at my brother-in-law's premises, he saw this party and knew him, and he came to our locality and charged me openly with it; I vindicated myself as much as possible, that was how I was charged, but I cleared the matter up then, and the party that charged me was bundled neck and heels out of the place.

MR. KENEALEY. Q. Why not tell me that first?

A. It was a matter that required concealment, and I of course kept it concealed, and I did not answer the question until I was bound to -- in fact I have not given you the whole yet -- I have told you how I was suspected, and that is all -- Rowland charged me with being a spy -- I was not charged as a spy by any delegate -- Rowland was not a delegate -- none of the delegates were present when I was charged with being a spy -- the delegates did not suspect me -- they knew nothing at all about my having been alleged to be a spy -- I had some conversation about it now I remember, with Mr. Mullins, at the Milton-street meeting -- he was on the platform, and I told him that some time ago I was charged with being a spy, and he himself was charged -- there were such foolish suspicions in the minds of the members of the locality, I was surprised to find they were suspecting most of the members as spies.

Q. Were you surprised to find that they were such fools as to suspect you as a spy?

A. Well, certainly, if I am to use such vulgar epithet they were fools not to know the difference -- they did not suspect me.

Q. How did it happen that they admitted you among the delegates, and to all their secrets, when you had not become a member of the Chartist Society before?

A. Because I was elected by the Council, and went there -- I cannot say why I was elected by the Council -- the fact was the others were afraid to go -- the Council consisted of Fowler, Owen, Jones, Carter, myself, and Battice -- Mr. Battice accompanied me that night, and was afraid to go to any other meeting -- some stranger in the room asked me whether I had any objection to stand as one of the Council -- I said no; and I was proposed -- I never asked him to propose me -- I did not suggest it to him -- I do not know who the stranger was -- I cannot tell what made him suggest it -- he gave me no reason for asking me to join the Council -- he did not say, "Powell, you are a great Chartist, a determined fellow, and ought to be on the Council" --

no one knew me by name -- he did not say, "Johnson" -- O do not think I had ever seen that stranger before -- I do not think I ever saw him before that night -- I cannot say whether I have ever seen him since -- he was sitting by my side, and proposed that I should be on the Council -- he may have seen me before -- I was not very much inclined to go on the Council -- I never put myself forward, for they were very inattentive to these matters; they were not careful -- they did not know where I lived, nor what I was, and scarcely knew my name -- I did not say I did not wish to be on the Council -- I did not put myself forward --

I had no particular wish not to be on the Council -- if I was elected I should have gone in; and I was elected, and did go in -- I knew I should have a better opportunity of getting information if I was on the Council -- I was not pressing for it -- I wished it to a certain extent, but not to force myself in.

Q. You wanted to dive gradually into their councils?

A. Of course I did, and to be unsuspected, for the purpose of betraying them with the greater ability -- I cannot remember how long I was on the Council before I was made a delegate -- I think it was a short time after Mr. Williams was secretary -- I cannot say to a certainty how long it was, it may have been above two months -- I could tell if I had the books the time I entered, but I really cannot now -- I kept no note of it when I entered -- I did not keep a diary of my transactions, only this produced -- I kept this on purpose that it should improve my memory in giving an account of every transaction that occurred -- my memory is pretty good in some things, and bad in others -- it is good so far as to know what did take place, and no more -- it was the men who went to the Orange Tree that were to use the word "Justice" -- every delegate knew the word, and was to communicate the pass-word to every man that he selected for that particular purpose, so that no man could enter the room or know what was going on at the Orange Tree, unless he made use of the word "Justice" --

only one delegate was there, and that was Ritchie -- the firemen were to come there and us the word "Justice," and he would know them -- it was understood that no other person was to go there -- no other person had any right to go there except those men for that particular purpose -- these were books kept by the delegates on two occasions -- I saw them on the table -- the leaves were torn out the first night of the meeting, 20th July -- I cannot tell whether any of those books have been used by the Crown -- I have seen a person named Luke King -- I was present at a meeting on 20th July when King came -- he said, "If I have been rightly informed, you, the Secret Committee, have been sitting day and night for some time past; is that true or not?" -- Mr Payne said, "There is some truth in it" -- they were very cautious what they did in King's presence -- he was very much out of temper, and left in a very hasty manner, and went down stairs -- I do not believe I said a word -- it was the first night I was there --

I did not deny that there were any secret meetings held -- how could I, I did not know it -- that was the only meeting that King was at, that I know of -- I did not get up meetings for the purpose of getting money together -- Mr. Owen Jones was one that got them up -- I never got a farthing of the money at the meeting on 30th July, at Cartwright's coffee-shop -- I do not recollect any money at all being paid that evening -- Payne was in the chair; I believe it was Payne -- it was very seldom that Mullins was in the chair.

Q. Did you hear Dowling say that evening that the plans of the committee had been concocted in his absence and he did not understand them, and as far as he did understand them he disapproved of them altogether?

A. He might have said such words; I do not know whether he did -- on my oath I did not hear him utter such words -- if he had I should have heard it -- I do not suppose he did use them at all -- he resigned that night, but he was re-elected -- I do not know that he gave that as a reason for resigning -- if he did I should have heard it -- it is very likely he might have said it -- I do not know that he gave any reason for resigning; I do not recollect that he said anything about it -- there was a charge brought against Mullins and Rose about their being spies -- that occasioned a great deal of confusion, and the committee resigned -- no other reason was given --

there was another resignation, on 7th Aug., on consequence of Smith O'Brien's arrest; that was not on 30th July -- I was present at the discussion relative to the accusation -- I told them I heard so much in our locality that I myself had been accused of being a spy, and that it was so much trash, to put it aside altogether -- I believe those were the very words I used -- they did not suspect me of being a spy --

I mentioned to Mullins, at the Milton-street Theatre, that I had been suspected as a spy, and that was the only night I mentioned it to him -- I also mentioned it at the time of the discussion -- I indignantly repudiated the notion of my being a spy; I did not positively assure them that I was not a spy -- I did not do one thing or the other -- I never gave them to think I was or was not, I let the matter pass -- I spoke to my men, to be ready on the Tuesday night -- I spoke to two men to be ready for firing; one was Abel who was taken at the Orange Tree; I do not know the name of the other man; I have known him perhaps four or five years -- I told him that I was delegated by the resolution come to at the meeting, to find four men for the purpose of firing houses and premises, and I called him on one side, and spoke to him of the subject, and he appeared to be disposed for the purpose -- I was in conversation with one of the men about a quarter of an hour, and with the other about the same time, and told them for what purpose it was.

Q. What object had you in persuading those two men to join you in this firing expedition?

A. It was a resolution come to at the meeting to select four men each, and I did not know any more, except those two men -- one man was disposed, and Abel, when I left him, did not seem disposed, and I never took any further notice of him -- I felt bound to carry out the resolution of the delegates, or I could not have led them to feel I was discharging my duty -- the other man I spoke to was not a delegate -- I did not want to entrap him into this -- I spoke to him on the subject, and left it to his own option -- I was doubtful whether he would do it, and although he told me he would go to the Orange Tree I did not believe him, and he did not go --

I did not use any effort to persuade him to join in firing the houses -- I told him what it was for, and said, "Consider it" -- I did not endeavour to entrap men; it was just to carry out the resolution -- if he had fulfilled the resolution, it would certainly have entrapped him; but unless I had spoken to him I should not have fulfilled that which was expected of me -- I did not feel bound to carry out the resolution to the extent required, but merely just to speak to the men -- it was never my intention to get them to do such a thing -- if they consented to fire houses I should not have dissuaded them; but it was not my intention they should do it, for all that.

Q. When did you first begin to communicate this affair to the Government?

A. Soon after 10th April -- the Secret Committee sat the very next day after I attended the first meeting -- that was on 20th July -- I was not in communication with the Government before that -- I first put myself in communication with these parties very soon after 10th April, very soon after I joined the Chartists -- I communicated every movement that I knew of, from time to time; they knew everything -- I saw something illegal in the council when I first joined them -- I knew that there was a rising; that was before I put myself in communication with the Government -- the parties with whom I communicated did not persuade me to continue among the delegates -- they did not tell me to do so; I did it of my own accord -- I saw them often, I did not see them regularly once a week -- I do not know what has become of the man I wanted to fire the houses -- I went to none but two, I never spoke to a soul besides -- I did not tell him anything about firing railways -- I said it was for firing houses and premises -- there was not a word said about killing the police on that occasion --

if I had received orders from the delegates to get any one to kill the police, I should not have considered myself bound to carry them out; I merely did what I desired, with reference to firing houses; I merely spoke to him -- I never said they were not to consider whether there were people in the houses -- this is the only occasion on which I have got people to fire houses; the only occasion on which I was asked to go -- if I had been asked on other occasions I should have done so -- I should not have fired any houses -- I only heard the men talk about a Republic once -- Dowling was present then --

when Payne spoke of destroying the power of the Queen I said nothing, I was not on the committee, and was surprised that they allowed me to be present -- Rose spoke about assassinating the police -- I was in communication with the police then -- I offered no remarks on the subject, as I had no right to be there while they were sitting -- it was business which ought to have been transacted by the committee alone -- no delegate ought to have been present -- I was present on one or two other occasions -- they generally met before the general body of delegates, and before the delegates left they consulted together -- that was the meeting where they produced plans, and talked about barricades -- it did not occur to me that it was a curious thing that such important things should be communicated at a meeting at which I had no right to be present -- nothing was said about my presence -- there is no doubt there were many propositions made that were not made known to the general body of the delegates -- I saw a plan; to the best of my knowledge this is it (produced) -- on my solemn oath the word "fighting men" was used -- the very first night Mullins asked us to give in our returns of the number of fighting men, those were his words --

it was proposed, I think, by Donovan, to send a delegate over to Limerick or Cork to know how things were, in consequence of the difficulty of getting information at the time the excitement was going on -- I do not remember Dublin being mentioned -- I never heard of any communication between the delegates and the people of Cork or Limerick -- when Mullins said, "May the bitterest curse of God hang on the soul of the first man who betrays and one of us," I did not think he meant me, because he did not know I was in communication -- I have been a carpenter for the last ten years -- I was a bed-pillar carver before that -- I have made more by carpentering than by spying -- the "Ulterior Committee" is the only name that I am in possession of as the name of the Committee -- I do not remember them saying there was a plotting committee -- I may have called it so -- I have heard it called so -- I do not know by whom, but the name was the "Ulterior Committee."

JOSEPH THOMPSON re-examined. On 14th Aug. I searched Rose's premises -- he was with us, and showed us the place -- I found this plan, marked "A;" this map of City-toad, "B;" a map or sketch of Seven Dials, "C;" blank forms for plans to be filled up; one of Seven Dials; and the other, headed "Clerkenwell;" three recipes for gun-cotton, and these two lists of numbers -- I found this cipher (produced; No. 11).

WILLIAM CHUBB re-examined. I believe this (No. 11) to be the prisoner's writing -- (This being read, contained various marks and figures, with names and words attached to them, among which were "Pikes," "Rifles," "Killed," "Shot," "Barricades," "Victory," "O'Brien," "Doheny," "Tipperary," "Poison," "Fire," "English," &c. The papers found at Rose's being read, contained a variety of names contracted, with numbers placed against them, signifying the various localities, their number, and names of the leaders, among which were the following: "Wall. 80; Bass. and Nas. -- Lamb. lo 150 Ped. -- Ber. 50; Dean. 250; Cuff. Thom. -- Star. 50; Pear. -War -- Irish, 50; Ritchy. -- St. Gils. 100; --Carts. 50; Fel. 100; Mitch 30; W. Ty. 20 -- Fuzz, F., &c."

CHARLES TILDEN. I am a brass-chaser, of 26 Little Earl-street, Seven Dials, and work for Martin and Gracy, of Rathbone Place. On 27th May I became a member of the Chartist club in Dean-street -- Cuffey was the class-leader -- each class-leader has nine men under him, and gives orders to them -- he gave me no orders to get gunpowder to make ball-cartridges to fire on the police -- he said the time was close at hand; that was about the middle of June -- I said I had not got a gun or a musket -- he said, "Never mind that, make the cartridges up, and when the time arrives break into the gun-shops and get them" -- some time afterwards I met him at Wardour-street, and asked him how to make the cartridges -- he gave me directions -- about a week afterwards I went to his lodgings -- he showed me a pike, which he said was Mitchell's pattern, and asked me to sharpen it for him, but I did not -- I saw the pike-handle as well (produced) -- I went again, and found him casting bullets from letter-type -- I saw about a dozen -- he said they were to make up into cartridges -- he said So-and-so had got some ginger-beer bottles with pieces of ragged iron in them, and that the wives of Chartist were to chuck them out of windows on the police, while the husbands were fighting the police in the streets -- he said the soldiers would soon be drained away from Ireland, and London would be in our hands -- I have seen Dowling at the Davis club -- he was the Secretary.

*Cross-examined.* Q. When did you enter into communication with the Government?

A. About a month after 29th May, when I became a member -- I joined as a moral-force Chartist, not for the purpose of giving information to Government -- I gave information for the good of the public and myself -- I believed it to be my duty -- I did not broach the subject of the ginger-beer bottles -- I said So-and-so had got ginger-beer bottles, with pieces if ragged iron in them, and bits of tow round them, and he said they were very good things to chuck out of windows -

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I said nothing about gunpowder, in reference to ginger-beer bottles, till Cuffey mentioned it to me -- I did not ask him to entrap him, but to see if I could escape any ploy being laid, as I suspected a plot then -- he thought I was one of the right sort -- I allowed him to continue in that belief till he was taken up, I played the traitor all the time -- I did not tell him I would join in the attack on the police -- I may have broached the subject of attacking the police, three times -- it was not four -- I did not commence the conversation, only about the ginger-beer bottles -- I did not say a word about the police -- I commenced the conversation with reference to destroying the police, three times -- Dowling was not a member of the club I was in -- I have not been in the pay of the police -- I have received no Government pay, and do not think I shall -- I have received nothing for the evidence I am giving, and do not expect to.

MR. ATTORNEY-GENERAL. Q. What was said in the conversation with Cuffey on Sunday Morning?

A. He asked if I had heard of any orders, and gave me orders to get 2 lbs. of gunpowder.

THOMAS BARRETT. I am a shoemaker, of 17, Charles-street, Lisson-grove. On Whit-Sunday I became a member of the Emmettt Brigade, which held its meetings at Morgan's beer-shop, in Praed-street, and one branch in Shouldham-street, kept by Breden -- I know a man named Mullins -- I have heard him address meetings of Chartists and Confederates, at Breden's, on several Sundays, and on Sunday, 13th Aug. I heard him say it was necessary for each man to make a small sacrifice to aid the Committee of Progress in their undertakings, and they would judge by the exertion's they made whether they were prepared or not -- at a meeting there in Tuesday, 15th Aug., between thirty and forty Chartists and Confederates were present -- at one time there were forty --

it was stated that they were waiting for delegates from the Committee of Progress -- on Wednesday, 16th Aug., about eight o'clock, I went to the Chartist meeting-house in Praed-street -- about twenty of the Emmett Brigade were assembled -- it was said they were waiting for orders; they did not say for what, but it was generally understood for an outbreak -- I went from thence to Breaden's, I got there about half-past eight or a quarter to nine, and found thirty or forty persons of the same class -- Mullins came in, and a man named Smith clapped him on the shoulder, and said, "My boy, I was afraid you were taken" -- he said, "No, they only take me with my life" -- he retired, and a man named Cruikshank came in and placed a musket on the table -- I had seen him there once or twice before -- I do not know what branch he was a member of -- there were two pistols, and several pikes and pike-heads, in the room -- I heard the question put whether they were prepared, and whether they had got their toothpicks, which was the name they gave them --

Mullins and others retired into another room -- when they came back I was sitting in the angle of the room, and saw Mullins look into the room, and withdraw out of my sight -- Smith said to me, but I cannot swear whether it was in Mullin's presence, that they were to be in readiness to meet their leader at Crown-street, Soho-square, and the Seven Dials, at ten o'clock -- the leader's name was not mentioned -- a cab, which I was informed had brought Mullins, drove up to the door, and he went away in it -- I believe there was a question asked how they were to take their arms -- the answer was, in the best way they could -- I went to Crown-street, Soho, walked down the bottom, and recognised about thirty persons whom I had seen in the room.

*Cross-examined.* Q What is Mullins?

A. I believe he is a surgeon -- he seems to be a man of education -- I think he said crisis, and not crisis -- I was not in communication with the police when I heard Mullins speak -- I am a moral-force Chartist -- I think it is not physical means that will carry out moral force.

CHARLES BALDWINSON. I am a tailor, of Webber-street, Blackfriars. I became a Chartist last May, and was elected a class-leader about three weeks afterwards, in June -- I had nine men under me -- the usual place of meeting was Chartist-hall, Webber-street -- Morgan was our class-leader in the same district -- I attended at the South Lambeth Chartist-hall -- I know Pedley well -- he was a class leader at one time, but gave it up -- he used to attend the same meetings -- on Tuesday evening, 15th Aug., I went with Morgan to a Chartist meeting at the Peacock, Francis-street, Westminster-road -- as he went he told me that during my absence something was going on which I was little aware of, but when I got to the Peacock I should hear something by Mr. Pedley, that something was close at hand -- I had not been there for nearly a fortnight --

about half an hour after we had been at the Peacock, Pedley came -- he said there was a general rising in the North, that a delegate had come from Manchester, and that we were to meet at the Peacock next evening, and bring our men with us armed, and those who were not armed were to be put in a position to get arms -- my party was going to the Broadway, Westminster -- Clerkenwell-green, the East end of town, and Seven-Dials were also mentioned -- Pedley produced some different-coloured ribbons, which the leaders were to wear that they should be known by the men -- this is one of them (produced) -- next morning I went, and told some of the men what was going to take place -- at nearly nine o'clock in the evening I went to the Angel, in Webber-street -- Prowton, Conway, Johnson, and Pedley were there -- I believe we got there before Pedley -- when he came I saw him load a pistol -- I saw some cartridges, which he made up at the Peacock on Wednesday night -- he gave me one -- he left, and the police arrived in about three minutes.

*Cross-examined.* Q. Had you any arms that night?

A. A pike head and a small pocket-pistol -- I knew the men were to be arrested -- I took the pistol and pike-head, to take off the appearance of a traitor you may call it -- I did not offer the pistol to any man in the meeting that night -- Conway had the pistol in his hand, and was cutting a ball to go into it -- he went out for some percussion-caps, but I do not think he had it when he went out -- I told my class to meet at the Peacock at eight o'clock, that something was to take place -- I had given information then; I gave them instructions before I gave the information, but I believe not afterwards -- they did not suspect me when I ceased to do so, as I had none to give, Pedley had to give them that night -- I understand they did not think me a spy or a traitor till they were arrested -- I told them to come armed if they had them, and if they had not they would be put in the way to get them -- I did not know they were to be arrested then -- I did not give information till the same evening.

MR. CLERK. Q. You gave information between two and three o'clock?

A. Yes -- I had not given the least information before that.

NICHOLAS PEARCE. I am superintendent of the F Division of Police. On 16th Aug. I went to the Orange Tree public-house with about twenty men -- we arrived a little after five o'clock, went into a room in the upper part of the house, and found eleven persons sitting round a table apparently in conversation -- I requested them all to keep their seats -- I do not think anything was said -- but a great many of the constables rushed into the room -- more than one attempted to get away -- I had a pistol with me -- we secured them all --

I found a handkerchief under the bench they were sitting on, a little to the left of Ritchie, containing three balls, with tow on the outside tied round, one with a string, some rag and tow saturated with turpentine -- I cut one ball open, and found some printer's type in the middle -- the things all smelt of turpentine -- I found two knives in Ritchie's pocket -- I examined him more minutely at the station -- his dress and hat smelt of turpentine -- he declined giving his address -- he told me afterwards he had returned from France -- the eleven men were Ritchie, Gurney, Sheppard, Abel, Richardson, Burn, Greenslade, Scading Snowball, Martin, and Small.

*Cross-examined.* Q. Did any person come out of the Orange Tree who gave information before you went in?

A. No -- the men did not attempt to make any resistance, they quietly surrendered -- it was a long bench that I found the handkerchief under -- several persons were sitting on the bench -- it was in the middle of the room, nearly under the centre of the bench.

Joseph Thompson *re-examined.* I accompanied Pearce to the Orange Tree on Wednesday night, and found this paper (marked 18) in the room -- Greenslade said, "That belongs to me" -- I said, "What is your name?" -- he said, "Greenslade" -- I saw it corresponded with his name, and kept it -- (read -- "This is to certify that George Greenslade and William Burn were duly elected to represent the Thomas Paine brigade at the delegate meeting to be held at the Orange Tree, Red Lion-street. -- W. HAMMETT, Secretary.") -- after the prisoners were taken, in consequence of the information, I went to 2, Cross-court, Russell-court, Drury-lane, where Ritchie lived --



I knew Mr. Groves, the landlord -- I was shown by his daughter into a room there, and found a hundred and seventeen ball cartridges, four bullet-moulds, four bullets, three combustible balls, one powder-horn three parts full of powder, a three half-pint bottle three-parts full of gunpowder, a bayonet, a ladle for melting lead, a piece of lead, several percussion caps, some shot, a quantity of tow, and the tri-coloured band -- (all produced) -- this combustible ball has powder and pieces of iron in it -- in Ritchie's room I found two books about the Charter, and this paper (marked B), written in pencil -- (read --"This is to certify that Joseph Ritchie and Philip Martin have been duly elected as delegates to this locality -- Seven Dials and Drury-lane,")

JAMES DOWSETT. Ritchie used to live in the same house with me a little time ago. On 16th Aug. he lived in the underground kitchen, 2 Cross-court, Drury-lane -- I saw Thompson find things in that room.

SAMUEL BOHLIN. I am an undertaker, of Beech-street, Barbican. On Tuesday, 15th Aug., I was put in possession of the Orange Tree -- I got there about a quarter to eleven o'clock in the morning -- next day, about a quarter to three, a man came and asked if there was a room empty upstairs, as some of his shopmates were going to meet there -- the landlady let him the room -- two men came about a quarter to four; eleven came altogether -- before five they asked me to put the bagatelle-board up -- I asked one of them to lend me a hand -- we put it up -- they asked me for the balls -- I said I did not know anything about them; the landlady said they were stolen -- one of them took a round bit of chalk from the mantle-piece, and it went into No. 5 hole, which was red -- he said, "Red ball, fire, by God, to-night!" -- I left the room -- they were together about twenty minutes before the police came -- they had been talking together, but would not let me hear them; they talked low -- on the following morning I found this card in the room -- no one had been in the room between the police taking the men and my finding it -- (this was a card, certifying that Henry Small was entered as a member of the National Chartist Association on July 7th, 1848. Signed, James Snowball.)

ANTHONY RUTT. I am superintendent of the L division of police. On 16th Aug., from information I received, I went with several constables to the tap-room at the Angel, Webber-street -- we found Winspere, Irons, Prowton, Conway, Alexander Harby, Taylor, Cox, Poole, Gibbs, Herbert, Norton, Samuel Harby, and Morgan, there, and took them in charge -- we had pistols and cutlasses -- I saw this pike-head found on Conway (produced) -- I only saw one in the confusion -- one was found under his coat.

*Cross-examined.* Q. Did you see Baldwinson before you went into the Angel?

A. He came out, and went in -- no communication passed between us -- I had a communication from another party, who saw him come out.

WILLIAM COCKERILL. I was with Rutt, and searched Conway, and found these two pike-heads on him (produced).

SAMUEL HARRISS (*policeman*, L 6). I accompanied Rutt on 16th Aug., and took Herbert -- I saw a bundle under where he sat, containing seventy-five rounds of ball-cartridge (produced).

ROBERT SMITH (*policeman*, L 21). I accompanied Rutt -- I took Winspere, searched him, and found this breast-plate under his waistcoat, over his shirt -- this dagger was under his seat, and a sword, just outside the door, in the corner, by the urinal.

HOOPER, *Mayor*.

HENRY BAKER (*policeman*, L 111). I was one party at the Angel – I took Prowton, and found this dagger in his left trowser's pocket, and this pike between his waistcoat and jacket, this pike-guard in his hat, and this screw-wrench, to screw on the nut of the pike-head, in his pocket (producing them).

JOHN COLLINS (*policeman*, L 184). I took Morgan at the Angel, and found fifteen ball-cartridges and a pike-head on him (produced).

THOMAS ROGERS (*police-inspector*). I was at the Angel – after the prisoners were taken, I went to Morgan's, 1 York-street, Market-street, Borough – I was shown into a room by Mr. Savage, the landlord, and found an old sword, a chair-leg, loaded with lead, outside and inside, and two cards.

ABSALOM ARNOLD (*police-inspector*, L). I went to Poole's, 8, Northampton-place, Walworth, and found this sword (produced).

JOHN HAYNES (*police-inspector*). On Wednesday, 16th Aug., between nine and ten o'clock, I went to the Charter coffee-house, kept by Lacey, in Strutton-ground, Westminster – I went over the house, and into the clubroom, with Lacey – the Wallace brigade branch of the National Chartist Association met there – I found a list of members, the treasurer's books, the Victim Fund-book, and a contribution-book – I found Thomas Jones in a room down-stairs – he was searched in my presence, and two old pistols were found in his pockets, a bayonet in his breast, a one-pound canister of gunpowder in his hat, and a box of gunpowder in his pocket (produced) – here are some ball-cartridges for pistols, and another box of ball-cartridges.

EDWARD KENDALL. I am a sergeant of the Detective Police. I searched Jones, and found these things – I went to his lodging, and saw Inspector Walker find a cup, containing about seventy bullets, and a stick two-feet long, with part of a bayonet on it – I found three pounds of lead and a quantity of metal, apparently pewter-pots melted down; that would make bullets – here is the handle of a pewter-pot in the lump.

JAMES RUSSELL (*police-inspector*). On 16th Aug., I went to 4, Blue Anchor-yard, Westminster, and met Young in the yard – I said I wanted to search his house – he demanded my warrant – I said I had none, but would give him my name – I heard a noise up-stairs, as if things were being put away – I went up, but did not find anything – on my return I found this pike under the window, as if it had been thrown out – I ordered Young to be detained – I found in the workshop five small bullets, and one flattened, as if discharged; a canister of powder, and several truncheons; and in the cowshed, at the bottom of the yard, some combustible balls – this truncheon is loaded with lead – I found this canister, with forty-six bullets in it, in a cupboard in his bedroom (producing the articles).

JANES LEWIS ASHMAN (*policeman*, F 1). On 17th Aug., about one o'clock in the morning, I was on duty in Bow-street, and saw two persons pass – one was Argue – I took him, and asked what he had under his coat – he said it was an umbrella – I found it was this gun (produced) – it was not loaded – I searched him at the station, and found twenty rounds of ball-cartridge, and this card of the Irish Felon-club, with his name on it.

JOSEPH THOMPSON *re-examined*. On 18th Aug. I went to 11, Hollin's-street, Wardour-street, and took Cuffey – I said he must consider himself in my custody, and told him a portion of the charge – he said, "That is quite sufficient, as I am a Chartist" – Sergeant West was with me, and began to search the room – Cuffey went to a drawer, and took something from it – we had a scuffle – it was an old pistol, loaded with a ball, and primed (produced) – he tried to secrete it – his wife was there – I took the ball out by the Magistrate's orders – I also found a banner.

WILLIAM WEST (*police-sergeant*). I went to Cuffey's, and found this pike-handle in the cock-loft, close to a trap-door – this is the banner (produced, inscribed "Westminster District.")

GEORGE WILSON. I am landlord of the Black Jack, Portsmouth-street. At the end of July, Rose engaged a room at my house for the Thursday following, for a meeting of the Trades' Committee – I was bound to let them have it, they are in the habit of meeting at my house – on the Thursday, ten or twelve people came – none of the Trades' Committee were there, to my knowledge – they came about nine-o'clock, and went away about eleven – Rose said they came from a distance, and one came from Greenwich, and the meeting was rather late on that account – *I knew no one but Rose.*

*Cross-examined.* Q. Did you know all the members of the Trades' Committee?

A. Yes; there was a fresh committee every six weeks – I knew them after the first night, and can swear none of them were at that meeting.

THOMAS PRONGER (*policeman*). On 15th Aug., I was appointed by my inspector to watch Lacey's movements – about five o'clock I saw him come from his house, and go to Constable's shop close by – he left, and a boy from Constable's went after him and spoke to him – the boy knew I was a policeman – I was in plain clothes.

JEMIMA HEATH. My husband keeps the Temperance coffee-shop, Great Suffolk-street, Borough. I have known Lacey some time – he came to my house I think before the day the police came, but he came so often, I cannot recollect – one or two others were with him – I supplied them with four cups of coffee, I believe Lacey ordered them – they had it in the coffee-room up-stairs – they were there a quarter or half an hour – I said there was a club met there at eight o'clock, and they went directly – I saw Lacey there after the others left, sitting in the coffee-room for an hour or half an hour.

WILLIAM THOMAS (*policeman*). About half-past eight o'clock, on the night of the 15th, I was near the Lord Denman beer-shop, Borough, and saw Lacey and another man go in – Lacey left almost immediately afterwards, and others with him – I did not notice where they went.

JOHN JENKINSON (*policeman*). On the evening of 16th Aug., about half-past eight o'clock, I was in plain clothes in front of Cartwright's coffee-shop – I had been at Chartist meetings there, and knew it was the place of meeting of the Cripple-gate locality of Chartists – I found about forty people in front of the house, mostly Irish labourers and the poorer class of people – about midnight I saw Payne coming in a direction from Cartwright's, with one of the people like Irish labourers – I followed and watched him talking to a number of them for about ten minutes – he went away with two others.

JOSEPH HOY (*policeman*). I am on the Seven Dials beat. On Wednesday evening, 16th Aug., I was on my beat, and saw a number of persons about in small parties in unusual numbers – most of them were strangers – there were about twenty at first – they increased to about fifty or sixty – it was then a quarter past nine o'clock – I reported to Superintendent Pearce, and an inspector was sent.

WILLIAM ROBERT BLACK (*police-inspector*). On Wednesday, 16th Aug., I went with a body of police to Seven Dials, about half-past nine o'clock, and found a hundred or a hundred and fifty people of the labouring-class – I knew the neighbourhood – the principal part were strangers, standing about in twos and threes, talking – I dispersed them.

*Cross-examined*. Was that an unusual thing in that neighbourhood?

A. Yes, to see so many strangers.

HENRY JONES (*policeman*). On 17th Aug., about half-past four o'clock in the morning, I searched in Clerkenwell churchyard, and found this basket, containing about 200 ball cartridges – about 180 were finished, and some had ball in them and no powder, about half a pound of powder, and some percussion caps.

THOMAS MOLLINSON. I am a labourer at Shouldham-street, Bryanstone-square, next door to Breadon's coffee-shop. I can see into Breadon's from my room – on 16th Aug., about half-past seven o'clock, I was at my window, and saw ten or twelve people about Breadon's door – they came in fours and fives, and increased to eighty or a hundred, walking backwards and forwards – I saw the room crowded with people – there were about forty – I saw a bright instrument forced up above their heads – I could only see about four or five inches of metal, as a man's shoulder prevented me – it was a steel blade – I went to the police-office, and gave information.

*Cross-examination*. Q. Was there anything unusual in seeing that room full of people?

A. I had never seen it so full before.

JOHN BAMBRIDGE (*policeman*). On 16th Aug., about nine o'clock in the evening, I was in Shouldham-street. I went into a yard, and on to a roof, from which I could see into the back of Breadon's beer-shop, and saw fifteen or sixteen working-men standing round the table – one was keeping the door – the window was opened while I was there – one person addressed the others, and told them to come themselves, and bring as many of their friends as they possibly could.

SAMUEL EVANS (*police-inspector*). I searched Mrs. Heath's, the Temperance coffee-house, on 16th Aug., -- it is in the same street as the Lord Denman.

WILLIAM RANDALL. I am in the employ of Mr. Darby, and artist in fireworks. I have examined these balls – I opened one, and found it to contain about two or two and a half ounces of gunpowder, and some old nails – this attached to it seems to be a slow-match – if a light were applied to that match it would be some time before it exploded – if it exploded in a crowd, probably the old nails would wound people's legs, and if thrown into a room there would be a great smoke, and it would probably set fire to the room – but if thrown in an open place it would be quite harmless – the slow-match enables a person to hold it in their hand to light it, and then throw it anywhere – I should say this match would probably burn half a minute – the outside is made of paper, with a sort of wax – if it was more confined it would be more destructive.

NICHOLAS PEARCE *re-examined*. I was present when the prisoner made a statement before the Magistrate – this is Mr. Henry’s signature to it – (*read* – The prisoner says: “I do not wish to stand here as an English factionist, but as an Irish nationalist; my object was, not to disturb English society, but to free my own country; I feel very well my position, and I mean to abide by the consequences; I carried on the business of a portrait painter at Nassau-street, Middlesex-hospital.”)

MR. KENEALEY called

JOHN ENGLISH. I know the prisoner – this paper of hieroglyphics (*No. 11.*) is not my writing, but it is an exact copy of the original, which I wrote – I wrote it without any reference to the Charter – I and the prisoner agreed to hold a correspondence in hieroglyphics, and I gave this cypher to the prisoner for that purpose, as a short-hand means of correspondence – there was no use made of it at all with respect to the Charter – I gave it him without any solicitation on his part – my letters had been opened by the Post-office, and this was a plan I thought of, to write – it was more as a pastime, or a little amusement – I am not a Chartist, and I do not believe the prisoner is – I gave him this paper for no other purpose than my own private correspondence.

*Cross-examined by MR. ATTORNEY-GENERAL.* Q. What are you?

A. lithographic printer, and live at 18, High-street, Marylebone – I have lived there a week or two – before that, I lived at 27, East-street, Manchester-square, for a week or so – before that I was in Ireland for about five weeks – I gave this paper to the prisoner before I went to Ireland – I went to Tipperary, Dublin, Kildare, and other parts of the country – I was not at Slievenamon – I know the name of it – I have the honour of being an Irishman, but was born in London – I am a Confederate – I believe the prisoner was one, but I cannot say – I know the Davis Club, and was a member of it; the prisoner was secretary – persons must be Confederates to be members of the Davis Club – I did not go to Ireland to take views for the *Illustrated London News*; I went to see my friends – they live in Tipperary; some in Cashel, some in the town of Tipperary, and so on –

I believe my letters have been opened by the Post-office – I am not a suspected person – I saw a letter, when I went to Ireland, that had evidently been opened; there was a receipt in it of a subscription to St. Ann’s Society, directed to a gentleman in the York-road, Westminster, which could not have got into my letter unless it had been opened – I had not been to Ireland for some years, and went to see friends.

Q. I want an explanation of a few of these words – “Pikes,” “Rifles,” “Killed,” “Barricades,” “O’Brien,” Mahoney,” “Doheney,” “Tipperary,” “Poison,” “Fire,” “English:” what did you want these for to correspond to your friend in London?

A. I believed, from reading the papers here, that Ireland was in a state of insurrection, and it was necessary to use all these horrible words if I wanted to give my friend a correct account of the state of things in Ireland – I intended making a list afterwards; in a dictionary, perhaps – I wanted to make a short-hand of my own – it was shorter to write in cipher instead of putting words in full – I had a dislike of having my letters read at the Post-office, and I did it that they might not be read, and also that it might be shorter – it was purely for the purpose of giving the prisoner an account of the state of affairs in Ireland, and it is a sort of satisfaction to baffle persons who read your letters – this is the prisoner’s handwriting – it is an exact copy of the one I wrote –

I cannot read the short-hand which is at the bottom; it is a little scribbling – I did not see Doheney when I was in Ireland – I was living at 88, Long Acre, before I went, for a few months, and before that in Milton-crescent, Euston-square – I was in the employment of Mr, Moody, a lithographic printer, at 257, Holborn, and am so now – I was an articled pupil to him, and have been with him for nearly four years – I do not know Mullins – I never lodged with him; I have seen him – I did not go away with him – I did not see him when he was away, avoiding arrest.

MR. KENEALEY. Q. On your oath, had you any disloyal purpose in giving that paper to the prisoner?

A. No; it was merely for the purpose of correspondence – I perhaps should not have done it had my letters not been opened.

JOHN ATKINSON. I am a law-stationer, of Chancery-lane. I have known the prisoner twelve or thirteen months – during that time I have had reason to believe him to be a perfectly loyal subject of Her Majesty – I never heard express any seditious or disloyal sentiments.

JAMES GILBERT. I am a sculptor. I have known Dowling nearly ten years – I have had opportunities of knowing his sentiments on political subjects – I know no person who could have a better opportunity – we lived in the same room together – I never believed him to be a Chartist – I have heard him say he never agreed with the Charter – if he had I should have known it – I never heard him use disloyal language in private – I cannot say in public – I have very seldom heard him speak in public – he was a very quiet, retiring, reserved young man.

*Cross-examined by* MR. ATTORNEY-GENERAL. Q. Do you know that he was the secretary of the Davis Club?

A. Yes – I know him to be an Irish Repealer – I used to pay a subscription to the Irish Repeal Association – I have heard him speak in public – I never heard him use disloyal language – three times is the very most I have heard him, and that was in one place, and during those three times I never heard him utter anything disloyal or seditious – I meant by private when I was sitting in his company – I never heard him in public or private say anything disloyal.

JAMES BARRY. I have known Dowling about fifteen months – I am a member of the Repeal club of which he was the secretary – that club never appointed a delegate to the Chartists – I was a member of the Davis Club – the rules of that club were settled by two eminent lawyers, Sir Colman O'Loughlin and Sir Robert Holmes, and revised by Mr Anstey, M.P. for Youghal, who was a member of the club – the club was dissolved for the purpose of being incorporated with the Irish League on motion of Dowling – I can swear that body was for moral force – Dowling introduced a resolution approving the principles of the Irish League – that club was bound to legal agitation.

*Cross-examined by* MR. ATTORNEY-GENERAL. Q. How long were you a member of the club?

A. About fifteen months – I remember Mr. Doheney being there, and addressing the meeting – it was the Confederation at that time – that is the same Doheney we now hear of in Ireland – I do not think he was a member of the Irish League – he was not of the Davis Club – he was there as a visitor – he came from Ireland – I cannot say whether he came as a deputation – he was received with great approbation – I do not know whether Dowling was there – he was not secretary then – he became so about 2nd May – a person named Crowe was a member – I was present last session when he was convicted –

I was present at the meeting when he delivered the speech on which he was convicted – I do not recollect whether Dowling was there – it was alleged that Crowe was present when somebody read a paper with the expression, “to hell with the Queen” – it was I that read that.

MR. KENEALEY. Q. Now explain it.

A. I was reading the last accounts from Ireland in the *Evening Express*, and there was a report of a man who was taken up in Limerick on a charge of being drunk and using seditious language, and with saying, “To hell with the Queen” – some persons laughed when it was read, but there was no cheering or any manifestation of applause – I was in Court when those words were proved – Mr. Parry called no witnesses – I was prepared to swear Crowe never uttered those words – by reading them was brought in evidence against Crowe.

MR. ATTORNEY-GENERAL. Q. What are you?

A. I am a tailor, and have lived at 18, High-street, Marylebone, about a fortnight – before that I lived in East-street, Manchester-square, I lived there four or five months – before that I lived at 83, Wells-street, Oxford-street, with a man named Dempsey – I have not been in Ireland for eight years – I am not a Chartist – I went to the Repeal meetings – the Repealers held their meetings at the same house as the Chartists, but on different nights – there was no connection between the two bodies – they never communicated with each other to my knowledge – I was not present in Dean-street when Looney was sent as a deputation to the Chartists – he was a member – he was convicted last session – I was present at his speech which they called seditious – I did not go to the police and tell them seditious speeches were being made – I did not consider myself a judge of a seditious speech – I never heard of Looney going from the Davis Club to the Chartist’s hall, Lambeth – he did not belong to Dean-street – I never bought arms in my life – I raffled a musket a month or six weeks ago – Mahoney won it – my brother gave it to me – he said it was useless to him, and I could raffle it if I thought proper – he is a tailor, and lives at 37, Lark-street, Manchester-square – I raffled it to get rid of it – it was quite useless to me – twenty-eight people put their names down – that would be 28s. – they were not Confederates –

I do not believe Mahoney is a member of the Davis Club – he was not a member of any club that I am aware of – I know nothing of the Felon Club or where it held its meetings – I think Mahoney is a tailor, and that his name is Timothy – I do not know where he lives – I know several of the persons who raffled – there was a gentleman named Sturgeon, and John Callahan, and my brother – they used to go to the Three Tuns, in Moor-street, Seven Dials – the Confederates never met there that I am aware of – it is kept by Naigle – I believe Callaghan is a printer – he was a member of the club -- I do not know that Sturgeon was; I do not know his Christian name or where he lives, I have seen him in the club – there was a man named Fox, I do not know where he lived, and a man named Carey, who lived, I think, in Cleveland-street, Fitzroy-square – he is a printer, and was a member of our club.

MR. LE PLAISTERER. I am a watch-maker, of Chancery-lane. I have known Dowling about eleven months – I have never heard him express any seditious language – I have seen him six or eight times.

**GUILTY. Aged 24. – Transported for Life.**

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