

THE
GENUINE TRIAL

OF

THOMAS HARDY,

FOR

HIGH TREASON,

AT THE

SESSIONS HOUSE IN THE OLD BAILEY,

FROM

OCTOBER 28 TO NOVEMBER 5, 1794.

CONTAINING

THE OPENING OF THE SPECIAL COMMISSION.

THE LORD PRESIDENT'S CHARGE TO THE GRAND JURY.

LIST OF NAMES AND PLACES OF RESIDENCE OF THE WITNESSES AND JURORS.

ARRAIGNMENT OF THE PRISONERS.

COPY OF THE INDICTMENT.

CHALLENGING OF THE JURY,

SPEECHES, VERBATIM, OF THE ATTORNEY AND SOLICITOR GENERALS.

EXAMINATION OF WITNESSES.

COPIES OF ALL THE PAPERS READ IN EVIDENCE.

SPEECHES, VERBATIM, OF MESSRS. ERSKINE AND GIBBS.

DEFENCE OF THE PRISONERS.

SUMMARY OF THE LORD PRESIDENT.

VERDICT OF THE JURY, &c. &c.

BY MANOAH SIBLY,

SHORT-HAND WRITER TO THE CITY OF LONDON.

VOLUME I.

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TRIALS FOR HIGH TREASON.

SPECIAL COMMISSION.

SESSION-HOUSE, CLERKENWELL, THURSDAY, OCT. 2, 1794.

THIS morning the COMMISSION made out for the purpose of bringing to Trial the several persons confined in the Tower, under the charge of High Treason, was opened at this place.

The Judges who appeared, as named in the Commission, were as follow:

Sir JAMES EYRE, Lord Chief Justice of the Common Pleas.

Sir ARCHIBALD M'DONALD, Lord Chief Baron of the Exchequer.

Sir BEAUMONT HOTHAM, one of the Barons of the Exchequer.

Sir FRANCIS BULLER, one of the Puisne Judges of the Common Pleas.

Sir NASH GROSE, one of the Puisne Judges of the King's Bench.

And Mr. Justice LAWRENCE, the Junior Judge in the King's Bench.

The Special Commission of Oyer and Terminer for enquiring, hearing, and determining of all High Treasons and Misprisions of Treasons, in compassing or imagining the death of the King; levying war against his Majesty in the realm; or in adhering to the King's enemies within the realm; or giving them aid or comfort within the said realm or elsewhere, was then read. It is dated the 10th of September, 1794. The following is a list of the Commissioners therein named.

THE MARQUIS OF TITCHFIELD.	SIR A. MACDONALD, KT. C. B. E.
SIR JAMES EYRE, KT. C. J. C. P.	SIR FRANCIS BULLER, BT. J. K. B.
SIR B. HOTHAM, KT. B. E.	SIR S. LAWRENCE, KT. J. C. P.
SIR NAT. GROSE, KT. J. K. B.	SIR J. W. ROSE, KT. RECORDER.
SIR CHS. MORGAN, BART.	CRANLEY THO. KIRBY, SERJEANT.
JOHN SYLVESTER, ESQ.	EDWARD MONTAGUE, ESQ.
WM. MAINWARING, ESQ.	SAMUEL WEGG, ESQ.
PAUL JODDRELL, ESQ.	ANTHONY DICKENS, ESQ.
JOHN LEWIS, ESQ.	HENRY BARLOW, ESQ.
JOHN POWNALL, ESQ.	
RT. HON. H. HOBART.	

N. B. *Three Commissioners (of which a Judge to be one) make a quorum*

The following is a list of the Counsel who appeared for the Crown.

Sir JOHN SCOTT, Attorney General.

Sir JOHN MITFORD, Solicitor General.

Mr. Serjeant ADAIR, King's Serjeant.

Messrs. BOWER, LAW, and GARROW, King's Counsel.

Mr. WOOD, Mr. BALDWIN, &c. &c.

Mr. DUNDAS, Lord Advocate of Scotland, was also in Court.

After the Commission had been read, the Grand Jury were called, and the following twenty-three gentlemen were sworn:

LIST OF THE GRAND JURY.

BENJAMIN WINTHROP,
Foreman,

JOHN SNEIDER,

EDWARD IRONSIDE,

BENJAMIN KENTON,

ROBERT H. BODDAM,

JOHN EYRES,

W. H. BODDAM,

JOHN PERRY,

JOHN HANKEY,

SAMUEL CUFF,

THOMAS WINSLOWE,

SAMUEL HAWKINS,

GEORGE WARDE,

THOMAS BODDAM,

JOSEPH LANCASTER,

ROBERT WILKINSON,

THOMAS COLE,

GEORGE GALWAY MILES,

HENRY WRIGHT,

JOHN HATCHETT,

ROBERT STEPHENSON,

JOHN CAMPBELL; and

THOMAS EVERETT, Esqrs. *

* Next day, the following singular note appeared in most of the public prints:

“Two hundred gentlemen, freeholders of the county, were summoned to attend, in order from them to select the Grand Jury; but for what reason, and by whose directions, we cannot tell, on Wednesday evening the following letter was received by a number of the gentlemen, in order to prevent their attendance in Court. We trust, if it was a forgery, that pains will be taken to ascertain the fact.

“SIR,

“We are this moment informed, that you need not have the trouble of attending at the Session-house, on Clerkenwell-green, to-morrow, nor at the Old Bailey, on Saturday next, pursuant to your summons; but you will have a fresh notice of the time and place when and where you are to attend in pursuance of such summons.

Dated the 1st of October, 1794.

JOHN EAMER, }
ROB. BURNETT, } Sheriff.



The CHARGE delivered by the Right Honourable Sir James Eyre, Lord Chief Justice of his Majesty's Court of Common Pleas, and one of the Commissioners named in a Special Commission of Oyer and Terminer, issued under the Great Seal of Great Britain, to enquire of certain High Treasons, and Misprisions of Treason, within the County of Middlesex, TO THE GRAND JURY, at the Session-House on Clerkenwell-Green, on Thursday the second Day of October, 1794.

(Printed at the Request of the Grand Jury.)

Gentlemen of the Grand Inquest,

YOU are assembled under the authority of the King's Commission, which has been issued for the hearing and determining of the offences of High Treason, and Misprisions of Treason, against the person and authority of the King.

That which hath given occasion for this Commission is that which is declared by a late statute, namely, "That a traitorous and detestable conspiracy has been formed for subverting the existing laws and constitution, and for introducing the system of anarchy and confusion which has so lately prevailed in France;" a crime of that deep malignity which loudly calls upon the justice of the nation to interpose, "for the better preservation of his Majesty's sacred person, and for securing the peace, and the laws and liberties of this kingdom."

The first and effective step in this, as in the ordinary criminal proceedings, is, that a Grand Jury of the country should make public inquisition for the King, should diligently enquire, discover, and bring forward to the view of the criminal magistrate those offences which it is the object of this Special Commission to hear and to determine.

You are Jurors for our Sovereign Lord the King; you are so styled in every indictment which is presented; but let the true nature of this service be understood. The King commands you to enter upon this enquiry; but the royal authority in this, as in all it's other functions, is exerted, and operates ultimately for the benefit of his people. It is the King's object, his duty, to vindicate his peace, his crown and dignity, because *his peace, his crown and dignity, are the subjects' protection, their security, and their happiness.*

It is ultimately for them that the laws have thrown extraordinary fences around the person and authority of the King, and that all attempts against the one or the other are considered as the highest crimes which can be committed, and are punished with a severity which nothing but the *salus populi* can justify.

The business of this day calls upon me (in order that you may the better understand the subject which is to come before you) to open to you the nature of that offence, which I have before spoken of in general.

An ancient statute, 25 Edward III. has declared and defined it. I shall state to you so much of that declaration and definition as appears to me to have any probable relation to the business of this day.

By that statute it is declared to be High-Treason "to compass " or imagine the death of the King," provided such compassing and imagination be manifested by some act or acts proved (by two witnesses) to have been done by the party accused in prosecution of that compassing and imagination; that is, from the moment that this wicked imagination of the heart is acted upon, that any steps are taken in any manner conducing to the bringing about and effecting the design, the intention becomes the crime, and the measure of it is full.

These acts or steps are technically denominated *overt acts*; and the forms of proceeding in cases of this nature require that these overt acts should be particularly set forth in every indictment of treason; and, from the nature of them, they must constitute the principal head of enquiry for the Grand Jury.

These overt acts involve in them two distinct considerations: 1st, The matter of fact of which they consist; in the next place, the relation of that fact to the design.

With respect to the mere matter of fact, it will be for the Grand Jury to enquire into the true state of it, and I can have very little to offer to your consideration respecting it; and with respect to the question, whether the fact has relation to the design so as to constitute an overt act of this species of treason, which involves considerations both of fact and of law, it is impossible that any certain rule should be laid down for your government: overt acts being in their nature all the possible means which may be used in the prosecution of the end proposed, they can be no otherwise defined, and must remain for ever infinitely various.

Thus far I can inform you, that occasions have unhappily but too frequently brought overt acts of this species of treason under consideration; in consequence of which we are furnished with judicial opinions upon many of them; and we are also furnished with opinions (drawn from these sources) of text writers, some of the wisest and most enlightened men of their time, whose integrity

grity has been always considered as the most prominent feature of their character, and whose doctrines do now form great landmarks, by which posterity will be enabled to trace, with a great degree of certainty, the boundary lines between High Treason and offences of a lower order and degree.

It is a fortunate circumstance that we are thus assisted; for it is not to be dissembled, that though the crime of High Treason is "the greatest crime against faith, duty, and human society," and though "the public is deeply interested in every prosecution of this kind well founded," there hath been, in the best times, a considerable degree of jealousy on the subject of prosecutions for High Treason; they are state prosecutions, and the consequences to the party accused are penal in the extreme.

Jurors and Judges ought to feel an extraordinary anxiety that prosecutions of this nature should proceed upon solid grounds. I can easily conceive therefore, that it must be a great relief to Jurors placed in the responsible situation in which you now stand, bound to do justice to their country and to the parties accused, and anxious to discharge this trust faithfully; sure I am that it is consolation and comfort to us, who have upon us the responsibility of declaring what the law is in cases in which the public and the individual are so deeply interested; to have such men as the great Sir Matthew Hale, and an eminent Judge of our own times, who, with the experience of a century, concurs with him in opinion, Sir Michael Foster, for our guides.

To proceed by steps—From these writers upon the law of Treason (who speak, as I have before observed, upon the authority of adjudged cases) we learn, that not only acts of *immediate* and *direct* attempt against the King's life are overt acts of compassing his death, but that all the *remoter steps* taken with a view to assist to bring about the actual attempt, are equally overt acts of this species of treason; even the meeting and the consulting what step should be taken in order to bring about the end proposed, has been always deemed to be an act done in prosecution of the design, and as such an overt act of this treason—This is our first step in the present enquiry. I proceed to observe, that the overt acts I have been now speaking of have reference, nearer or more remote, to a *direct* and *immediate* attempt upon the life of the King; but that the same authority informs us, that they who aim directly at the life of the King (such, for instance, as the persons who were concerned in the assassination plot in the reign of King William) are not the only persons who can be said to compass or imagine the death of the King. "The entering
" into measures which, in the nature of things, or in the com-
" mon experience of mankind, do obviously tend to bring the life
" of the King into danger, is also compassing and imagining
" the

“the death of the King;” and the measures which are taken will be at once evidence of the compassing, and overt acts of it.

The instances which are put by Sir Matthew Hale and Sir Michael Foster, (and upon which there have been adjudged cases) are of conspiracies to *depose* the King, *to imprison him, to get his person into the power of the conspirators, to procure an invasion of the kingdom.* The first of these, apparently the strongest case, and coming the nearest to the direct attempt against the life of the King; the last, the farthest removed from that direct attempt, but being a measure tending to destroy the public peace of the country, to introduce hostilities, and the necessity of resisting force by force, and where it is obvious that the conflict has an ultimate tendency to bring the person and life of the King into jeopardy; it is taken to be a sound construction of the statute 25 Edward III. and the clear law of the land, that this also is compassing and imagining the death of the King.

If a conspiracy to depose or to imprison the King, to get his person into the power of the conspirators, or to procure an invasion of the kingdom, involves in it the compassing and imagining of his death, and if steps taken in prosecution of such a conspiracy are rightly deemed overt acts of the treason of imagining and compassing the King's death; need I add, that if it should appear that *it has entered into the heart of any man, who is a subject of this country, to design to overthrow the whole government of the country, to pull down and to subvert from it's very foundations the British monarchy, that glorious fabric which it has been the work of ages to erect, maintain, and support, which has been cemented with the best blood of our ancestors; to design such a horrible ruin and devastation, which no King could survive, a crime of such a magnitude that no lawgiver in this country hath ever ventured to contemplate in it's whole extent;* need I add, I say, that the complication and the enormous extent of such a design will not prevent it's being distinctly seen, that “the compassing and imagining the death of the King is involved in it, is in truth of it's very essence.”

This is too plain a case to require further illustration from me. If any man of plain sense, but not conversant with subjects of this nature, should feel himself disposed to ask whether a conspiracy of this nature is to be reached by this medium only; whether it is a *specific* treason to compass and imagine the death of the King, and *not a specific* treason to conspire to subvert the monarchy itself; I answer, that the statute of Edward III. by which we are governed, hath not declared this (which in all just theory of treason is the greatest of all treasons) to be High Treason.

I said no lawgiver had ever ventured to contemplate it in it's whole extent. The *Seditio Regni*, spoken of by some of our ancient

ancient writers comes the nearest to it, but falls far short of it. Perhaps if it were now a question whether such a conspiracy should be made a specific treason, it might be argued to be unnecessary; that in securing the person and authority of the King from all danger, the monarchy, the religion and laws of our country are incidentally secured; that the constitution of our government is so framed, that the imperial crown of the realm is the common center of the whole; that all traitorous attempts upon any part of it are instantly communicated to that center, and felt there; and that, as upon every principle of public policy and justice, they are punishable as traitorous attempts against the King's person or authority, and will, according to the particular nature of the traitorous attempt, fall within one or other of the specific treasons against the King, declared by the statute of 25 Edward III. this greatest of all treasons is sufficiently provided against by the law.

Gentlemen, I presume I hardly need give you this caution, that though it has been expressly declared, by the highest authority, that there do exist in this country men capable of meditating the destruction of the constitution under which we live; that declaration, being extrajudicial, is not a ground upon which you ought to proceed.

In consequence of that declaration it became a public and indispensable duty of His Majesty to institute this solemn proceeding, and to impose upon you the painful task of examining the accusations, which shall be brought before you; but it will be your duty to examine them in a regular judicial course, that is, by hearing the evidence, and forming your own judgment upon it.

And here, as I do not think it necessary to trouble you with observations upon the other branches of the statute 25 Edw. III. the charge to the Grand Inquest might conclude, had not the particular nature of the conspiracy, alledged to have been formed against the state, been disclosed, and made matter of public notoriety by the Reports of the two Houses of Parliament, now in every one's hands: but that being the case, I am apprehensive that I shall not be thought to have fulfilled the duty, which the Judge owes to the Grand Jury, when questions in the criminal law arise on new and extraordinary cases of fact; if I did not plainly and distinctly state what I conceive the law to be, or what doubts I conceive may arise in law, upon the facts which are likely to be laid before you, according to the different points of view in which those facts may appear to you.

It is matter of public notoriety that there have been Associations formed in this country, and in other parts of the kingdom, the professed purpose of which has been a change in the Constitution

tution of the Commons House of Parliament, and the obtaining of Annual Parliaments; and that to some of these Associations, other purposes, hidden under this veil, purposes the most traitorous, have been imputed; and that some of these Associations have been supposed to have actually adopted measures of such a nature, and to have gone into such excesses, as will amount to the crime of High Treason.

If there be ground to consider the professed purpose of any of these Associations, "a Reform in Parliament," as mere colour, and as a pretext held out in order to cover deeper designs—designs against the whole Constitution, and Government of the country; the case of those embarked in such designs is that, which I have already considered. Whether this be so, or not, is mere matter of fact; as to which I shall only remind you, that an inquiry into a charge of this nature, which undertakes to make out that the ostensible purpose is a mere veil, under which is concealed a traitorous conspiracy, requires cool and deliberate examination, and the most attentive consideration; and that the result should be perfectly clear and satisfactory. In the affairs of common life, no man is justified in imputing to another a meaning contrary to what he himself expresses, but upon the fullest evidence. On the other hand, where the charge can be made out, it is adding to the crime meditated the deepest dissimulation and treachery, with respect to those individuals, who may be drawn in to embark in the ostensible purpose, as well as to the public, against which this dark mystery of wickedness is fabricated.

But if we suppose these Associations to adhere to the professed purpose, and to have no other primary object; it may be asked, is it possible, and (if it be possible) by what process is it, "*that an Association for the Reform of Parliament can work itself up to the crime of High Treason?*" All men may, nay, all men must, if they possess the faculty of thinking, reason upon every thing which sufficiently interests them to become objects of their attention; and among the objects of the attention of free men, the principles of Government, the constitution of particular Governments, and, above all, the Constitution of the Government under which they live, will naturally engage attention, and provoke speculation. The power of communication of thoughts and opinions is the gift of God, and the freedom of it is the source of all science, the first fruits and the ultimate happiness of society; and therefore it seems to follow, that human laws ought not to interpose, nay, cannot interpose, to prevent the communication of sentiments and opinions in voluntary assemblies of men; all which is true, with this single reservation, that *those Assemblies are to be so composed, and so conducted, as not to endanger the public*

peace

peace and good order of the Government under which they live ; and I shall not state to you that associations and assemblies of men, for the purpose of obtaining a Reform in the interior Constitution of the British Parliament, are simply unlawful ; but, on the other hand, I must state to you, that they may but too easily degenerate, and become unlawful, in the highest degree, even to the enormous extent of the crime of High Treason.

The process is very simple : Let us imagine to ourselves this case : A few well-meaning men conceive that they and their fellow subjects labour under some grievance ; they assemble peaceably to deliberate on the means of obtaining redress ; the numbers increase ; the discussion grows animated, eager, and violent ; a rash measure is proposed, adopted, and acted upon ; who can say where this shall stop, and that these men, who originally assembled peaceably, shall not finally, and suddenly too, involve themselves in the crime of High Treason. It is apparent how easily an impetuous man may precipitate such Assemblies into crimes of unforeseen magnitude, and danger to the state : but, let it be considered, that bad men may also find their way into such Assemblies, and use the innocent purposes of their association as the stalking horse to *their* purposes of a very different complexion. How easy for such men to practise upon the credulity and the enthusiasm of honest men, lovers of their country, loyal to their prince, but eagerly bent upon some speculative improvements in the frame, and internal mechanism of the Government ? If we suppose bad men to have once gained an ascendancy in an Assembly of this description, popular in its constitution, and having popular objects ; how easy is it for such men to plunge such an assembly into the most criminal excesses ? Thus far I am speaking in general, merely to illustrate the proposition, that men who assemble in order to procure a Reform of Parliament may involve themselves in the guilt of High Treason.

The notoriety to which I have alluded leads me to suppose, that the “ project of a Convention ” of the people, to be assembled under the advice and direction of some of these societies, or of delegations from them, will be the leading fact, which will be laid before you in evidence, respecting the conduct and measures of these Associations ; a project, which perhaps, in better times, would have been hardly thought worthy of grave consideration ; but, in these our days, having been attempted to be put in execution in a distant part of the united kingdoms, and, with the example of a neighbouring country before our eyes ; is deservedly become an object of the jealousy of our laws : It will be your duty to examine the evidence on this head very carefully, and to sift it to the bottom ; to consider every part of it in itself, and as it stands connected with other parts of it, and to draw the

conclusion of fact, as to the existence, the nature, and the object of this project of a Convention, from the whole.

In the course of the evidence you will probably hear of “bodies of men having been collected together, of violent resolutions voted at these and at other meetings, of some preparation of offensive weapons, and of the adoption of the language, and manner of proceeding of those Conventions in France, which have possessed themselves of the Government of that country:” I dwell not on these particulars, because I consider them, not as substantive Treasons, but as circumstances of evidence, tending to ascertain the true nature of the object, which these persons had in view, and also the true nature of this project of a Convention, and to be considered by you in the mass of that evidence; which evidence it does not fall within the province of the charge to consider in detail; my present duty is, to inform you what the law is upon the matter of fact, which in your judgment shall be the result of the evidence.

I presume that I have sufficiently explained to you, that *a project to bring the people together in convention in imitation of those National Conventions which we have heard of in France in order to usurp the government of the country, and any one step taken towards bringing it about, such as for instance, “Consultations, forming of committees to consider of the means, acting in those committees,”* would be a case of no difficulty that it would be the *clearest High Treason*; it would be compassing and imagining the King’s death, and not only his death, but the death and destruction of all order, religion, laws, all property, all security for the lives and liberties of the king’s subjects.

That which remains to be considered is, “the project of a convention, having for it’s sole object the effecting a change in the mode of representation of the people in Parliament, and the obtaining that Parliaments should be held annually;” and here there is room to distinguish. Such a project of a Convention, taking it to be criminal, may be criminal in different degrees, according to the case in evidence, from whence you are to collect the true nature and extent of the plan, and the manner in which it is intended to operate; and it will become a question of great importance, under what class of crimes it ought to be ranged.

In determining upon the complexion and quality of this project of a Convention; you will lay down to yourselves one principle which is never to be departed from; *That alterations in the representation of the people in Parliament, or in the law for holding parliaments, can only be effected by the authority of the King, Lords, and Commons, in Parliament assembled.* This being taken as a foundation; it seems to follow as a necessary consequence, that
 “a project

“ a project of a Convention, which should have for it's object
 “ the obtaining a Parliamentary Reform without the authority
 “ of Parliament, and steps taken upon it, would be *High Treason*,
 “ in all the actors in it;” for this is a conspiracy to overturn
 the Government. The Government cannot be said to exist, if
 the functions of Legislation are usurped for a moment; and it
 then becomes of little consequence indeed, that the original con-
 spirators, perhaps, had only meditated a plan of moderate reform:
 it is, in the nature of things, that the power should go out of
 their hands, and be beyond the reach of their controul. A con-
 spiracy of this nature is therefore, at best, a conspiracy to over-
 turn the Government, in order to new model it, which is, in
 effect, to introduce anarchy, and that which anarchy may chance
 to settle down into; after the King may have been brought to
 the scaffold, and after the country may have suffered all the mi-
 series which discord, and civil war, shall have produced.

Whether “ the project of a Convention, having for it's object
 “ the collecting together a power, which should overawe the
 “ Legislative Body, and extort a Parliamentary Reform from
 “ it,” if acted upon, will also amount to *High Treason*, and to
 the specific treason of compassing and imagining the King's
 death, is a more doubtful question. Thus far is clear; a force
 upon the Parliament must be immediately directed against the
 King, who is an integral part of it; it must reach the King, or
 it can have no effect at all. Laws are enacted in Parliament by
 the King's Majesty, by and with the advice of the Lords and
 Commons, in Parliament assembled. A force meditated against
 the Parliament, is therefore a force meditated against the King,
 and seems to fall within the case of a force meditated against the
 King, to compel him to alter the measures of his Government:
 but, in that case, it does not appear to me that I am warranted
 by the authorities to state to you, as clear law, that the mere
 conspiracy to raise such a force, and the entering into consultations
 respecting it, will alone, and without actually raising the force,
 constitute the crime of High Treason. What the law is in that
 case, and what will be the effect of the circumstance of the
 force being meditated against the King *in Parliament*, against
 the King in the exercise of the royal function in a point, which
 is of the very essence of his monarchy, will be fit to be solemnly
 considered, and determined when the case shall arise.

It may be stated to you as clear, That “ the project of a
 “ Convention, having for it's sole object a dutiful and peaceable
 “ application to the wisdom of Parliament on the subject of a
 “ wished-for Reform, which application should be entitled to
 “ weight and credit from the universality of it, but should still
 “ leave to the Parliament the freest exercise of it's discretion to

“grant or to refuse the prayer of the petition,” (great as the responsibility will be on the persons concerned in it, in respect of the many probable, and all the possible, bad consequences of collecting a great number of people together; with no specific legal powers to be exercised, and under no government but that of their own discretion,) “cannot in itself merit to be ranked among that class of offences” which you are now assembled to hear and determine.

Upon this last statement of the fact of the case, I am not called upon, and therefore it would not be proper for me to say more.

Gentlemen, You will now proceed upon the several articles of enquiry which have been given you in charge: If you find that the parties, who shall be accused before you, have been pursuing lawful ends by lawful means, or have been only indiscreet, or, at the worst, if criminal, that they have not been criminal to the extent of those treasons to which our enquiries are confined, then say, that the bills which shall be presented to you *are not true Bills*: But, if any of the accused persons shall appear to you to have been engaged in that traitorous and detestable conspiracy described in the preamble of the late statute; or, if without any formed design to go the whole length of that conspiracy, they have yet acted upon the desperate imagination of bringing about alterations in the Constitution of the Commons House of Parliament, or in the manner of holding Parliaments without the authority of Parliament, and, in defiance of it, by an usurped power, which should, in that instance, suspend the lawful authority of the King, Lords, and Commons, in Parliament assembled, and take upon itself the function of Legislation; (which imagination amounts to a conspiracy to subvert the existing laws and Constitution, differing from the former only in the extent of its object,) *you will then do that which belongs to your office to do.*

In the third view of the case of the accused persons; that is, if you find them involved in, and proceeding upon, a design to collect the people together against the legislative authority of the country, for the purpose, not of usurping the functions of the Legislature, but of overawing the Parliament, and so compelling the King, Lords, and Commons, in Parliament assembled, to enact a law for new modelling the Commons House of Parliament, or for holding annual Parliaments; and that charges of High Treason are offered to be maintained against them upon this ground only; perhaps it may be fitting that, *in respect of the extraordinary nature and dangerous extent, and very criminal complexion of such a conspiracy*, that case, which I state to you as a new and a doubtful case, should be put into a judicial course of enquiry, that it may receive “a solemn adjudication, whether

“it

“ it will, or will not, amount to *High Treason*,” in order to which the bills must be found to be true bills.

Gentlemen, I have not opened to you the law of *Misprision of Treason*, because I am not aware that there are any commitments for that offence; and therefore I have no reason to suppose that there will be any prosecution for that offence. It consists of *the concealment of treason committed by others*, (which undoubtedly it is every man's duty to disclose,) and the punishment is extremely severe; but the humanity of modern times hath usually interposed, and I trust, that the necessities of the present hour will not demand, that the law of Misprision of Treason should now be carried into execution.

Gentlemen, I dismiss you with confident expectation that your judgment will be directed to those conclusions, which *may clear innocent men from all suspicion of guilt, bring the guilty to condign punishment, preserve the life of our Gracious Sovereign, secure the stability of our government, and maintain the public peace, in which comprehensive term is included the welfare and happiness of the people under the protection of the laws and liberties of the kingdom.*

The following is a copy of the **INDICTMENT** *against the*
PRISONERS *accused of* **HIGH TREASON**.

MIDDLESEX to wit, be it remembered that at a special session of Oyer and Terminer of our Sovereign Lord the King, of and for the county of Middlesex, holden at the Session-House on Clerkenwell Green in the said county, on Thursday the second day of October, in the thirty-fourth year of the reign of our Sovereign Lord George the Third, by the grace of God, of Great Britain; France, and Ireland, King, Defender of the Faith, and so forth; before the Right Honourable Sir James Eyre, Knight, Chief Justice of our said Lord the King, of his Court of Common Pleas; the Right Honourable Sir Archibald Macdonald, Knight, Chief Baron of our said Lord the King, of his Court of Exchequer; the Honourable Sir Beaumont Hotham, Knight, one of the Barons of our said Lord the King, of his said Court of Exchequer; the Honourable Sir Francis Buller, Baronet, one of the Justices of our said Lord the King, of his said Court of Common Pleas; the Honourable Sir Nash Grose, Knight, one of the Justices of our said Lord the King, assigned to hold Pleas before the King himself; the Honourable Sir Soulden Lawrence, Knight, one other of the Justices of our said

said

said Lord the King, assigned to hold Pleas before the King himself, and others their fellows, Justices, and Commissioners of our said Lord the King, assigned by Letters Patent of our said Lord the King under his Great Seal of Great Britain, made to them and others, and any three or more of them (of whom one of them the aforesaid Sir James Eyre, Sir Archibald Macdonald, Sir Beaumont Hotham, Sir Francis Buller, Sir Nash Grose, and Sir Soulden Lawrence, our said Lord the King willed should be one) to inquire by the oath of good and lawful men of the County of Middlesex, of all high treasons, in compassing or imagining the death of our Lord the King, levying war against our Lord the King in his realm, or in adhering to the enemies of our said Lord the King in his realm, giving to them aid and comfort in his realm or elsewhere, and of all misprisions of such high treasons as aforesaid, or of any of them within the county aforesaid, (as well within liberties as without,) by whomsoever, and in what manner soever done, committed, or perpetrated, when, how, and after what manner, and of all other articles and circumstances concerning the premises, and every, or any of them, in any manner whatsoever, and the said treasons and misprisions of treasons according to the laws and customs of England for this time, to hear and determine by the oath of Benjamin Winthrop, Esquire, John Henry Schneider, Esquire, Edward Ironside, Esquire, Benjamin Kenton, Esquire, Rawson Hart Boddam, Esquire, John Aris, Esquire, William Pardoe Allet, Esquire, John Perry, Esquire, Henry Peter Kuff, Esquire, Thomas Winflow, Esquire, Thome Cole, Esquire, Samuel Hawkins, Esquire, George Ward, Esquire, Thomas Boddam, Esquire, Joseph Lancaster, Esquire, Robert Wilkinson, Esquire, George Galway Mills, Esquire, Henry Wright, Esquire, John Hatchett, Esquire, Rowland Stephenson, Esquire, and John Campbell, Esquire, good and lawful men of the County aforesaid, now here sworn, and charged to inquire for our said Lord the King for the body of the said County touching and concerning the premises in the said Letters Patent mentioned. It is presented in manner and form as followeth, (that is to say)

MIDDLESEX to Wit, THE JURORS for our Sovereign Lord the King, upon their oath present, That Thomas Hardy, late of Westminster, in the County of Middlesex, shoemaker, John Horne Tooke, late of Wimbleton, in the County of Surrey, clerk, John Augustus Bonney, late of the parish of Saint Giles in the Fields, in the County of Middlesex aforesaid, gentleman, Stewart Kyd, late of London, Esquire, Jeremiah Joyce, late of the parish of Saint Mary-le-Bone, otherwise Marybone, in the County of Middlesex aforesaid, gentleman, Thomas Wardle, late of London, gentleman, Thomas Holcroft, late of the parish

of Saint Mary-le-Bone, otherwise Marybone aforesaid, in the County of Middlesex aforesaid, gentleman, John Richter, late of Westminster, in the said County of Middlesex, gentleman, Matthew Moore, late of Westminster, in the County of Middlesex aforesaid, gentleman, John Thelwall, late of Westminster, in the County of Middlesex aforesaid, gentleman, Richard Hodgson, late of Westminster, in the County of Middlesex aforesaid, hatter, and John Baxter, late of the parish of Saint Leonard, Shoreditch, in the County of Middlesex aforesaid, labourer, being subjects of our said Lord the King, not having the fear of God in their hearts, nor weighing the duty of their allegiance, but being moved and seduced by the instigation of the devil, as false Traitors against our said Lord the King, their supreme, true, lawful, and undoubted Lord, and wholly withdrawing the cordial love and true and due obedience which every true and faithful subject of our said Lord the King should, and of right ought to bear towards our said Lord the King, and contriving, and with all their strength intending, traiterously to break and disturb the peace and common tranquillity of this kingdom of Great Britain, and to stir, move, and excite insurrection, rebellion, and war, against our said Lord the King within this kingdom, and to subvert and alter the legislature, rule, and government, now duly and happily established in this kingdom, and to depose our said Lord the King from the royal state, title, power, and government of this kingdom, and to bring and put our said Lord the King to death, on the first day of March, in the thirty-third year of the reign of our Sovereign Lord the now King, and on divers other days and times, as well before as after, at the parish of St. Giles aforesaid, in the County of Middlesex aforesaid, maliciously and traiterously, with force and arms, &c. did amongst themselves and together, with divers other false traitors, whose names are to the said Jurors unknown, conspire, compass, imagine, and intend to stir up, move, and excite insurrection, rebellion, and war, against our said Lord the King, within the kingdom of Great Britain, and to subvert and alter the Legislature, Rule, and Government, now duly and happily established within this kingdom of Great Britain, and to depose our said Lord the King from the royal state, title, power, and Government of this kingdom, and to bring and put our said Lord the King to death.

AND TO FULFIL, perfect, and bring to effect their most evil and wicked treason, and treasonable compassings and imaginations aforesaid, they the said Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, as
such

such false traitors as aforesaid, with force and arms, on the said first day of March, in the thirty-third year aforesaid, and on divers other days and times, as well before as after, at the parish of Saint Giles aforesaid, in the county of Middlesex aforesaid, maliciously and traiterously did meet, conspire, consult, and agree among themselves and together, with divers other false traitors, whose names are to the said Jurors unknown, to cause and procure a Convention and Meeting of divers subjects of our said Lord the King, to be assembled and held within this kingdom, with intent and in order that the persons to be assembled at such Convention and Meeting should and might wickedly and traiterously, without and in defiance of the authority and against the will of the Parliament of this kingdom, subvert and alter, and cause to be subverted and altered, the legislature, rule, and government, now duly and happily established in this kingdom, and depose, and cause to be deposed, our said Lord the King, from the royal state, title, power, and government thereof.

AND FURTHER TO FULFIL, perfect, and bring to effect their most evil and wicked treason and treasonable compassings and imaginations aforesaid, and in order the more readily and effectually to assemble such Convention and Meeting as aforesaid, for the traiterous purposes aforesaid, and thereby to accomplish the same purposes, they, the said Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, as such false traitors as aforesaid, together with divers other false traitors whose names are to the Jurors aforesaid unknown, on the said first day of March, in the thirty-third year aforesaid, and on divers other days and times, as well before as after, with force and arms, at the parish of Saint Giles aforesaid, in the county of Middlesex aforesaid, maliciously and traiterously did compose and write, and did then and there maliciously and traiterously cause to be composed and written divers books, pamphlets, letters, instructions, resolutions, orders, declarations, addresses, and writings, and did then and there maliciously and traiterously publish, and did then and there maliciously and traiterously cause to be published divers other books, pamphlets, letters, instructions, resolutions, orders, declarations, addresses and writings so respectively composed, written, published, and caused to be composed, written and published, purporting and containing therein, among other things, incitements, encouragements, and exhortations, to move, induce, and persuade the subjects of our said Lord the King to choose, depute, and send, and cause to be chosen, deputed, and sent, persons as delegates to compose and constitute such Convention and Meeting as aforesaid,

said, to be so holden as aforesaid, for the traiterous purposes aforesaid.

AND FURTHER TO FULFIL, perfect, and bring to effect their most evil and wicked treason and treasonable compassings and imaginations aforesaid, and in order the more readily and effectually to assemble such Convention and Meeting as aforesaid, for the traiterous purposes aforesaid, and thereby to accomplish the same purposes, they the said Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, as such false traitors as aforesaid, on the said first day of March, in the thirty-third year aforesaid, and on divers other days and times, as well before as after, with force and arms, at the parish of Saint Giles aforesaid, in the county of Middlesex aforesaid, did meet, consult, and deliberate among themselves, and together with divers other false traitors whose names are to the said Jurors unknown, of and concerning the calling and assembling such Convention and Meeting as aforesaid, for the traiterous purposes aforesaid, and how, when, and where such Convention and Meeting should be assembled and held, and by what means the subjects of our said Lord the King should and might be induced and moved to send persons as delegates to compose and constitute the same.

AND FURTHER TO FULFIL, perfect, and bring to effect their most evil and wicked treason and treasonable compassings and imaginations aforesaid, and in order the more readily and effectually to assemble such Convention and Meeting as aforesaid, for the traiterous purposes aforesaid, and thereby to accomplish the same purposes, they, the said Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, as such false traitors as aforesaid, together with divers other false traitors whose names are to the Jurors aforesaid unknown, on the first day of March, in the thirty-third year aforesaid, and on divers other days and times, as well before as after, with force and arms, at the parish of Saint Giles aforesaid, in the county of Middlesex aforesaid, maliciously and traiterously did consent and agree that the said Jeremiah Joyce, John Augustus Bonney, John Horne Tooke, Thomas Wardle, Matthew Moore, John Thelwall, John Baxter, Richard Hodgson, one John Lovett, one William Sharp, and one John Pearson, should meet, confer, and co-operate among themselves, and together with divers other false traitors whose names are to the said Jurors unknown, for and towards the calling and assembling such Con-

vention and Meeting as aforesaid, for the traitorous purposes aforesaid.

AND FURTHER TO FULFIL, perfect, and bring to effect their most evil and wicked treason and treasonable compassings and imaginations aforesaid, they, the said Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, as such false traitors as aforesaid, together with divers other false traitors whose names are to the Jurors aforesaid unknown, on the said first day of March, in the thirty-third year aforesaid, and on divers other days and times as well before as after, with force and arms, at the parish of Saint Giles aforesaid, in the county of Middlesex aforesaid, maliciously and traitorously did cause and procure to be made and provided, and did then and there maliciously and traitorously consent and agree to the making and providing of divers arms and offensive weapons, to wit, guns, musquets, pikes, and axes, for the purpose of arming divers subjects of our said Lord the King, in order and to the intent that the same subjects should and might unlawfully, forcibly, and traitorously oppose and withstand our said Lord the King in the due and lawful exercise of his royal power and authority in the execution of the laws and statutes of this realm, and should and might unlawfully, forcibly, and traitorously subvert and alter, and aid and assist in subverting and altering, without and in defiance of the authority and against the will of the Parliament of this kingdom, the Legislature, Rule, and Government now duly and happily established in this kingdom, and depose, and aid and assist in deposing our said Lord the King from the royal state, title, power, and government of this kingdom.

AND FURTHER TO FULFILL, perfect, and bring to effect their most evil and wicked treason and treasonable compassings and imaginations aforesaid, they, the said Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, as such false traitors as aforesaid, with force and arms, on the said first day of March, in the thirty-third year aforesaid, and on divers other days and times, as well before as after, at the parish of Saint Giles aforesaid, in the county of Middlesex aforesaid, maliciously and traitorously did meet, conspire, consult, and agree among themselves, and with divers other false traitors, whose names are to the said Jurors unknown, to raise, levy, and make Insurrection, Rebellion, and War within this kingdom of Great Britain, against our said Lord the King.

AND

AND FURTHER TO FULFILL, perfect, and bring to effect their most evil and wicked treason and treasonable compassings and imaginations aforesaid, they, the said Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, as such false traitors as aforesaid, on the said first day of March, in the thirty-third year aforesaid, and on divers other days and times, as well before as after, at the parish of Saint Giles aforesaid, in the county of Middlesex aforesaid, with force and arms, maliciously and traiterously did meet, conspire, consult, and agree amongst themselves, and together with divers other false traitors, whose names are to the said Jurors unknown, unlawfully, wickedly, and traiterously to subvert and alter, and cause to be subverted and altered, the Legislature, Rule, and Government now duly and happily established in this kingdom, and to depose, and cause to be deposed, our said Lord the King from the royal state, title, power, and government of this kingdom.

AND FURTHER TO FULFILL, perfect, and bring to effect their most evil and wicked treason, and treasonable compassings and imaginations aforesaid, and in order the more readily and effectually to bring about such subversion, alteration, and deposition as last aforesaid, they, the said Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, as such false traitors as aforesaid, together with divers other false traitors, whose names are to the Jurors aforesaid unknown, on the said first day of March, in the thirty-third year aforesaid, and on divers other days and times, as well before as after, at the parish of Saint Giles aforesaid, in the county of Middlesex aforesaid, with force and arms maliciously and traiterously did prepare and compose, and did then and there maliciously and traiterously cause and procure to be prepared and composed, divers books, pamphlets, letters, declarations, instructions, resolutions, orders, addressees, and writings, and did then and there maliciously and traiterously publish and disperse, and did then and there maliciously and traiterously cause and procure to be published and dispersed divers other books, pamphlets, letters, declarations, instructions, resolutions, orders, addressees, and writings, the said several books, pamphlets, letters, declarations, instructions, resolutions, orders, addressees, and writings, so respectively prepared, composed, published, dispersed, and caused to be prepared, composed, published, and dispersed as last aforesaid, purporting and containing therein (amongst other things) incite-

ments, encouragements, and exhortations, to move, induce, and persuade the subjects of our said Lord the King, to aid and assist in carrying into effect such traitorous subversion, alteration, and deposition as last aforesaid, and also containing therein, amongst other things, information, instructions, and directions to the subjects of our said Lord the King, how, when, and upon what occasions the traitorous purposes last aforesaid should and might be carried into effect.

AND FURTHER TO FULFILL, perfect, and bring to effect their most evil and wicked treason, and treasonable compassings and imaginations aforesaid, they, the said Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, as such false traitors as aforesaid, together with divers other false traitors, whose names are to the Jurors aforesaid unknown, on the said first day of March, in the thirty-third year aforesaid, and on divers other days and times, as well before as after, at the parish of St. Giles aforesaid, in the county of Middlesex aforesaid, with force and arms maliciously and traitorously did procure and provide, and did then and there maliciously and traitorously cause and procure to be provided, and did then and there maliciously and traitorously consent and agree to the procuring and providing arms and offensive weapons (to wit) guns, musquets, pikes, and axes, therewith to levy and wage war, insurrection, and rebellion against our said Lord the King within this kingdom, against the duty of the allegiance of them the said Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Thelwall, Richard Hodgson, and John Baxter, against the peace of our said Lord the now King, his crown and dignity, and against the form of the statute in that case made and provided.

SESSION-HOUSE, CLERKENWELL.—MONDAY, OCTOBER 6.

The Court met at ten o'clock, when the Grand Jury had not a Bill ready to return. About two o'clock the LORD CHIEF BARON appeared on the Bench, when a true Bill was returned against the following Persons for High Treason:

THOMAS

THOMAS HARDY,
 JOHN HORNÉ FOOKE,
 JOHN AUGUSTUS BONNEY,
 STEWART KYD,
 JEREMIAH JOYCE,
 WILLIAM WARDLE,

THOMAS HOLCROFT,
 JOHN RICHTER,
 MATTHEW MOORE,
 JOHN THELWALL,
 RICHARD HODGSON, and
 JOHN BAXTER.

The Bill against JOHN LOVATT was not found.

The Jury thanked the Chief Justice for the Charge delivered to them the day on which the Commission opened, which, at their request, was ordered to be printed. The Judge thanked them in return for the Compliment. As he would not affect to say that he delivered it without Notes, he would cheerfully acquiesce in their request. His Lordship observed, that the Jury had attended FOUR days, and wished to know if they should proceed any further that day? or if they meant to adjourn? After this conversation, they agreed to adjourn to next day at ten o'clock.

The *Attorney General* made the usual Motions, that Copies of the Indictments be given to the Prisoners.

The *Chief Justice* wished to know of the *Attorney-General*, what time he would be in readiness to deliver to the Prisoners the Pannel of the Jury, &c. as ten days were required before the Trials could commence.

The *Attorney-General* said, he should be able to answer, and settle the business next day.

The *Chief Justice* next called upon the persons who attended as Agents, Solicitors, and others for the Prisoners, and informed them, that by the usual application they may have access to the Prisoners. He said, he would not harrass the Prisoners by having them brought up until their arraignment—to inform them of these particulars, for that Copies of their Indictments should be left with them, and wished this information might be immediately communicated.—And then the Court adjourned.

A LIST of the WITNESSES SUBPOENAED.

MIDDLESEX.

THE KING AGAINST THOMAS HARDY, JOHN HORNE TOOKE, JOHN AUGUSTUS BONNEY, STUART KYD, JEREMIAH JOYCE, THOMAS WARDLE, THOMAS HOLCROFT, JOHN RICHTER, MATTHEW MOORE, JOHN THELWALL, RICHARD HODGSON, AND JOHN BAXTER.

Upon an Indictment for High Treason.

Alexander Aitchison, student of medicine, residing in Cannongate, of Edinburgh, in the parish of Cannongate, in the county of Edinburgh, a prisoner in the Tolbooth of Edinburgh.

Henry Alexander, abiding at the Rose-tavern, Fleet-market, in the City of London, Linen-draper.

Daniel Adams, of Took's-court, Cursitor-street, in the county of Middlesex, gentleman.

George Allen, of Turner's-court, Bedford-Bury, in the county of Middlesex, one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

John Armstrong, of Kingsland-road, in the parish of St. Leonard, Shoreditch, in the county of Middlesex, one of the constables attending the Police-office, in Worship-street, in the said county.

James Agar, of Hare-court, in the Temple, barrister at law.

Joseph Butterworth, of Fleet-street, London, bookseller.

John Bullock, of Church-yard-court, in the Inner-temple, London, stationer to the Board of Ordnance.

William Broomhead, of Watson's-walk, Sheffield, in the county of York, cutler and scissar finisher, now in custody, at the house of Mrs. Mary Parkinson, in Little Charles-street, Westminster, in the county of Middlesex.

Grant Broughton, one of his Majesty's messengers in ordinary, abiding at the house of the Right Honourable the Marquis of Salisbury, in Arlington-street, in the county of Middlesex.

Bernard Bayley, of Union-crescent, Kent-road, in the county of Surry, gentleman, one of the clerks of the Police-office, in Lambeth-street, Whitechapel, in the county of Middlesex.

Joseph Burchell, of the Sheriff's-office, in Took's-court, and residing in great James-street, Bedford-row, in the county of Middlesex, attorney at law.

George Cheek Barnes, of Noble-street, Goswel-street, in the county of Middlesex, printer.

John Boulton, of Red-lion-court, Charter-house-lane, London, newsmen and ticket porter.

Thomas Blackburne, of Craven-street, City-road, in the county of Middlesex, paper hanger and undertaker.

William

William Black, of York-street, Westminster, in the county of Middlesex, green grocer, and one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

Robert Beresford, residing at the corner of Bennet's-court, Drury-lane, in the county of Middlesex, taylor and green grocer, and one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

Arthur Blake, of Devonshire-street, Portland-place, in the county of Middlesex, esq.

Richard Bennet, of Redman's-row, Bethnal-green, in the county of Middlesex, warehouseman.

William Barclay, of Duke's-court, St. Martin's-lane, in the county of Middlesex, shoemaker.

Nathaniel Birch, of Vine-street, in the parish of St. John, Westminster, in the county of Middlesex, labourer, one of the patrols attending the Public-office in Bow-street, Covent-garden, in the said county.

Anthony Beck, of Oxford-street, in the county of Middlesex, sandler.

John Bursley, of Blackman-street, in the Borough of Southwark, in the county of Surrey, one of the clerks in the Auditor's-office, Somerset-place.

John Bone, of Welton-street, Snow's-fields, Southwark, in the county of Surrey, muslin clearer.

William Camage, of Fargate-street, Sheffield, in the county of York, inkbottle maker, now in custody at the house of Mrs. Mary Parkinson, in Little Charles-street, Westminster, in the county of Middlesex.

John Child, of Crown-street, Westminster, in the county of Middlesex, one of his Majesty's messengers in ordinary.

John Coates, a soldier, in the Birmingham Volunteers, late of China-walk, Lambeth, in the county of Surrey, apprentice to John Philip Francklow, taylor, and now residing with his father, Christopher Coates, of Little College-street, Westminster, in the county of Middlesex.

Stephen Cottrell, of Grosvenor-place, in the county of Middlesex, esq. one of the clerks of his Majesty's most Hon. Privy Council.

William Carter, of Angel-alley, Long-acre, in the county of Middlesex, bill sticker.

Patrick Colquhoun, of Charles-square, Hoxton, in the county of Middlesex, esq. one of the Justices of the Police-office, in Worship-street, Shoreditch, in the said county.

Thomas Chapman, of Fleet-street, London, bookseller.

John Combes, of Oakham, in the county of Rutland, attorney at law.

Christopher Cridland, of Kemp's-court, Berwick-street, Soho, in the county of Middlesex, shoemaker, and one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

Thomas Carpmeal, of Bow-street, Covent-garden, in the county of Middlesex, victualler, and one of the constables attending the Public-office in Bow-street, aforesaid.

Henry Croker, of Tottenham-court-road, in the county of Middlesex, broker, and one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

John Chapman, of Dean-street, Fetter-lane, London, labourer.

Alexander Corney, of Red-lion-court, Watling-street, in the city of London, shoe-factor.

James Clark, esq. sheriff deputy, of the county of Edinburgh, residing in George-square, in the parish of St. Cuthbert's, in the said county.

John Chatfield, of Back-hill, Hatton-garden, in the county of Middlesex, timber merchant.

Bernard Cobbe, of Walnut-tree-walk, Lambeth, in the county of Surry, one of the clerks in the Auditor's office, Somerset-place.

William Clarke, of Mount-row, Lambeth, in the county of Surry, messenger to the solicitor for the affairs of his Majesty's treasury.

Henry Dealtry, of Essex-street, in the county of Middlesex, clerk of the rules, on the crown side of his Majesty's court of King's-bench.

Richard Davison, of Sheffield, in the county of York, printer.

James Davison, of Russel-place, Russel-street, Covent-garden, in the county of Middlesex, printer.

William Dakin, of Downing-street, Westminster, door porter at the office of Lord Grenville, one of his Majesty's principal secretaries of state, situate in Downing-street aforesaid.

Joseph Deboffe, of Gerard-street, Soho, in the county of Middlesex, bookseller.

Joseph Edwards, the younger, of Jewin-street, London, silversmith, now in custody at the house of William Needham, in Cork-street, Hanover-square, in the county of Middlesex; one of his Majesty's messengers in ordinary.

Daniel Isaac Eaton, of Newgate-street, London, bookseller.

Henry Eaton, of Newgate-street, London, the son of Daniel Isaac Eaton, of the same place, bookseller.

Evan Evans, late a prisoner in the custody of the Marshal of the Marshalsea, of the Court of King's-bench, grocer, now residing at the house of Samuel Giles, at Newington-causeway, in the county of Surry.

Ann, the wife of the above-named Evan Evans, now residing at the house of Samuel Giles, at Newington-causeway, in the county of Surry.

Samuel Edwards, of Beaufort-buildings, in the Strand, in the county of Middlesex, wine merchant.

John Frost, late of Spring-garden, Westminster, but now of Pinner, in the county of Middlesex, gentleman, late an attorney of the court of King's-bench.

Richard

Richard Ford, of Sloan-street, in the county of Middlesex, esq. one of the Justices at the Public-office in Bow-street, Covent-garden, in the said county.

William Fawcener, of South-street, Park-lane, in the parish of St. George, Hanover square, in the county of Middlesex, esq. one of the clerks of his Majesty's most Hon. Privy-council.

Edward Fugion, of the Pleasant-retreat, Palmer's-village; Tothill-fields, in the county of Middlesex, shoemaker, and one of the officers of the Public-office in Bow-street, Covent-garden, in the said county.

William Henry Fallofield, of Inner-Scotland-yard, in the county of Middlesex, attorney at law.

William Fitzgerald, of the Middle-temple, London, barrister at law.

John Fairley, of Broughton, in the parish of St. Cuthbert's, in the county of Edinburgh, wright, a prisoner in the Castle of Edinburgh.

Isaac Fawcett, the younger, of Camomile-street, Bishopsgate-street, in the city of London, attorney at law.

Thomas Furnage, of Windmill-street, Tottenham-court-road, in the county of Middlesex, collector of the rate for paving, &c, within the parish of Saint Pancras, in the said county.

William Fletcher, of Lincoln's-Inn, in the county of Middlesex, barrister at law.

Duncan Grant, of Strutton-ground, Westminster, in the county of Middlesex, one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

Edward Gosling, late of Hoxton, in the parish of Saint Leonard, Shoreditch, in the county of Middlesex, but now residing at the house of James Bisset, Upper-broker-row, Moorfields, in the said county, and clerk to William Wickham, esq. one of the Justices at the Police-office in Lambeth-street, Whitechapel, in the said county.

John Gurnell, of King-street, Westminster, in the county of Middlesex, one of his Majesty's messengers in ordinary.

Richard Gay, of Hopkins-street, Saint James's, in the county of Middlesex, drug and perfume grinder, a prisoner in the custody of the Marshal of the Marshalsea, of the court of King's-bench, in the King's-bench-prison, in Saint George's-Fields, in the county of Surry.

Thomas Green, of Orange-street, Leicester-fields, in the county of Middlesex, perfumer.

John Gurney, of Essex-court, in the Middle-temple, barrister at law.

Alexander Grant, of Wardour-street, Soho, in the county of Middlesex, printer.

William Gotobed, of Hosier-lane, West-smithfield, London, newsman.

Roger Gastrell, of Hemlock-court, Cary-street, in the county of Middlesex, taylor, and green-grocer, and one of the constables attending.

attending the Public-office in Bow-street, Covent-garden, in the said county.

Arthur Gliddon, of Great Ormond-street, Queen's-square, in the county of Middlesex, attorney at law.

Jchn Griffiths, of Plumber's-row, Mile-end-old-town, in the county of Middlesex, carpenter and joiner, and one of the constables attending the Police-office in Lambeth-street, Whitechapel, in the said county.

Thomas Griffiths, of Fashion-street, Spitalfields, lawyer, and assistant constable at the Police-office in Lambeth-street, Whitechapel, in the county of Middlesex.

Thomas Glegg, No. 60, Charing-cross, Westminster, in the county of Middlesex, gentleman, clerk to Mr. White, of No. 6, Lincoln's-inn.

John Groves, of Crown-court, Ruffel-street, Covent-garden, in the county of Middlesex, gentleman.

Richard Hayward, of Friendly-place, Shoreditch, in the county of Middlesex, wax-chandier, now a prisoner in his Majesty's gaol of Newgate.

George Higgins, of South-street, in the parish of Saint George, Hanover-square, in the county of Middlesex, one of his Majesty's messengers in ordinary.

Christopher Hull, of Chancery-lane, attorney at law.

Edward Hodson, of Bell-yard, near Temple-bar, printer.

Henry Hill, of Fargate-street, in Sheffield, in the county of York, cutler, now in custody at the house of Mrs. Mary Parkinson, in Little Charles-street, Westminster, in the county of Middlesex.

John Hancock, of Chichester-rents, in Chancery-lane, in the county of Middlesex, gentleman, clerk to Mr. White, of No. 6, Lincoln's-Inn.

William Huskisson, of Pall-mall, in the county of Middlesex, esq. chief clerk in the office of the Rt. Hon. Henry Dundas, one of his Majesty's principal secretaries of state.

Edward Harvey, of Lamb-street, Spital-square, in the county of Middlesex, warehousman.

John Hollingworth, of Threadneedle-street, London, banker.

John Hillier, of Bishopsgate-street, London, bookseller, now a prisoner in his Majesty's gaol of Newgate.

Jeremiah Samuel Jordan, of Fleet-street, in the city of London, bookseller.

Joseph Johnson, of St. Paul's Church-yard, in the city of London, bookseller.

Joseph Clayton Jennings, of Hart-street, Bloomsbury, in the county of Middlesex, barrister at law.

Charles Jealous, of Brownlow-street, Drury-lane, in the county of Middlesex, sadler, and one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

Joshua Joyce, of Essex-street, in the Strand, in the county of Middlesex, tallow-chandier.

Thomas Jones, of Milford-lane, in the Strand, in the county of Mid-

Middlesex, labourer and one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

William Jones, esq. of St. George's-fields, in the county of Surrey, marshal of the Marshalsea, of the court of King's-bench.

David George Jacmar, of Frith-street, Soho, in the county of Middlesex, one of the clerks in the Auditor's-office, in Somerset-place.

William Johnson, of the Inner-temple, London, attorney at law.

John King, of Queen-street, Queen's-square, Westminster, in the county of Middlesex, esq. one of his Majesty's under secretaries of state.

John Kirby, keeper of his Majesty's gaol of Newgate, residing there.

Christopher Kennedy, of Cross-court, Broad-court, Long-acre, in the county of Middlesex, carpenter, and one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

William Knight, of Windmill-street, Piccadilly, in the county of Middlesex, shoemaker.

David Kinghorn, gentleman, gaoler of his Majesty's Tower of London, abiding there.

William Lowndes, of the Middle-temple, London, barrister at law.

Edward Lauzun, of Little George-street, Westminster, in the county of Middlesex, one of his Majesty's messengers extraordinary.

James Lyon, messenger at arms, residing at the house of James Cooper, in Advocate's-close, in the city of Edinburgh.

George Lynam, of Walbrook, London, ironmonger.

Edward Lavender, of Drury-lane, in the county of Middlesex, attorney at law, and chief clerk of the Public-office in Bow-street, Covent-garden, in the said county.

Arnold Langley, of Gloucester-street, Queen's-square, in the county of Middlesex, gentleman, clerk to Mr. White, No. 6, Lincoln's-inn.

William Lockhart, sheriff clerk depute of the county of Edinburgh, residing at Newhaven, in the parish of St. Cuthbert's, in the county of Edinburgh aforesaid.

David Lloyd, of York-street, Westminster, in the county of Middlesex, footman to Mrs. Campbell, of Bury-street, St. James's, in the same county.

Robert Moody, of China-square, Sheffield, in the county of York, carpenter and joiner, now in custody at the house of Mrs. Mary Parkinson, in Little-Charles-street, Westminster, in the county of Middlesex.

Thomas Maclean, of Whitehall, in the county of Middlesex, one of his Majesty's messengers in ordinary.

John Moore, of Gray's-inn, in the county of Middlesex, attorney at law.

Merry, of Ramsgate, in the county of Kent, doctor of physic.

William Mainwaring, of Hanover-square, in the county of Middlesex, esq. one of the prothonotaries of the court of common pleas.

George Munro, of George-street, Manchester-square, in the county of Middlesex, esq. a captain in the army.

William Metcalfe, of Dowgate-hill, in the city of London, attorney at law.

Patrick Macmanus, of Stanhope-street, Clare-market, in the county of Middlesex, hatter, and one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

Andrew Milne, of Great Russel-street, Bloomsbury, in the county of Middlesex, shopman to Mr. Jordan, bookseller, in Fleet-street, London.

Joseph Mack, clerk in the Sheriff-clerk's office in Edinburgh, residing in Castle Wynd, in the city of Edinburgh.

William M' Cubbin, writer, residing in the house of John Donaldson, smith and room-letter, in Todderick's Wynd, in the city of Edinburgh.

Alexander Mitchell, linen manufacturer, residing at Strathaven, in the parish of Strathaven, in the county of Lanark.

Arthur M'Ewan, of the Water of Leith, in the parish of Saint Cuthbert's, in the county of Edinburgh, weaver, a prisoner in the Tolbooth of Cannongate, of Edinburgh.

Walter Miller, wright and merchant, of the High-street of Perth, in the parish of Perth, in the county of Perth, a prisoner in the Tolbooth of Edinburgh.

John Miller, of Duke's-court, Bow-street, Covent-garden, in the county of Middlesex, one of the constables attending the Public-office in Bow-street aforesaid.

Stephen Henry Murrell, of Ray-street, Cold-bath-fields, in the county of Middlesex, auctioneer.

William Middleton, one of the Sheriff's officers of the county of Edinburgh, residing in Warriston's-close, in the city of Edinburgh.

Joseph Miner, of Aldermanbury, London, warehouseman.

William Needham, of Cork-street, in the parish of St. George, Hanover-square, in the county of Middlesex, one of his Majesty's messengers in ordinary.

Frederick Polydore Nodder, of Brewer-street, Golden-square, in the county of Middlesex, botanic painter.

John Nost, residing at the Lord Chamberlain's-office, in St. James's-palace, in the county of Middlesex, one of his Majesty's messengers extraordinary.

Esar Nepean, of Scotland-yard, Whitehall, in the county of Middlesex, esquire, one of his Majesty's under secretaries of State.

Randall Norris, of Hare-court, in the Temple, clerk to Mr. Spinks, under treasurer of the society of the Inner-temple.

Arthur Unslow, of Craven-street, in the Strand, in the county of Middlesex, barrister at law.

Robert Orrock, of Dean, in the parish of St. Cuthbert's in the county

county of Edinburgh, blacksmith, a prisoner in the castle of Edinburgh.

George Orr, of Camberwell, in the county of Surry, taylor.

Jane Partridge, of Nottingham, spinster, the daughter Mr. Partridge, of Nottingham aforesaid, apothecary.

William Pope, of Little Mary-le-bone-street, in the county of Middlesex, blacking ball maker, and one of the patrols attending the Public-office in Bow-street, Covent-garden, in the said county.

John Pearson, of Lincoln's-inn, in the county of Middlesex, student at law.

James Parkinson, of Hoxton-square, in the county of Middlesex, surgeon and apothecary.

John Pearson, of Fig-tree-court, in the Temple, gentleman.

William Ross, of Crown-street, Westminster, in the county of Middlesex, one of his Majesty's messengers in ordinary.

John Reeves, of Cecil-street, in the Strand, in the county of Middlesex, barrister at law.

George Ross, clerk, or late clerk in the Gazetteer-office at Edinburgh, of South-bridge, of Edinburgh, a prisoner in the Tolbooth of Edinburgh.

Archibald Ruthven, of Rodney-row, Newington-butts, in the county of Surry, baker, one of the patrols attending the Public-office in Bow-street, Covent-garden, in the county of Middlesex.

James Ridgway, of York-street, St. James's-square, in the county of Middlesex, bookseller, now a prisoner in his Majesty's gaol of Newgate.

Thomas Clio Rickman, of Upper Mary-le-bone-street, in the county of Middlesex, bookseller, and Jane his wife, of the same place.

Samuel Reece, of Carthusian-street, Charter-house-square, in the county of Middlesex, stationer.

Isaac Saint, of the city of Norwich, victualler, now in custody at the house of Thomas Wagstaffe, in South-street, in the parish of St. George, Hanover-square, in the county of Middlesex, one of his Majesty's messengers in ordinary.

John Thomas Slack, of Buckle-street, Goodman's-fields, White-chapel, in the county of Middlesex, staymaker.

Henry Delahay Symonds, of Paternoster-row, London, bookseller, now a prisoner in his Majesty's gaol of Newgate.

William Sharp, of Charles-street, Middlesex-hospital, in the county of Middlesex, engraver.

John Schaw, of Eaton-street, Pimlico, in the county of Middlesex, one of his Majesty's messengers in ordinary.

Thomas Symonds, of Crown-office-row, Inner-temple, London, student at law.

Matthew Swift, of Gould's-buildings, near the New Church in the Strand, in the county of Middlesex, shoemaker, and one of the constables attending the Police-office in Great Marlborough-street, in the said county.

George Sanderson, of the bunch of grapes, in Butcher-row, Temple-bar, in the county of Middlesex, victualler.

Isaac Clayton Smith, of Artichoke-yard, Lambeth-marsh, in the county of Surrey, messenger in the office of the Rt. Hon. Henry Dundas, one of his Majesty's principal secretaries of state.

Thomas Shelton, of the session-house in the Old-bailey, in the Suburbs of the City of London, attorney at law.

William Scot, solicitor at law, residing in Merchant-street, in the city of Edinburgh.

Daniel Stuart, of Frith-street, Soho, in the county of Middlesex, gentleman.

Thomas Stiff, of Paternoster-row, in the city of London, hair-dresser.

John Shallard, of Charlton-street, Somers-town, in the county of Middlesex, pastry-cook, and one of the patrols attending the Public-office in Bow-street, Covent-garden, in the said county.

John Shelmerdine, of the Grove, Southwark, in the county of Surry, hatter.

James Savage, of Maiden-lane, Wood-street, London, warehouseman.

William Sturch, of Stanhope-street, Clare-market, in the county of Middlesex, ironmonger.

John Taylor, of Fleet-street, London, gent. now a prisoner in his Majesty's gaol of Newgate.

William Tims, of Crown-street, Westminster, in the county of Middlesex, one of his Majesty's messengers in ordinary.

James Thornton, of Weymouth-street, Cavendish-square, in the county of Middlesex, clerk at the Police-office in Great Marlborough-street, in the said county.

Thomas Thomson, of Shrub's-hill, near Bagshot, in the county of Berks, esq.

Thomas Tourle, late a prisoner in the custody of the Marshal of the Marshalsea, of the court of King's-bench, dealer in timber and coals, now residing at the house of Samuel Giles, at Newington-causeway, in the county of Surry.

Joseph Towers, of St. John's-square, Clerkenwell, in the county of Middlesex, dissenting minister.

James Templeton, messenger at arms, residing in President's-stairs, in Parliament-close, in the city of Edinburgh.

John Thompson, of Oakham, in the county of Rutland, gardener.

Mary Thompson, the wife of John Thompson, of Oakham, in the county of Rutland, gardener.

Mary Thompson, the wife of George Thompson, of Oakham, in the county of Rutland, gardener.

John Townsend, of Duke's-row, Pimlico, in the county of Middlesex, labourer, and one of the constables attending the Public-office in Bow-street, Covent-garden, in the said county.

Thomas Ting, of King's-road, Chelsea, in the county of Middlesex, stage-coachman, and one of the patrols attending the Public-office in Bow-street, Covent-garden, in the said county.

John Taylor, of St. George's, Norwich, surgeon.

John Thompson, near the turnpike, in the New-road, St. George's
in

in the East, in the county of Middlesex, assistant clerk at the Public-office in Lambeth-street, Whitechapel, in the said county.

John Taplin, of Mulberry-street, Mile-end Old-town, in the county of Middlesex, gardener, one of the constables attending the Police-office in Lambeth-street, Whitechapel, in the said county.

William Taylor, of Bridge-street, Westminster, in the county of Middlesex, esq. one of the clerks in the office of the Rt. Hon. Lord Grenville, one of his Majesty's principal secretaries of state.

Felix Vaughan, of Crown-office-row, Inner-temple, London, barrister at law.

John Vellam, of Oakham, in the county of Rutland, butcher and grazier.

Thomas John Upton, of Bell-yard, near Temple-bar, watch-maker, and machinist, now a prisoner in the New Prison, Clerkenwell, in the county of Middlesex.

Alexander Willis, of Harley-street, in the county of Middlesex, dancing-master.

Samuel Williams, now in custody at the house of Mr. Fordham, in Lambeth-street, Whitechapel, in the county of Middlesex, coach-master, apprentice to and late abiding with Joseph Whittton, at Tower-stairs, Tower-dock, London, gun engraver.

John Williams, of Leicester-fields, in the county of Middlesex, wine-merchant.

George Williams, of West-smithfield, London, leather-seller.

Thomas Wagstaffe, of South-street, in the parish of St. George, Hanover-square, in the county of Middlesex, one of his Majesty's messengers in ordinary.

William Wickham, of St. James's-place, in the county of Middlesex, esq. one of the justices of the Police-office in Lambeth-street, Whitechapel, in the said county.

John Wharton, of Skelton-castle, in the county of York, esq.

Joseph White, of Essex-court, Middle-temple, and of Lincoln's-inn, in the county of Middlesex, attorney at law, and solicitor for the affairs of his Majesty's treasury.

William Walker, of Buckingham-street, in the Strand, in the county of Middlesex, attorney at law.

James Walsh, late of the Strand, in the county of Middlesex, but now abiding at Hatfield, in the county of Hertford, gent.

William Woodfall, of Salisbury-square, Fleet-street, London, printer.

Henry Sampson Woodfall, late of No. 1, the corner of Ivey-lane, Paternoster-row, printer, but now of Chelsea, in the county of Middlesex, gent.

George Williamson, messenger at arms, residing in President-stairs, in Parliament-close, in the city of Edinburgh.

John Watts, of Rosemary-lane, Whitechapel, in the county of Middlesex, dyer.

Thomas Whitehorn, abiding at the house of Mr. John King, in Cumberland-street, Tottenham-court-road, in the county of Middlesex,

sex, and shopman to Mr. Baxter, near Cecil-street, in the Strand, in the said county, bookseller.

George Widdison, of Fargate-street, Sheffield, in the county of York, hair-dresser, now in custody at the house of Mrs. Mary Parkinson, in Little Charles-street, Westminster, in the county of Middlesex.

Thomas Wifin, of Fludyer-street, Westminster, in the county of Middlesex, one of his Majesty's messengers in ordinary.

Thomas Wood, of Red-lion-street, Holborn, in the parish of St. George the Martyr, in the county of Middlesex, lottery-inspector.

William Worship, of Ball-alley, Lombard-street, London, engraver.

Richard Williams, of Oakham, in the county of Rutland, clerk.

Richard White, of Piccadilly, in the parish of St. James, Westminster, in the county of Middlesex, oilman.

George Willington, of the Inner-temple, London, attorney at law.

John Wiggleworth, of Somerset-place, in the county of Middlesex, esq. one of the inspectors general of accounts in the Auditor's office there.

John York, of his Majesty's Tower of London, and deputy lieutenant thereof.

Matthew Yatman, of Percy-street, Rathbone-place, in the county of Middlesex, apothecary.

The following is a LIST of the PETTY JURORS summoned.

Aber. Thomas Buck, esq.

Back-lane. John Warner, gent.

Baker-street, Portman-square. Thomas Skipp, Dyott Bucknell, esq.

Barret. Benjamin Bradbury, Fryer's-lane, Fryer's-barnet, gent.

Bedford-square. Joseph Shrimpton, Esq.

Bethnal-green. Josiah Boydell, gent.

Beze. Thomas Sayer, esq. and distiller; Edward Gordon, esq. and brewer; Mark Hudson, esq. and brewer.

Brentford. Hugh Ronalds, esq. and nursery-man; David Roberts, distiller.

Broad-street, St. George's in the East. Joseph Ainslie, coal-merchant.

Bromley. Nathaniel Stonard, brewer; Charles Smith, distiller; Christopher Metalf, esq. and distiller.

Brompton. Thomas Hammerly, esq. and banker; Hanbury Potter, Old Brompton, esq.

Buckingham-street. Archibald Paxton, wine-merchant.

But-street, East-smithfield. Thomas Allen, brewer; Rice Davies, esq.

Chancery-lane. Richard Masters, esq. and banker; Thomas Druce, stationer.

Charing-cross. Charles Fourdrinier, stationer; James Shepnel, silversmith.

Charlotte-street, Rathbone-place. Edward Champion, esq. and wine-merchant; Isaac Mark, gent.

Charterhouse-square. Lacy Primatt, esq. and chemist.

- Cheny-street, Bedford-square.* John Peavey, cooper.
- Chiswick.* Thomas Laurence, Strand on the Green, esq. John Thompson, brewer; Thomas Beach, Strand on the Green, esq.
- Clerkenwell.* Apfley Pellatt, St. John's-street, ironmonger; John Guest, ditto, esq. and potter; George Fillingham, ditto, hopfactor; David Dean, ditto, cheesemonger; John Wright, Red Lion-street, watch case-maker.
- Cockspur-street.* James Oliphant, hatter; James Crompton, paper hanging-maker.
- Colnbrook.* Henry Bullock, this side of Colnbrook, esq.
- Dalton.* Cecil Pitt, esq.
- Downing-street, Westminster.* Thomas Maude, esq. and army agent.
- Duke-street, Westminster.* Calvert Clapham, gent.
- Ealing.* Thomas Wood, Hanging-hill, esq. and coal-merchant; Richard Meux, esq. and brewer; Robert Winn, Lower-side, esq. Richard Hunt, Windmill-lane, esq. Sampson Bowles, esq. and haberdasher; John Baker, esq. James Smith, esq. and perfumer; Robert Vincent, esq. Thomas Smith, Upper-side, esq. and distiller; Edward Roberts, esq. Thomas Cheap, esq.
- Edgware.* Thomas Cockington, gent.
- Edmonton.* Daniel Goffett, esq. and broker; John Blackburn, esq. and merchant; Thomas Lewis, South-street, esq. and Irish-factor.
- Elstree.* Samuel Rudge, esq. John Rudge, esq.
- Enfield.* Matthias Dupont, of the Chace-side, gent. wine and brandy-merchant; George Capes, esq. and warehouseman; Richard Gough, Forty-hill, esq. William Emerson, Bush-hill, esq. John Horsley, Bull's-cross, esq. Henry Purrier, Chace-side, esq. George Ellward, ditto, esq. and upholder; Christopher Strothoff, Bull's-cross, esq. and merchant.
- Finchley.* Thomas Allen, East-end, esq. William Hamerton, esq. Thomas Gildart, Nether-street, esq. and merchant.
- Frith-street, Soho.* Alexander Trotter, esq. and upholder.
- Fulham.* Robert Lewis, North-end, esq. John James, esq.
- Goosman's-fields.* Major Rhode, Lemon-street, esq. and sugar-baker.
- Goswell-street.* Robert Hawkins, coal-merchant.
- Gray's-inn-lane.* Thomas Harrison, Cowkeeper.
- Great George-street, Westminster.* Francis Jenks, gent.
- Greek-street.* Josiah Wedgwood, potter.
- Green-street, Grosvenor-square.* George Brooks, esq. and banker; James Fisher, the elder, esq.
- Hackney.* Thomas Boddington, esq. Charles Digby, Mare-street, esq.
- Hammersmith.* James Dorville, esq. Simon Lesage, esq. Bryan Marshall, gent. Benjamin Goodison, esq. James Keene, grocer; Henry Osbaldiston, esq.
- Hampstead.* Philip Godfall, gent. and coachmaker; John Peter Blaquire, esq. and merchant; Thomas Rhodes, Hampstead-road, cowkeeper.

- Hampton.* Thomas Chadwick, esq. John Hillman, esq.
Hanwell. William Harwood, esq.
Harlesdown-hill, near Harrow. William Nichol, farmer
Hatton-garden. Nathaniel Wright, surveyor.
Hayes John Blencowe, esq.
Hendon. Michael Collinson, esq. Edward Hill, gent.
Highgate. Edward Hale, gent. Samuel Provey, esq. and weaver
High-street, Mary-le-bone. James Sheridine, esq.
Hillington. Samuel Marsh, esq. William Perry, esq. and doctor
of physic; James Cook, esq.
Holborn. Robert Mairis, near Great Turnstile, gent.
Hornsey. David Duveluz, esq. and merchant, John Mayhew, esq.
and upholder.
Islington. Samuel Pullen, gent.
Kenfington. James Wheble, gentleman and tallow-chandler; John
Walker, Square, esq. Thomas Ayliffe, esq. Samuel Palmer, esq. Edw.
Helme, Parson's-yard, esq. Jeffery Holmes, Young-street, esq.
Alexander Baxter, esq. Edward Green, Square, esq. Edmund Jen-
nings, Young-street, esq. Stephen Aisley, esq. Robt. Willson, Square,
esq. Thomas Sanders, Fillimore-place, esq. John Mason, esq. John
Battye, esq. Thomas Burnett, Parson's-yard, esq. John Robinson,
esq. Isaac Lucas, esq. and oilman; John Jenkinson, esq. Thomas
Robinson, Church-lane, esq. and gardener; John Butts, esq. and
ironmonger.
Knightbridge. Sir Joseph Andrews, bart.
Limehouse. Robert Batson, ship-builder; Robert Mellish, ship-
builder; James Mitchel, rope-maker; Adam Steinmetz, biscuit-
baker; Jeremiah Blakeman, timber-merchant; Thomas Bird, distil-
ler; Charles Turner, sail-maker; Thomas Draine, brewer; Emanuel
Goodheart, sugar-refiner; Christopher Richardson, timber-merchant,
Norrison Coverdale, rope-maker; Anthony Calvert, merchant.
Lisson-green. James Stephens, esq.
London-street, Tottenham-court-road. George Sewell, gent.
Marlborough-street, (Great). John Harrop, gent.
Mile-end. John Charrington, esq. and brewer; John Liptrap,
esq. and distiller; Ralph Keddey, esq. and merchant.
Mimms (South). Francis Baroneau, esq.
Moorfields. Samuel Mills, weaver.
Newington (Stoke). George Rigby, esq. and Irish-factor; Jona-
than Eade, esq. and ship-chandler.
New-road, Tottenham-court-road. Joshua Brooks, dealer in birds;
John White, esq. and builder; Cam Farmer, gent.
Northumberland-street. Henry Capel, gent.
Old-street. Richard Child, distiller.
Ormond-street, (New). Thomas Nixon, esq. and merchant; Wil-
liam Cooke, esq.
Paddington-street, St. Mary-le-bone. Richard Carter, esq.
Pall-mall. Richard Croft, esq. and Banker.
Percy-street, Rathbone-place. Thomas Elmsley, esq.
Pimlico. George Shakespear, esq. and builder.
Poplar. John Powsey, carpenter and surveyor.

- Portman-square.* William Atwick, esq.
Potter's-bar, near Northam. Francis Hammond, esq.
Princes-street, Red-lion-square. John Lovett, gent.
Queen-square, Bloomsbury. William Frazer, esq. William Moffatt, esq. and merchant; William Arnold, esq.
Queen-street, (Great), Lincoln's-inn-fields. Robert Kilby Cox, esq. and brewer.
Ratcliff. Charles Bowles, Glas-house-yard, Sun-tavern-fields, glas-manufacturer; Joseph Bird, Cock-hill, esq. and sail-maker; John Thompson, Sun-tavern-fields, rope-maker.
Rathbone-place. Hugh French, esq. and apothecary.
Russel-place. Sir John Crofts, bart. Charles Bishop, esq. and proctor.
St. Catherine's. William Mashiter, wharfinger; Henry Goodwyn, esq. and brewer.
St. James's-street, Piccadilly. James Crane, esq.
Seymour-street (Upper), Mary-le-bone. William Phillimore, esq.
Shadwell. Newell Connop, distiller; Arthur Shakespear, Stepney-causeway, esq. and rope-maker; Matthew Whiting, ditto, sugar-refiner.
Shoreditch. Thomas Proctor, Hollywell-street, esq. and brewer; John Marshall, ditto, esq.
Smithfield, (East). William Down, whatfinger; Rawson Aislabie, wine-merchant and soap boiler.
Somer's-town. John Harrison, Duke's-row, gent.
Southampton-place, New-road. James Haygarth, esq. and builder; John Mandell, gent. Thomas Matthews, gent.
Southampton-row, Bloomsbury. George Wade, Stockbroker.
South Molton-street. John Pratt, gent.
Spring-gardens. Edmund Antrobus, New-street, esq. and banker.
Stammore. Samuel Dickenson, esq. Charles Wiggin, esq.
Strand. George Jefferys, jeweller and silversmith.
Sunbury. Roger Boehm, esq. and merchant; Dicker Saunders, esq. James Shergold, esq. William Parker, esq.
Teddington. William Sandby, esq. and banker.
Tottenham. Thomas Powell, High-crofs, esq. and merchant, William Row, ditto, esq. and broker; Charles Pratt, miller.
Tottenham-street. John Leader, gent. Joseph Mawley, gent.
Turnham-green. James Payne, esq.
Turnmill-street, Cow-crofs. Philip Booth, distiller.
Twickenham. John Davenport, esq. and woollen-draper; George Gosling, esq. and banker; Benjamin Green, esq. and register in Chancery; Edmund Hill, Whilton, esq. and gunpowder merchant.
Uxbridge. John Mercer, mealman; Daniel Cock, distiller.
Wapping. Thomas Martin, King Edward-stairs, oilman; John Rixon, Hermitage-street, cooper; Daniel Martin, Red Lion-street, esq. Andrew Burt, Charlotte-street, esq. Michael Henley, coal-merchant; Nathaniel Allen, Wapping-wall, ship-chandler.
Wellclose-square. Theophilus Pritzler, sugar-refiner; Catten Rohde, esq. and sugar-refiner.

Whitechapel. Henry Bullock, High-street, brewer.

Wilsden. Joseph Nicoll, Neasdown, gentleman-farmer; Edward Franklin, farmer.

Wimbley-green. Richard Page, esq.

SESSION-HOUSE, CLERKENWELL, TUESDAY, OCT. 7th.

THE Grand Jury being called, presented a true bill against John Martin, for High Treason.

The *Chief Justice* asked if there were any more bills ready for the Grand Jury.

The *Foreman* said, the Jury would be glad to adjourn to some day, when there might be business sufficient to engage them the whole day.

Mr. White, one of the solicitors to the treasury, said, if the court was adjourned till Thursday, he thought they should be ready with all the Bills that were meant to be presented, if that day would be convenient for the Jury.

The *Foreman* said, the Jury had no objection.

The *Chief Justice* said, he had no objection, after the business of this day was over, to adjourn the Court to Thursday, at 10 o'clock.

At this moment appeared in Court Mr. Holcroft, who addressed the Court to the following effect:

“ My Lord,

“ Being informed that a Bill for High Treason has been preferred against me, Thomas Holcroft, by his Majesty's Attorney General, and returned a true bill by a Grand Jury of these realms, I come to surrender myself to this Court, and my country, to be put upon my trial; that, if I am a guilty man, the whole extent of my guilt may become notorious; and, if innocent, that the rectitude of my principles and conduct may be no less public. And I hope, my Lord, there is no appearance of vaunting in assuring your Lordship, this Court, and my country, that, after the misfortune of having been suspected as an enemy to the peace and happiness of mankind, there is nothing on earth, after which, as an individual, I more ardently aspire than a full, fair, and public examination.

“ I have further to request that your lordship will inform me, if it be not the practice, in these cases, to assign counsel, and to suffer the accused to speak in his own defence? Likewise, whether free egress and regress be not allowed for such persons, books, and papers, as the accused, or his counsel, shall deem necessary for justification?”

Chief

Chief Justice.—"With regard to the first, Sir, it will be the duty of the Court to assign you Counsel, and also to order that such Counsel shall have free access to you at all proper hours—with respect, Sir, to the liberty of speaking for yourself, the accused will be fully heard by himself, as well as by his Counsel; but with regard to papers, books, and other things of that kind, it is impossible for me to say any thing precisely, with regard to them, until the thing required be asked. However, Sir, you may depend upon it, every thing will be granted to the party accused, so as to enable him to make his defence. If I understand you rightly, you now admit that you are the person standing indicted by the name of Thomas Holcroft?"

Mr. Holcroft.—"Yes, my Lord."

Chief Justice.—"You come here to surrender yourself, and I can only accept of that surrender on the supposition that you are the person so indicted. You know the consequence, Sir, of being indicted for High Treason. I shall be under the necessity of ordering you into custody. I would not wish to take any advantage of your coming forward in person, indiscreetly, in this manner, without being called upon by the ordinary process of the law. You should have a moment to consider whether you surrender yourself as that person."

Mr. Holcroft.—"It is certainly not my wish, either to inflict upon myself unnecessary punishment, or to appear to put myself forward on this occasion. I come only as Thomas Holcroft, of Newman-street, in the county of Middlesex, and I certainly do not wish to stand more forward, than any other man ought to stand."

Chief Justice.—"I cannot enter into this point. If you admit yourself to be the person indicted, the consequence must be, that I must order you to be taken into custody to answer this charge. I do not know whether you are, or are not, Thomas Holcroft. I do not know you, and therefore it is impossible for me to know whether you are the person stated in the indictment."

Mr. Holcroft.—"It is equally impossible for me, my Lord."

Chief Justice.—"Why then, Sir, I think you had better sit still.—Is there any thing moved on the part of the Crown with respect to this gentleman?"

Solicitor General.—"My Lord, as I consider him to be the person against whom a true bill is found, I move that he be committed."

Chief Justice.—"I do not know how many persons there may be of the name of Thomas Holcroft: it would be rather extraordinary to commit a person on this charge, if we do not know him."

Mr. Knapp, one of the Counsel for the Crown, contended, that from what the prisoner had said at first in Court, he admitted himself to be the person."

Chief Justice.—"That does not signify. Does the Counsel for the Crown think fit that this gentleman should be committed?"

Solicitor General.—"I move that he now be taken into custody."

Chief Justice.—"Sir, you must now stand committed."

A sheriff's officer now took Mr. Holcroft into custody.

Chief Justice to the prisoner.—"Are you prepared to name your Counsel?"

His Solicitor immediately named Mr. Erskine and Mr. Gibbs, whom the Court assigned in the usual form.

The same learned advocates were named for Mr. Thelwall and Mr. Baxter.

John Pearce stated to the Court, that he was an articled clerk to Mr. Martin, against whom the Grand Jury had found a bill. He requested that he might be permitted to attend Mr. Martin, as, without his assistance, he did not think Mr. Martin would be able to proceed to his trial.

The *Solicitor General* objected to this application, because there might be a charge against Mr. Pearce himself.

The *Judge* observed, that until some charge was preferred, he could not refuse this application.

Mr. White, the Solicitor, desired that the order might be postponed until Friday, which the Judge consented to, on condition that a copy of the indictment was not preferred till that time. The Chief Justice then ordered the officer to adjourn the Court.

Mr. Holcroft begged that his servant might be permitted to have access to him.

The *Chief Justice* said, that was a sort of thing that was quite new, and he did not know that he could grant it, unless something was stated by Mr. Holcroft, with respect to his health, to make it requisite.

Mr. Holcroft said, there was nothing of that sort; that he did not know it to be unusual, or he should not have asked it. The reason for his asking it, was, that his servant was his amanuensis; it had been his habit to dictate to this man, and therefore it would be extremely convenient for him to be indulged in this particular, if that was not contrary to custom.

The *Chief Justice* said, he was afraid it was, and he thought it would be proper for Mr. Holcroft to apply to another quarter, which could better grant indulgence than he could, sitting in that Court.

Mr.

Mr. Holcroft said, he wished to have no indulgence; he only wished for justice.

The *Chief Justice* said, "Then, Sir, I cannot make the order."

The Court then immediately adjourned to Thursday, at ten o'clock in the morning.

[*The preceding Account being that which appeared in the Public Prints, there appeared next Day, in the same Prints, the following Note from Mr. Holcroft.*]

To the EDITOR, &c.

SIR,

The predicament in which I stand is, I presume, a self-evident motive why I should be assiduously careful that the following mistake, in your account of what passed yesterday at Hicks's Hall, should be corrected. You state, that, when asked by the Chief Justice whether I admitted myself to be the person indicted by the name of Thomas Holcroft; I answered, "Yes, my Lord:?" Far from answering in this direct manner, the question immediately awakened in me some apprehension of having too implicitly credited the reports I heard, from persons of various rank and station, that a Bill for High Treason was found against me; the purport of my answer to his Lordship immediately was, that the only knowledge I had of the event was that which I derived from these reports. Such an answer as you have been informed I made, might very innocently have escaped a very innocent man, though the truth is, it did not happen to escape me. It might perhaps too very innocently, but mistakenly, have implied, in the minds of some people, a consciousness of my having deserved to be indicted; an inuendo, which, from my heart and soul, and with all the faculties I possess, of mind, memory, and truth, I repel.

THOMAS HOLCROFT.

Newgate, October 8, 1794.

SESSION-HOUSE, CLERKENWELL, THURSDAY, OCT. 9th.

THE Court met again at ten o'clock, when the Grand Jury presented a true bill for High Treason against *John Hillier*.

Another bill was then preferred by Mr. White, solicitor of the treasury. With this bill the Jury retired to their own room; after which the Court adjourned to Thursday the sixteenth of October.

SESSION-

SESSION-HOUSE, CLERKENWELL, THURSDAY, OCT. 16th:

THE Court sat as before. The Grand Jury returned a true bill against *John Philip Frankloe* for High Treason.

Mr. White, solicitor of the treasury, then preferred two other bills to the Grand Jury.

The *Chief Justice* observed, he should wish to adjourn the Court for the accommodation of the Jury, and he thought Tuesday next might be a proper day; in the mean time the Jury would proceed on the bills now before them. His Lordship said, he hoped on Tuesday to discharge the Jury from a very long and laborious service; at least until further summons. His Lordship asked if there was any motion to be made? To which there being no answer, the Court adjourned to Tuesday, the 21st of October.

TUESDAY, OCTOBER 21st.

THE Court met, when the Grand Jury found a true bill against *Thomas Spence* for High Treason.

A bill against *John Ashley*, for the same crime, was not found. Adjourned to Saturday the 25th of October.

[At eight o'Clock on Friday morning, the 24th of October, the prisoners, who were confined in the Tower, were taken from thence by the sheriffs, and conveyed, in hackney coaches, guarded by constables, &c. but no military, to Newgate.]

SATURDAY, OCTOBER 25.

THE COURT met at the SESSION-HOUSE in the OLD BAILEY, when, at one o'Clock, the following took their seats on the Bench.

THE LORD MAYOR.	SIR B. HOTHAM.
LORD CHIEF JUSTICE EYRE.	SIR N. GROSE.
LORD CHIEF BARON M'DONALD.	SIR F. BULLER.

ALDERMEN.

CLARKE, GILL, PICKET, NEWMAN, MACAULAY, ANDERSON.

After the usual proclamation, *Mr. Kirby*, the keeper of Newgate, was ordered to bring to the bar the following prisoners in his custody, against whom the *Grand Jury* had found their

FIRST BILL OF INDICTMENT.

Thomas Hardy, late of Westminster, in the County of Middlesex, shoemaker.

John

John Horne Tooke, late of Wimbledon, in the County of Surrey, clerk.

John Augustus Bonney, late of the Parish of St. Giles in the Fields, in the County of Middlesex aforesaid, gentleman.

Stewart Kyd, late of London, Esq.

Jeremiah Joyce, of the Parish of St. Mary-le-bone, otherwise Marybone, in the County of Middlesex aforesaid, gentleman.

Thomas Holcroft, late of the Parish of St. Mary-le-bone, otherwise Marybone, in the County of Middlesex aforesaid, gentleman.

John Richter, late of Westminster, in the said County of Middlesex, gentleman.

John Thelwall, late of Westminster, in the County of Middlesex aforesaid, gentleman.

John Baxter, late of the parish of St. Leonard, Shoreditch, in the County of Middlesex aforesaid, labourer.

The Court, immediately on their appearance, wished to know, whether the prisoners' Counsel attended in pursuance to their nomination and appointment?

Mr. *Gurney* replied, that in addition to his learned friends present, who had been retained, he expected Mr. *Erskine*, Mr. *Gibbs*, and Mr. *F. Vaughan*, who had been nominated by the Court.

The Court condescended to wait a few minutes.

The windows which are behind the bar, where the prisoners were, having been previously let down by the *Lord President's* orders, so as to admit a strong current of air, the following observations were made by

Mr. *Horne Tooke*.—"My Lord, I beg leave to represent to the Court, that we have just come out of a very confined and close hole, and the windows now opened at our backs, expose us to so much cold air, that our health, particularly my own, will be considerably endangered, and most probably we shall lose our voices before we leave the place. I shall, therefore, request of the Court to be dismissed as soon as their convenience will permit."

The *Lord President* of the Commission.—"If you are prepared to plead, Sir, you may be dismissed almost immediately. We were waiting for your Counsel, that you might have the benefit of their assistance."

Mr. *H. Tooke*.—"My Lord, in a great measure am I prevented from being now able to say any thing on the subject of the indictment, from the circumstance of our not having had the ten clear days allowed by Act of Parliament, to persons in our situation. By the change of custody a whole day has been completely lost to us; in consequence, we have not had an opportunity

of conversing with our Counsel. Mr. *Erskine* and Mr. *Gibbs* had engaged themselves to dine with me on Friday, for the purpose of conferring together on the business of this day. Notice was given me as late as nine or ten on Thursday night only, of my intended removal; I was removed by eight o'clock the next morning: it was perfectly impossible for me, therefore, to take the advantage of my Counsel's advice, as our arrangements were thus completely destroyed, and all my papers, which I had collected and arranged in the Tower, thrown into disorder and confusion. Your Lordship—who never was a prisoner—can have but a very imperfect idea of the change of custody."

The *Lord President*.—"The Court is inclined to make every allowance that can be expected, and is willing to wait the arrival of your Counsel."

Mr. *Toske*.—"Rather than catch cold, I should chuse to plead at present. I ask no indulgence, but desire substantial justice. When I mentioned the circumstance of the day's loss, I did not, by any means, wish to cause delay. It is undoubtedly clear, that the Act, which says, that *not less* than ten days should be allowed, by no means meant to preclude the accused from having the advantage of *more* than ten days, if necessary for the preparation of materials requisite for their defence. I hope that no inconvenience will arise to us from the shifting of custody:—but we certainly have not had the indulgence which that law intended us. I am, however, ready to plead, though deprived of the advantage of my papers, and the benefit of advice. We have been six months in close confinement, without being able yet to imagine what was the nature of the charges to be brought against us, nor have we been able to discover it from the indictment found against us."

Mr. *Tiskwill*.—"My Lord, I think it my duty, and an act of justice to myself and my country, to mention, in this public manner, the hardships which we have suffered. Not to mention the loss of a day, I myself have to complain of a circumstance very detrimental indeed to me. I have been deprived of the benefit of my books and papers, which I had collected together, and arranged in the Tower. When we were removed from the Tower, the sheriffs thought proper not to allow me time sufficient to take them with me; I do not mean to attach any blame to them, when I mention this, for with great politeness they promised I should have them sent me.—Afterwards, when I had an opportunity of sending for them through the medium of a friend who was sending to the Tower for some things he wanted, I was refused, and received an evasive answer. I was informed, that they could not send what I wanted, as I had a number of other things there, and they must be sent for together,

together, as it would be necessary to have a separate coach for them. This morning I received a second evasive answer. I mention this circumstance not with any view of delay, for I am as anxious, as any man can be for any thing, to meet the justice of my country."

The Indictment was then read by the Clerk of the Arraignment. It charged the Prisoners, that they being subjects of the King, not having the fear of God in their hearts, nor weighing the duty of their allegiance, but being moved and seduced by the instigation of the Devil, withdrawing their affection and allegiance from the King, did, on the first of March last, contrive, in concert with other persons, to disturb the peace of the Kingdom, to subvert the Government, to depose the King, and to put him to death.

The Indictment then proceeded to specify, and set forth in nine different counts, the overt acts of the above compassings and imaginations. (See p. 23—28.)

The Prisoners were then severally asked the usual questions, "Guilty or not guilty?"—"How will you be tried?"

Mr. Hardy.—"Not guilty."—"By God and my country."

Mr. Tooke.—"Not guilty." On being asked how he would be tried, he eyed the Court for some seconds with an air of significance, which few men are so well able to assume, and, shaking his head, emphatically answered—"I WOULD be tried by God and my country. But——"

The others answered in the usual manner—"Not guilty."—"By God and my country."

Mr. Bonney was about to make some remarks, when he was interrupted by

The Lord President.—"Tooke having complained of the coldness of the air, may withdraw."

Mr. Tooke then withdrew.

John Augustus Bonney.—"My Lord, there is an error in this indictment, which intitles me to plead in abatement. I am described late of the parish of *St. Giles in the Fields*, whereas I ought to have been described of the parish of *St. Pancras*. I never did reside in the parish of *St. Giles*. But, my Lord, I am also charged by this indictment with having committed treason in the parish of *St. Giles*; and as my description is just as true and correct as this assertion, I am content to take my trial upon the indictment in its present form; for I look forward with earnest and anxious expectation for the day when a Jury of my country shall justify me from the aspersions thrown on my character by this indictment: I therefore wave my objection, and plead generally, that *I am not guilty.*"