SPECIAL COMMISSION.

HAMPSHIRE.

WINCHESTER, THURSDAY, DEC. 30.

The Court met this morning, pursuant to adjournment, at 10 o'clock. The three Judges were on the bench, in their scarlet robes. The Duke of WELLINGTON, the Right Hon. STURGES BOURNE, and Mr. POLLEN were present as Commissioners. There were also a great number of magistrates in attendance. Among others Sir W. Heathcote, M. P., Sir T. Baring, M. P., Mr. Fleming, M. P., and several others with whose names we were unacquainted. The jury-box and the dock were filled with convicted felons. The court was filled to repletion before the arrival of the learned Judges.

In the dock there were about 20 convicts in rows of five each. Cooper was the centre man of the first row. His appearance is considerably altered since his first trial. He looks much older, and seems much dejected. By order of the Court all the prisoners were removed from the dock, save James Thomas Cooper, Henry Eldridge, and John Gilmore.

The Clerk of the Arraigns then asked these three prisoners by name what they had to say, after being convicted of feloniously breaking machinery, why they should not die according to law.

The prisoners continuing silent, Mr. Baron VAUGHAN and his two learned brothers put on black caps, and Mr. Baron VAUGHAN proceeded, in the most impressive tone and manner, to pass in the following terms upon the prisoners

SENTENCE OF DEATH.

He spoke to the following effect:—" James Thomas Cooper, Henry Eldridge, John Gilmore, unhappy men! you stand in the presence of God, and in the face of your country, convicted, by the unanimous verdict of a most dispassionate and discriminating jury, of the offence of demolishing, pulling down, and destroying machinery, employed in certain manufactories in different parts of this county. You, James Thomas Cooper, and you, Henry Eldridge, of destroying the machinery employed in a manufactory of flax and hemp, the property of Messrs. Thompson, at East-mill, in the parish of Fordingbridge, and you, John Gilmore, of destroying the machinery employed in the foundry of Messrs. Robert and William Tasker, in the parish of Upper Clatford. The wisdom of the Legislature, for the purpose of protecting property of this description, has affixed to the commission of this crime, when perpetrated by a riotous and tumultuous assembly, the penalty of death. We are not called upon here to vindicate the policy of the law from the imputation of unreasonable severity in visiting offences of this description with the ultimate punishment which human tribunals can inflict; for the capital embarked in this valuable property, and the thousands who are dependent on its employment for support, in various parts of this kingdom, make it a matter of imperative necessity that the law should be administered with severity in all cases where this crime is of an aggravated character. That your cases, unhappy men, have been of that character, no doubt can be entertained. One of the pretences for those illegal and dangerous associations in which you have been engaged is, that the destruction and demolition of machinery is for the benefit of the lower orders: but no delusion can be more gross. It is plain to every man of the least reflection, that the trade and manufactures of this country have prospered and advanced in the same proportion as machinery has prospered and advanced; and therefore it becomes necessary, for the preservation of the general interests of the kingdom, to enforce the full penalty of the law against some of those who have most guiltily offended. The most painful duty and office of a judge is to select for punishment those guilty persons whose fate may serve as the most warning example of the danger and wickedness of violating the law. The law delights not in punishment, its object is the prevention rather than the punishment of crime; and we have passed many an anxious, and I may truly add, many a sleepless hour in the endeavour to discriminate between the various degrees of guilt in which the different classes of prisoners who have been tried before us have unfortunately involved themselves. We have found it our bounden duty, in the exercise of our grave and important functions, to mark those prisoners who now stand prominently at the bar, as a proper example and sacrifice to be made on the altar of the offended justice of their country; and I hope that we shall be found to have done so on just, and reasonable, and necessary grounds. Those who are first and foremost in aggression ought to be first and foremost in punishment; and therefore it is that with respect to you, James Thomas Cooper, who have been convicted not merely of the offence to which I alluded at first, but also of a riotous and tumultuous attack on the manufactory of Mr. Shepherd, and of similar attacks in five other cases, on which it was deemed unnecessary to proceed against you, that we have come to the painful conclusion that it is not consistent with public safety to spare your life. That you were the ringleader of a riotous and tumultuous mob, that you reproved some, that you excited others, that you were the occasion of that confusion and anarchy by which the laws were defied and set at nought in the parish of Fordingbridge, no man who was present at your trial can entertain the slightest doubt. It cannot be forgotten that you vaunted yourself on repeated occasions as the captain of that unlawful band; that when the leader of it was called for, you avowed yourself to be such; that you were seen to give directions for the destruction of the machinery to those immediately about you; that when you were remonstrated with on your proceedings, you were asked to deliberate on the result of them, you declared that no money should stop you; that you had come all the way from the other side of London to destroy machinery; and that you would go into the country as far as machinery could be found, to assist in its demolition;—and that it is impossible to say more in your case than I should say by adopting the language of one of the witnesses against you,—that no man could exercise greater authority over others than you exercised over those who were engaged with you in these illegal transactions. Moreover, when it was pointed out to you that there were numbers of industrious and hard-working men employed in that factory, who depended upon it for their daily bread,—when it was told you that all these persons, with their wives and families, would be thrown out of employment if you accomplished your guilty purpose,—you said that the more was the pity, but that you were not on that account to be deterred from the great work of destruction which you had in hand. On the contrary, with those about you, you entered the doors of the factory on horseback, and by a signal which you gave in pointing to the windows, set your followers to work, and bade them proceed to the completion of your design. When to all this is added the memorable expression, which you are sworn to have used, when you called upon the rioters to stand to their colours,—an expression by which you again avowed yourself as the leader of the tumultuous band assembled for the dangerous and desperate purposes to which I have before alluded,—it becomes impossible that in your case I should hold out to you the smallest hope that the mercy of the Crown will be extended to your transgression.

"As to you, Henry Eldridge, I am sorry to say, that though I have examined with the greatest care and anxiety all the circumstances which transpired against you, in the expectation of comforting myself by finding some circumstance on which I could lay my hand as entitling me to recommend you to the mercy of the Crown, all hope of that description is for ever precluded. It cannot be forgotten that in the destruction of this machinery you were one of the most active participators; that you were the very first to enter the factory, and to proceed to its demolition, and that you boasted upon that day that you had been present at the breaking of no less than 16 machines in other places. But, independently of this great offence, which calls loudly that you should be made an example of, and which makes me feel that we should be compromising our duty to the country if we failed to make you one, there is one other circumstance connected with your fate which it is impossible for me to overlook. I allude to the conviction against you, which took place at these assizes, upon an indictment presented against you and your associates, —whom we intend to send for ever from their native land,— for an attempted robbery at Mr. Eyre Coote's. It appears that at a very early hour in the morning of that same day, you had assembled with your associates near the village of Rockburne, —that you went in the dead of night, when all were at rest, to perpetrate your outrageous and illegal designs,—that you began with the destruction of the iron gates and the lodges in Mr. Eyre Coote's park,—that with numbers calculated to excite terror, and with expressions sufficient to appal the stoutest heart, you were going to his house, and were proceeding to force the doors of that which in the language of the constitution is every man's castle, and a place of safety for nothing but the law to enter, and that you were endeavouring to enter the sanctuary of his home, when you were repulsed by Mr. Eyre Coote with a gallantry which will do him credit to the last hour of his existence. I say this publicly, for I wish it to be understood that men are called upon by the law to defend their property, when it is attacked by a set of persons who can scarcely be imagined to be living in a country where law is the rule and guidance of every action. But for the spirited conduct of Mr. E. Coote you might, by the completion of that plan of nocturnal robbery, have compelled us to sacrifice to justice the lives of all concerned in that great offence. Fortunately for your associates, they only proceeded so far as to involve themselves in a crime punishable with transportation for life. But, considering the part which you took in that transaction, and the part which you took in this for which you stand capitally convicted,—a part which of itself is sufficient to justify the necessity of selecting you as an example,—we have thought it fit, that with regard to you the law should be permitted to take its course; and all that we can say in the exercise of that discretion, which ought always to be tempered with justice and mercy,— for I hope that we, being the representatives of the Crown, do not forget that the brightest gem in the Crown is mercy,—all that we can say, I repeat, is, that though we are not slow, I trust, in rendering justice consistent with mercy, we must still, from a sense of duty to the public, vindicate the majesty of the law, whenever that law is outraged and defied. I can, therefore, give you, Henry Eldridge, no hope that any mercy will, in this world, be extended to you.

"As for you, John Gilmore, it grieves me to know, that, having looked carefully through the evidence given in the long trial in which you bore a conspicuous part, and having examined all the circumstances connected with the attack which was made upon Mr. Tasker's factory, near Andover, and wishing to see whether you came under the description of a ringleader in that attack, and therefore whether you had excited others, who were reluctant to join you, to forget their allegiance to their King, and their duty to their country,—in looking at your case, it grieves me to find that on the morning of that day you were seen at the head of a riotous and tumultuous mob, which paraded the streets of Andover,—that you went into the room where the magistrates are accustomed to assemble as one having authority on behalf of the lower classes,—that, you having entered the room with a certain portion of your followers, closed the doors, said that enough had been admitted, and then began to parley with the magistrates,—that when, no doubt, all attempts were made by those magistrates to stay your arm before the completion of your crime, you were, in spite of their remonstrances, the first to enter that factory and to commit that aggression for which you now stand capitally convicted. There are many other persons involved in a high degree of guilt, whose cases may be thought well to deserve the same fate which now prematurely awaits you; yet with respect to yourself, I feel, and I have no doubt that the feeling is shared by those with whom I have the honour to be associated, that we should not discharge our duty with satisfaction to our consciences, if we allowed you, John Gilmore, to entertain any expectation of mercy.

"And, therefore, you James Cooper, you Henry Eldridge, and you John Gilmore, must all and severally consider yourselves as men whose lives are forfeited to the law. All that I can do, (and it is the most friendly advice that I can now give you), is to implore you, as you value your immortal souls, to prepare for the awful change which you must speedily undergo. Your days are numbered—the gates of mercy on this side of the grave are closed against you for ever—and I therefore hope, that without one moment's loss of time, you will, on leaving this place, prepare yourselves for your fate,—that you will avail yourselves of the excellent spiritual assistance that is within your call,—that on bended knee and with penitent and contrite hearts, you will earnestly, fervently, and immediately supplicate the throne of grace for pardon, remission, and forgiveness of your sins. It is indeed the most melancholy and painful part of our duties, as Judges, to pronounce the sentence which the law affixes to outrages of this description; but it must be performed, and therefore, entreating you to make the best use of the short time which is still left you, and hoping that even at the eleventh hour your prayers may be accepted, and that it may please God, through the merits of that Saviour whose advent we have just been celebrating, to speak peace and pardon to your souls, I proceed to pass upon you the dreadful sentence of the law,—and that is, that you, John Thomas Cooper, and you, Henry Eldridge, and you, John Gilmore, be taken hence to the place whence you came, and thence to a place of execution, and that you be there severally hanged by the neck until you are dead; and may the Lord God Almighty have mercy on your guilty souls!"

During the delivery of this sentence, which was heard with profound attention by the whole court, and with feelings of most painful emotion by the numerous convicts yet unsentenced, Cooper and Eldridge were deeply affected; both shed tears. Eldridge once nearly fainted. Gilmore heard it apparently with the most stoical apathy.

SENTENCE OF DEATH RECORDED.

George Clarke, John Fulford, Samuel Quinton, Joseph Arney, Charles Read, Charles Hayter, Isaac Mauns, James Mauns, Aaron Deadman, Joseph Blatch, Thomas Green, John Ellis, Wm. Stanmore, Charles Pain, George Myland, Wm. Shepherd, George Philpott, and Wm. Newman, and two more whose names we did not catch, making 20 in all, were then placed in the dock.

The Clerk of the Arraigns then addressed each of the prisoners by name, and said to them, " You stand convicted of destroying certain machinery; what have you to say why sentence of death should not be recorded against you?"

The prisoners said not a word. The Judges then put off their black caps, and Mr. Baron VAUGHAN addressed them as follows:—

" With respect to those prisoners who have just been called on to state why sentence of death should not be recorded against them, the Court, after great deliberation and doubt, has come to the resolution of recommending them to the mercy of the Crown, so far as extends to the saving of their lives. But I am bound to observe, that with some of you the scales being in an even balance, there was much to induce us to make you an example. I allude particularly to you John Fulford, and to you Aaron Deadman, and to you Isaac and James Mauns, and to you Joseph Arney: there looks so much like privity on your parts of what was going to be done,—your declarations that you would have the factory down and its guts out in two hours,—your threats, and menaces, and previous deliberations,—placed the Court in a situation of great difficulty and doubt as to your fate; but its strong inclination to mercy, and its ardent hope that the extension of its mercy will neither be abused nor misinterpreted, and its confident expectation that one example will be sufficient to satisfy the justice of the country, have determined it, so far as its recommendation is of avail, to spare the lives which you have forfeited to the law. With regard to the two Maunses, I recommend them earnestly to consider the situation in which they have been placed, and the unexpected deliverance which they have had from it. You, Isaac Mauns, were the first to knock the lock off the gate of Mr. Tasker's factory; and you, James Mauns, made a previous declaration of the destruction which you would make,—a declaration which has only been counteracted by the earnest recommendation which the jury made of you to mercy, and one or two favourable circumstances which appeared in your subsequent conduct. With respect to Isaac Mauns, it was proved, that in the first instance he went reluctantly, that he hid himself the day before from those who wanted him to go with them, and that he had at last been excited to go by those who had endeavoured to do still greater mischief. These circumstances, I hope, will be considered sufficient to excuse the Court for the lenity which it is about to show. Isaac Mauns is not more than 19 years of age. His youth is no excuse for the outrages of which he has been proved guilty; but it has induced us not to make an example of him, in the hopes that the rest of his life will be dedicated to more honest and more honourable objects. As to Joseph Arney, there are circumstances which placed him in great jeopardy of his life. We doubted in the first instance whether his life ought not to be sacrificed to the offended justice of his country; but at last we determined to recommend him also to the mercy of the Crown. The prisoners now at the bar must understand, that though their lives are now saved, they are banished for ever from the home of their nativity. They must entertain no hope of ever returning to this country, whose laws they have so signally violated. They are henceforth placed in the melancholy situation of those who are torn from the country of their birth, and who are sent to a place where they are no longer to work for themselves,—where the earnings of their industry are the property of others, and where they are almost in the condition of slaves. They ought to feel that even that punishment is lighter than that which their crimes deserve, and they must lay aside all hope of its receiving any mitigation. Let sentence of death be recorded against them."

The whole of this party seemed deeply affected. Most of them shed bitter tears, as they were told that they must abandon for ever the land of their birth. They were taken from the dock.

SENTENCE OF DEATH.

Robert Holdaway, James Aunalls, and Henry Cooke, who had all been capitally convicted, were then placed in the dock; and after the usual questions had been asked them by the Clerk of the Arraigns, and no answer had been returned, the Judges again put on their black caps, and Mr. Baron VAUGHAN proceeded to sentence them in the following terms:—

" You, Robert Holdaway, you James Aunalls, and you Henry Cooke, severally stand convicted by a dispassionate jury of your country of the atrocious offences which have been sevesally imputed to you. As to you, Robert Holdaway, you have been convicted of having riotously and tumultuously assembled together with other persons, and of having, when so assembled, proceeded with force to demolish, pull down, and destroy the poor-house belonging to the guardians and visiters of the poor for the united parishes of Bramshot, Headley, and Kingsley. You, James Aunalls, stand convicted of a robbery committed on William Courtney at Burton Stacey, and also of another robbery committed on Thomas Dowden near the same place, under circumstances of considerable violence. It is impossible to look at your offences without being impressed with the imperative necessity of making a fatal example of you both. As to you, Henry Cooke, the circumstances of your case are of a magnitude most atrocious: for it is not to be forgotten that, in the progress of our inquiry, we have learned what had been your course during the preceding day.

" You, Robert Holdaway, were concerned in that riotous and tumultuous assembly which selected as the object of its attack the poorhouse at Selborne, and which visited with outrage the house of the Rev. Mr. Cobbold. On the following day, you and your associates made an attack on the poorhouse at Headley, under circumstances capable of melting even the hardest hearts. The commission of this outrage, by means of a riotous and tumultuous assembly, forms the darkest part of your misconduct. You collected a mob, most formidable from its numbers, for they varied from 1,400 to 1,700 persons,—you went with this mob, armed with various offensive weapons, to Mr. Shoesmith, the overseer, a person against whom you could have conceived no personal resentment for it is clear that he discharged all the duties of his painful office in these times of distress with a kindness, a patience, and a forbearance which entitle him to high credit. I will suppose, for the sake of argument, that you had gone to challenge inquiry into his proceedings, and to exact punishment for his misconduct,—measures which I must tell you would have been illegal, had you taken them, and would have exposed you to severe punishment; but even if you had gone there for that purpose, you ought to have recollected the condition of those poor children who were sick in bed, and without any other roof to shelter them from the inclement weather of November than that which you were determined to pull down. You had those circumstances before you: you knew the numbers that your outrageous violence would render roofless; and yet, deaf to all the remonstrances which were made on their behalf, you determined to execute your desperate design with a deliberation which rendered it, if possible, still more atrocious. You retired for a while from the poor-house; you gave the overseer time to remove his property; and one might have expected you would also have given yourself time for sober reflection; for you were asked by Mr. Shoesmith if you knew what you were going to do, and the consequences to which you and your associates were exposing yourselves. You then said that you did. You then went to reinforce your numbers upon Headley-green; and having so reinforced them, you returned with a mob under your command. Therefore it is that you are selected as the ringleader in this transaction; for it is only fitting that those who are most prominent in guilt should be most prominent in punishment. Your conduct on that day shows that you had a deliberate design to compel persons into measures which could not fail to be destructive of the law of the land: you went to execute those measures with numbers which seemed to defy resistance,—you gave orders for the attack which was made on the poorhouse,—and upon your order the mob subsequently proceeded to demolish it. Though your associates had begun the attack before your arrival on the spot, still you are equally guilty, for you gave the signal for the attack, and set on others to execute the designs which you had yourself formed. Therefore, in every sense and construction of the word, it is impossible to look at your conduct, Robert Holdaway without seeing that you were the actual ringleader in that work of mischief and destruction. It is true that before that work of destruction had been completely finished, though enough even then had been accomplished to render you guilty of a capital offence, you said that mischief enough had been done, but that you found the mob uncontrollable. I hope that the events of this day will read an awful lesson to all who may hereafter think of engaging in such deeds of outrage: I hope that they will teach such persons that it may be impossible to check or control the disorderly spirits whom they may have called into action, to effect their own wicked and illegal purposes. But whether they teach that lesson or not, you are responsible for all the accumulated guilt of that transaction, because you participated most actively in it. We have now only to look at your conduct after this destruction was effected, and then we find you going with the mob which you had collected to Kingsley-green, and, there dividing the forced contributions which you had collected in the course of the day, and which did not amount to less than 23*l.*, among them. On that green you called out ten persons, as the representatives of the ten parishes, of which the labourers had formed your dangerous and illegal assembly, in order that you might reward them for their iniquity. And therefore, deeply as many others may be stained with the guilt of this transaction, it is impossible to say that if a sacrifice is to be made to offended justice—and a sacrifice must be made to it whenever such misrule as that which occurred at Headley bursts forth into day—you are not the fit person to be selected for it. I have made this statement to show, that whatever your general character previously may have been,—however well you may have conducted yourself in the common dealings of life,—it is not possible nor politic to allow you to gain a transient triumph over the civil authorities of the country with impunity. The law must be enforced, it travels with a slow but a sure pace, and sooner or later it always overtakes the offender with the dreadful punishment of death. I therefore can hold out no hope to you, Robert Holdaway, of any extension of mercy from the Crown, for I should feel it to be a dereliction of my duty, and those with whom I have the honour to be associated would feel it to be a dereliction of their duty, if we should venture to recommend a person so stained with guilt as you are, as a fit object for the clemency of the Crown.

" As to you, James Aunalls, you have been convicted of a robbery on Mr. W. Courtney, at Barton Stacey; and as this is one of the first convictions which took place on these various robberies, I trust that I shall not be considered as travelling out of my proper province, when I say a few words upon them. I believe that there are a little short of a hundred persons whose lives are now forfeited to the state for their participation in the guilt of these transactions. It is my firm and decided conviction, that many persons engaged in them under a delusion, and instigated by the practices of the artful and evil-designing men. I state publicly, that in the course of these trials we have found few instances—and I am not certain that I could lay my finger upon one—in which the pinching spur of necessity has compelled the offenders to the commission of their offence. They are, in general, persons of a different character and decription. We find among them carpenters, blacksmiths, sawyers, and others, whose wages are admitted to be adequate to their wants, and who yet take an active part in perpetrating these outrages. Not only persons in the handicraft trades which I have just mentioned, but occupiers of land, gardeners, and others who labour under no necessity and suffer no want, have been found strenuously engaged in stimulating those who are in more want than themselves to the commission of these crimes. I am happy, however, to observe, that there are but few, if there are any, instances in which downright want has proved the cause of the commission of offence. The present conviction is for a robbery committed in the night; and we select you, James Aunalls, as an example, in order that it may be promulgated to the world that this offence will be put down by law; and that after the experience of this day no man may plead ignorance of its being so promulgated—though, I may observe, that a man's conscience generally informs him when he is about to commit a violation of the law. I say, James Aunalls, that you stand convicted of this night-robbery, and we have determined to make an example of you for reasons which I have no doubt will be satisfactory to all who hear them. We find you at night acting as the leader of a mob: we hear you holding out a threat to Mr. Courtney, that you had 1,600 other persons behind you,—a threat which you must have used for the purpose of increasing the intimidation which you practised upon, and the terror which you excited in, those whom you had selected as the victims of your depredations. We find you there demanding two sovereigns by force, and we find you armed with offensive weapons; for one of the witnesses proved that a dirk fell from the sleeve of your smock-frock. But that which I put my hand on in your case, and that for which you are selected to suffer, is your threat that there would be a fire in the neighbourhood, and your intimation to Mr. Courtney to look over the hills at Burton-Stacey for a light, at a moment when there was no light, and when, if there had been a light, he must have seen it. If no fire had followed in the direction to which you pointed, it might have been considered that the threat in question was an idle threat on your part. But unfortunately your prediction was fulfilled. In less than two hours and a half from the time at which you spoke, there was, on the premises of Sir H. W. Wilson, and in the very direction to which you pointed, a fire; and a circumstance like that leads to something more than suspicion, that though yours might not be the hand to accomplish that fire, you had a guilty privity of its being intended so take place. Therefore, as your offence is a robbery by night, and as it is necessary to make one example among those who have so far forgotten their obedience to the law, there is no necessity for me to say one word more in order to satisfy the public mind or our own consciences why you are offered up as a sacrifice to justice.

" With respect to you, Henry Cooke, your case and your conduct in these proceedings is too fresh in the recollection of us all to make it questionable whether we shall act justly to the public and to yourself in selecting you for the execution of criminal justice. Your first conviction for a capital offence was your conviction for the robbery on Mr. Dowden. The evidence against you in that case was most clear and satisfactory, and for that offence your life was justly forfeited to the state. There was a question, however, in that case whether we ought not to interpose between you and the insulted majesty of the laws, and we were therefore considering what were your claims to the extension of mercy. It was my misfortune to try you only last night for an assault upon Mr. Bingham Baring, with an intent to murder that gentleman; and I soon foresaw that in the course of that assault you had again made yourself amenable to the vengeance of the law. To the delicacy of Mr. Bingham Baring, you owe much. And I should not be doing justice to the admirable delicacy which that gentleman displayed, did I not state thus publicly, that he he did every thing in his power, consistent with the oath which he had taken to speak the truth, to make the offence which you had committed against him as slight as possible in its consequences to you. Yet when the circumstances came to be looked into, and to be sifted with that cautious minuteness which is necessary in courts of justice, it was impossible for any man to find fault with the verdict to which the jury came in your case. If I had been on that jury, I should have felt it to be my bounden duty to return the same verdict which they gave. It appeared that Mr. Bingham Baring, having seen a riotous and tumultuous assembly at Northington, armed with crow-bars, sledge-hammers, and other offensive weapons, and evidently proceeding in a course which, sooner or later, must produce a breach of the peace, had the kindness to call for the ringleader of that assembly, in order to remonstrate with him as to the outrages which he and his band were committing. The mob, however, were deaf to his remonstrances. They had that day broken a great many thrashing machines, under the direction of a man of the name of Silcock. I recollect that it appeared upon his trial that you, Henry Cooke, had yourself been actively engaged in breaking 12 machines at least; and under these circumstances, when Mr. Baring, wishing to protect the property of his neighbourhood, attempted to seize Silcock, then in the commission of another act of felony, on a cry being raised from your comrades of " Go to work," you, with a sledge-hammer in your hand, of which the head weighed 6lb., and of which the handle was two feet long, called out for the way to be cleared before you, and then were seen to raise it deliberately with both hands, and to strike at the head of Mr. Baring. That blow, lighting on his hat and the collar of his coat, was too far weakened in its effect as to prevent it from being fatal; but it still was sufficient to bring him senseless to the ground. Even when he was in that prostrate and senseless condition, you were not satisfied, but were making a second effort to complete your purpose. I am satisfied, and completely satisfied, with the verdict that declares that it was your intent to murder Mr. Bingham Baring. Your motives can be known only to yourself, but they have been evidenced by your acts, your declarations, and your conduct; and can any man doubt that with such an instrument as you used, if it had fallen where it was intended to fall, you would not have occasioned his death, and have rendered yourself guilty of the crime of murder? Ay, and not only rendered yourself, but all who surrounded you at that time, guilty of the same crime. All people therefore ought to be careful, how they mix themselves up with illegal assemblies, when they are to be all made responsible for a guilty act, committed by one of their number. Can we, then, permit you to escape the severe punishment of the law,—you who have all the moral guilt of murder on your head, though you happily did not succeed in accomplishing that fatal purpose, owing to a person in Mr. Baring's suite having struck you down before you could repeat your meditated blow? The stigma of assaulting Mr. Baring with intent to murder him has been fixed upon you by one of the most impartial and discriminating juries which I ever saw in the whole course of my professional career.

" Therefore it is that I must now apprise you all,—you, Robert Holdaway, you, James Arnalls, and you Henry Cooke,—that you must prepare forthwith for that great change which now so suddenly awaits you. All interest in the cares and pursuits of life must vanish; and though you now appear at the bar of an earthly Judge, clothed with all the infirmities of man's frail nature, you will soon have to appear at the bar of that heavenly Judge, before whom all hearts are open, and from whom no secrets are hid, there to render an account, which we must all one day render of the transactions in which we have been participators in this world of sin and sorrow. Let me, therefore, as your time is short, affectionately entreat you to lose not an instant in soliciting for his peace and for his pardon. All hope of mercy is excluded for you; and in lives so properly forfeited to the state as yours are, the heavy penalty of the law will be rigidly exacted. You heard the observations which I ventured to make to the other prisoners who ventured who stand in the same awful situation with yourselves; and therefore I will spare you the pain of listening to a repetition of them. I have now only to pass upon you the dreadful sentence of the law; I hope that you will earnestly repent of your sins—that you will make a full confession of your transgressions, and do all that you now can to procure reconciliation from above." The learned judge then passed sentence of death in the usual form upon the prisoners.

During this address, Cooke was quite unmoved. The other prisoners were a little, but not much affected. Cooke, as soon as the sentence was over, took up his hat and walked out of the dock, as unconcerned as if nothing had happened. Cooke suffered three months' imprisonment in this gaol some time since, for having forced out with a skewer the eye of a valuable horse, which belonged to a master who offended him.

W. Smith, Joseph Mason, Isaac Hill, senior, Thomas Berriman, Joseph Carter, John Simms, William Simms, Daniel Simms, Matthew Triggs, Henry James, James Painter, Thomas Harding, John Heath, Aaron Harding, William Smith, and Jacob Turner, with two or three others, whose names we could not catch, were then placed in the dock. They had all been convicted of robberies and breaking thrashing machines.

The usual question having been asked them, and no answer having been returned,

Mr. Baron VAUGHAN said—Prisoners, the direction of the Court, that sentence of death should be recorded, without being formally pronounced in your cases, shows you that you have been spared the extreme penalty of the law; but I cannot allow you to depart without saying a word to some of you. The prisoner, S. Mason, who stands before me, is a man moving in a better condition of life. You were not acting under the pressure of distress; and yet, I am sorry to find, that you have taken a very conspicuous part, and have been a leader in these outrageous proceedings, in consequence of which the unfortunate men just removed from the bar are about to undergo the severest penalty of the law. The part you took, the share you had in the division of the money, show that you had more to do with these proceedings than you are willing to allow. But taking all the circumstances of the case into consideration, I am justified in thinking that public justice will be satisfied with the severe examples about to be made of those to whom I have just addressed myself. Short of the infliction of the severest punishment, the prisoner to whom I now address myself must be made an example of. He is, as I have said, a person moving in a better class, and ought to have set a different example. He, therefore, must not expect any further mitigation of his punishment than that of sparing his life. He must be cut off from all communication with society, and be transported for life. The case of Sinns, who has been found guilty of the robbery of the Rev. Mr. Easton, who at the time had a sick person in his house, is one which ought to be made an example of. I hope, therefore, he will duly appreciate the lenity extended towards him, in the sparing of his life. I do trust, that as the prevention of crime, more than mere punishment, is the object of these trials, the good of society at large will be best consulted in the lenity now extended to the prisoners before me, as well as to others. But let me also hope that the persons within these walls who may see what is passing, as well as those without who may hear of it, will be convinced by what is now done of the great danger of taking a part in such dangerous proceedings as those which have formed the subject of our inquiry. There is one feature in these cases which has found a strong inducement to the Court to extend the mercy of the Crown to so many of the prisoners. It does not appear that in any instance there was any preconceived intention of personal violence on the part of those who formed these mobs. That certainly is a grand feature in these transactions, and in this respect, I hope the lenity of the Crown will be well understood, that the ground on which it is extended is the absence of all personal violence in every one of the cases, with only one exception, and in that exception the prisoner, as you have seen, has been left to undergo the severest penalty of the law.

Sentence of death was then recorded against the prisoners, with the understanding that it would be commuted in every instance to various degrees of punishment, according to the circumstances of each case.

Another set of prisoners, who had been capitally convicted of riot and robbery, were then put the bar. They were John Kimber, George Steele, James Pearce, Thomas Gregory, George Hapgood, Jacob Wiltshire, Charles Payne, James Cooke, John Keens, John Bulpitt, John Batten, George Clarke, James Baker, Charles Bulpitt, George Coleman, William Baulter, William Burgess, Thomas Goodall, and James Martin.

Mr. Baron VAUGHAN.—In your several cases, we have permitted the sentence of death to be only recorded against you, because we have found no peculiar circumstances of aggravation; and let us hope that the mercy now shown to you will be a serious warning to you not to engage in such acts in future. For, as we have seen here, persons who once engage in such proceedings, even with no very criminal intention at first, do not know to what extent they may lead them. The prisoner Gregory, it appears, was in the service of Lord Winchester, and was earning 18*s.* per week as a carpenter. He, therefore, had not even the plea of distress to urge—if that could be urged in any case—as a palliation for his offence. The cases of some of the prisoners are distinguished from others, for some of them have been convicted more than once. You, Cooke, have been convicted four times, and of these, two were capital felonies. You, therefore, have great cause to be grateful that your life, which was forfeited, will be spared. I hope this will be a warning to others, as well as to you. But I must say to all the prisoners whose lives have been spared, that the great bulk of you must not be permitted to remain longer in, or return to, that society the law of which you have violated, and the benefits of which you have forfeited.

The prisoners were then remanded, and another set, including John Allen, Isaac Eyles, Wm. Conduit, Nicholas Freemantle, Abraham Childs, Benjamin Harding, Wm. Primer, James Glasspole, Isaac Hill, jun., Wm. Winkworth, John Ker, John Nash, Wm. Strand, John Poynder, Thos. Neele, George Carter, Robert Cooke, and John Kingshalt, were put to the bar.

Mr. Baron VAUGHAN.—Let sentence of death be recorded in all those cases. One word as to the prisoner Winkworth. You were twice tried, and though you were in one case very properly acquitted, yet it must not be forgotten that you were a tithing man, and as such it was your duty to preserve the peace, and prevent others from joining in these proceedings, instead of which you have been proved to have taken a part in them yourself. Before this you have borne a high character, and this, and the fact that in one case your presence at one of those riotous assemblages was not with your own consent, though in another you were not an unwilling party, induce the Court to deal with lenity towards you. At the same time we cannot hold out to you any further extenuation of your punishment than the remission of the capital part. In the case of Fremantle it was proved that he held up an axe with the face of it towards one of the parties who were robbed in a menacing manner. His violence, however, did not go further. The cases of all those prisoners which have in them circumstances of mitigation will receive due attention from the Court, but in this I must repeat what I said to the last set of prisoners, that in the majority of their cases no hope can be held out of their being allowed to remain in this country one hour after the close of this Commission, or of being ever again suffered to return to it.

The prisoners were removed and another set brought forward, including Thomas Marshall, John Kingshalt, James Pumfrey, Robert Mason, William Adam, George Rose, John Baker, Samuel Trew, Thomas Bishopp, and William Somerley, who were convicted of riot and robbery.

Mr. Baron VAUGHAN.—These prisoners may be removed. The mitigating circumstances in their cases will be duly considered.

DESTROYING MACHINERY.

John Silcock, George Pace, John Lush, William Kelsey, Arthur Fielder, John Tongs, John Collins, George Palmer, George Collins, Henry Rogers, Thomas Hodson, Edward Sydenham, John Duke, William Jenman, George Todd, James Ford, Samuel Morley, George Jenman, Peter Haughton, Richard Etherington, John Stoneage, John Chalk, William Witcher, William Kinchen, Thomas Hooper, John Reeve, James Varndell, William Brackstone, Benjamin Bound, James Kamis, William Hill, James Cooper, and William Watts, were next put to the bar, having been convicted of destroying machinery.

Mr. Justice J. PARKE.—Prisoners, you have all of you been convicted on several trials before me, on most satisfactory evidence—for no conviction has taken place without such evidence—of breaking machines employed in agriculture. This is a most serious offence, subjecting the parties convicted of it to transportation for seven, or to two years imprisonment and hard labour, or to solitary confinement, at the discretion of the court before which they are tried. The legislature has, I think, very wisely thrown this protection round this species of property, in order to guard it from the violence of lawless and ignorant mobs. I have no doubt that there were, perhaps, some persons engaged in those acts of violence who may have been ignorant of the law as it applied to these machines, but it is hard to suppose that any of the parties so engaged could have been so deficient in common sense as not to know that in the destruction of any property belonging to others they were committing a violation of some law. In some of these cases, the machines destroyed were the property of the neighbours of some of the prisoners, and in others that of their masters. They must know, therefore, that at least they had no right to destroy them. I should be wanting in my duty to the public, if I did not visit this offence, in most of the cases which I have tried, with the highest penalty which the law awards against it, that of transportation for 7 years; and in others with a long period of imprisonment, to serve as an example to others in their station of life, that the farmer must be protected in the use of that machinery, the tendency of which is to lessen the cost of provisions, and, of course, ultimately to improve the condition of that class of persons who think themselves aggrieved by it. I have made a selection of some cases, in which the parties convicted could not have been affected by the use of these machines; such as carpenters, bricklayers, joiners, smiths, and shepherds. These I have marked for the severest penalty which the law attaches to the offence. Other cases have in them circumstances of palliation which justify me in awarding a lesser punishment; but I must say, that in all the cases which have come before me of this kind, as far as I have been enabled to ascertain the condition of the parties, I have found only 3 who were described as extremely poor. The sentence of the Court is, that you John Silcock, George Pace, John Lush, Arthur Fielder, John Tongs, John Collins, Thomas Hodson, Edward Sydenham, John Duke, William Jenman, George Todd, James Ford, Samuel Morley, George Jenman, Peter Haughton, William Kinchen, William Brackstone, William Hill, James Cooper, and William Watts, be each of you transported beyond seas, to such colony as His Majesty may direct, for the term of 7 years. That you, James Varndell, Benjamin Bound, and James Kamis, be imprisoned in the Bridewell of this county, and confined to hard labour, for the term of 18 months. And that you, Kelsey, Rogers, Tadd, Etherington, Stoneage, Chalk, Kitchein, Hooper, and Reeves, and each of you, be imprisoned in the same Bridewell, and kept to hard labour, for the term of 12 months.

This closed the long list of sentences. It will be recollected, that a very considerable number of persons had already received sentence at the termination of these trials, and, of course, were not included in these sets.

It was half-past 1 o'clock before this portion of the business was got through, and there then remained, as we understood, 70 prisoners to be tried. Of these, James Grant, John Todd, Joseph Lawrence, Thomas Stacey, Henry West, James Leader, John Brown, Henry Masters, Henry Day, Henry Wells, and John Hayes, were respectively put to the bar, charged with robbery, and, in some instances, with riot.

The ATTORNEY-GENERAL said, that after what had passed he hoped that the justice of the country would be satisfied, if he forebore to offer any evidence against the prisoners. (This was the substance of what was said in each case, for the parties were put separately to the bar, according to the offences for which they were indicted.)

Verdicts of *acquittal* were then taken in each case.

Mr. Baron VAUGHAN observing, that the prisoners were greatly indebted to the lenity of the Crown, and he hoped the mercy shown to them in this instance would not be misplaced, but would produce its intended effect upon them and their neighbours.

Those of the prisoners against whom no other charges remained, were then ordered to be discharged. They all appeared very thankful for the lenity dealt out to them, which to several of them seemed a most unexpected boon.

The first five prisoners were then put to the bar, charged with a riot, to which they pleaded " guilty." They were bound over in recognizances of 50*l.* each to appear at the next assizes for judgment, should they receive notice to that effect; but the Court intimated, that if they conducted themselves well in the interim, they should not be called upon to appear.

THE GRAND JURY.

Sir GEORGE ROSE and several of his fellow jurors came into court about 2 o'clock, with the last of the bills which had been sent up to them.

Mr. Baron VAUGHAN.—Gentlemen of the Grand Jury,—I understand that there are no other bills to be laid before you, and I congratulate you upon the now probable termination of your labours. The nature of this Special Commission does not allow the Court to discharge you at present, and therefore you must hold yourselves in readiness, should occasion require your attendance again; but we cannot part from you at present without publicly thanking you for the painful and discriminating attention which you have bestowed upon the important duties you were called upon to perform, and of expressing our sense of the obligations which your country owes to you on this occasion.

CONSTABULARY FORCE OF THE COUNTY.

After some prisoners had been arraigned and pleaded to the bills which were last brought down by the Grand Jury,

Mr. Baron VAUGHAN.—I see that Mr. Ricketts, who is at the head of the constabulary force of the county is now in court, and I cannot avoid taking the opportunity of stating, that the judges and the county are greatly indebted to him for his very judicious and excellent arrangements of the constabulary force, by which the peace of this city and its neighbourhood have been so well preserved. The constabulary force is the best constitutional force for the preservation of the public peace, and it is greatly to the credit of those who serve in that force, and those who have its direction and management, that that great end has been so well attained on this occasion.

Mr. Justice J. PARKE.—It ought, perhaps, to be generally known, that any magistrate, at the requisition of any five householders has, the power to compel parties to be sworn in as special constables. I wish to state this thus publicly, as I find a great error has gone abroad on the subject; for I find an indictment at this commission (which has been traversed over to next assizes) against some individuals for refusing to be sworn. They are liable to punishment if they refuse if called upon by the proper authorities. I most cordially join with my learned brother in bearing my testimony to the admirable manner in which the peace of this city and vicinity have been kept. The excellent arrangements that have been made give reason to hope that we shall have no renewal of those disgraceful outrages that have disturbed the county.

Thomas Hamlin was put to the bar, charged with inciting others to riot, and to refuse to disperse when commanded by a magistrate in the King's name.

The ATTORNEY-GENERAL said that the case of the prisoner was one which he could not, in the discharge of his duty, pass over. The prisoner, who was a stranger in the county, was found amongst a riotous mob assembled at Liphook. His language and conduct were so violent, that one of the magistrates ordered him into custody. These facts were proved, and the prisoner was found *Guilty*, and sentenced to six months' imprisonment and hard labour.

Eleven prisoners, all young men, apparently agricultural labourers, were next put to the bar, and pleaded *guilty* to an indictment for riot. They were admonished by the Court to be more careful in their conduct in future. If they conducted themselves well between this and the assizes, it was more than propable they would not be called up for judgement. They were bound over in their own recognizances to appear when called upon. They were then ordered to be discharged. The prisoners all bowed repeatedly to the Court. It is impossible to describe the joy apparent in the countenances of several of them at this fortunate termination of their imprisonment, as compared with the lot that awaits so many of their companions in crime.

Four other prisoners were then arraigned for robbery, and one for breaking a thrashing-machine. (This last had been already convicted and sentenced to transportation.) No evidence was offered by the Crown, and they were acquitted.

Three other prisoners, who pleaded " not guilty" to charges of robbery, were then allowed to enter into recognizances,—themselves in 160*l.* each, and two persons in 80*l.*—(this last recognizance, however, was, we understood, not pressed)—to appear for trial next assizes.

ROBBERY, AND DEMAND OF A REDUCTION OF RENT AND TITHES.

John Boys, and *James Fussell*, were next put to the bar, charged with having riotously assembled, with divers others, and by threats and force obtained from Mrs. Long the sum of 5*l*, her property.

The ATTORNEY-GENERAL, in stating the case to the jury said, that though they must now feel much exhausted, after their long and fatiguing labours, yet his sense of what was due to public justice, required that he should occupy their time with the case now about to be submitted to them. It would appear that both the prisoners were persons in a condition of life far above want, yet they were actively engaged in encouraging, by their presence and example, large mobs of persons who went about with a paper compelling persons to sign it, as an agreement to reduce rent and tithes. The prisoner Boys was a farmer in good circumstances. It would appear that he went about with the mob, with a paper, which was to this effect:—" We, the undersigned, agree to give 2*s.* per day to our married labourers, and 9*s.* per week to single men, in consideration of having our rent and tithes abated." This was signed by several farmers and landholders, some of whom had been compelled to put their names to it, and the ostensible object of the mob in going about was, to get signatures to this paper, though in several instances they made demands of money, and by threats and menaces they obtained it. In the case now before the Court they obtained 5*l.* from Mrs. Long, of Marble-hall. The prisoner Fussell (who is a genteel-looking young man, about 20 years old) was a person of some property, living with his mother, and it would appear that he had perhaps been led away by the influence of others, was actively engaged in this mob, and was present when the robbery was committed.

A servant of Mrs. Long's proved that a large mob came on the day in question to the house of his mistress, and presented the paper for signature. She signed it. Some one in the mob then demanded 12*l.* or 14*l.* Witness remonstrated at this, as exorbitant, but said if they asked any thing in reason, he would go to his mistress for it. Several voices called out that they should have 10*l.* Prisoners might have heard them. At last witness went to his mistress, and advised her to give them 5*l.*, as he was afraid they would do a mischief to the house. She gave him 5*l.*, and told him to give it to them, which he did.

Mr. Justice J. PARKE here expressed a doubt whether this was sufficient to support the charge of robbery. To support the indictment, the witness must have parted with the property under the influence of fear, or his mistress must have been present when it was given, but it did not appear that she was. She sent it out, and the witness must have given it in the execution of her orders, whether he was under the influence of fear or not.

The ATTORNEY-GENERAL and Mr. Serjeant WILDE both contended, that the witness having acted under the influence of fear in advising that it should be given, it made no difference in the case, whether he took it from the hands of his mistress, or whether he took it from a bureau in the next room. If he had had the money in his possession before this, and gave it himself under the influence of fear, it would be clearly a robbery within the meaning of the act; but it was submitted, that the circumstances of this case made no essential difference as to the point of law.

The Judges, PARKE and VAUGHAN, then sent for Mr. Justice ALDERSON, who was in the other court, and on his arrival, having consulted together for a short time, the case was allowed to proceed, the learned judge (Parke) observing, that should the verdict of the jury render it necessary, he would reserve the point for future consideration.

Grace Lock, a servant, living at the Earl of Northesk's, at Rose-hill, proved that both prisoners came on the same day to his lordship's seat, and presented the paper for signature to his steward. They then inquired for thrashing machines, and said they came to destroy them. After which they demanded money, and insisted on getting 5*l.*, which at length they obtained. They then gave three cheers, and said "Now for the machine," and they proceeded to where a winnowing machine was kept and broke it to pieces. Could not say that Boyes saw the money paid, but he was present, and must have heard the conversation about it.

[The case was proceeding when our second express left left Winchester at half-past eight o'clock.]

(*Before Mr. Justice* ALDERSON.)

Soon after the sentences were passed, Mr. Justice ALDERSON repaired to the Nisi Prius Court to dispose of the remaining cases in that court. Several prisoners were brought up, and pleaded guilty to charges of riot and robbery, and were discharged on their own recognizances to appear for judgment when called on. Thirteen prisoners were put to the bar, charged with riot and unlawful assembly. They all pleaded guilty. Nine of them were directed to enter into their own recognizances to appear when called upon; but four, who had been tried before, and who were proved to be entirely above want, and not even to belong to the class of agricultural labourers, were sentenced to six months' hard labour each in the house of correction.

At half-past seven the business of the Court was declared to be adjourned to the other Court.

The petty jury, before his Lordship left the Court, made application to him to consider the time and expense they had been already put to.

His Lordship regretted that the judges had no power to make any order for the expenses of the jury. The only thing they could do for them they would,—that was, to take care that they should not be again called upon for some time to act as jurors.

His Lordship then retired.

CONTINUATION OF WEDNESDAY'S PROCEEDINGS BEFORE MR. BARON VAUGHAN.

Henry Cooke was indicted for striking Wm. Bingham Baring with a sledge hammer, with intent to murder him, and further indicted for a common assault.

Wm. Bingham Baring.—On the 19th of November I met a mob, of about 30 or 40 persons, proceeding from Stratton to Northington-down-farm. Some had sledge hammers and sticks. I understood from them they were going to Northington-down-farm to break a machine. I went back to the Grange. I then went to Northington-down-farm, and saw the mob standing before the farm-house. I got off my horse, and went to the mob. I expostulated with them. One said I did not know that Mr. Baring was good to the poor. I then called for their spokesman, and Silcock came forward. He told me they had broken this machine, and should break others. I made him repeat the words several times, and then collared him, and before I could turn round, I was knocked down from behind by a blow between my shoulders on the cellar of my coat. I sunk under the blow instantly. I lost my senses for the moment, and found myself in the arms of my own men who had come forward: the mob still remained. I should add, that the prisoner had never seen me before, and therefore could not have had any malice towards me, but it must have been done in the heat of the moment.

William Tibbell.—I was at Northington-down-farm on the 19th of November. I went with Mr. Baring: there were a number of persons there. Mr. Bingham Baring was there. I saw Cooke come up with a sledge-hammer on his shoulder. I saw the sledge rise and immediately fall, but I could not see any hand; as soon as I saw the hammer drop, I saw Harding lay hold of Cooke, and I ran and did the same.

George Harding.—I went with Mr. Baring to the farm. As soon as Mr. Baring collared the man, I heard several of the people cry " Go to work!" I heard a man with a sledge-hammer say, "God d—n you, get out of my way," and he raised the sledge with both hands, and knocked Mr. Baring down; it struck the brim of his hat, and the collar of his coat. When Mr. Baring was down, the man lifted the hammer up again, as if he was going to strike again. I said, " You blackguard rascal, will you hit him again?" and I struck him under the ear with my fist, and seized the hammer. I should think the hammer weighed at least six pounds, the handle was about 2 feet 6 inches long.

The Rev. Robert Wright.—I am a magistrate. I saw prisoner in the gaol. He was brought before me. I told him of the charge, and cautioned him not to say anything that would injure him. He said this, which was taken down in writing: he said, " I was the person who knocked Mr. Baring down with the hammer, and the reason I did so, was because a man behind me said he would knock me down if I did not." The prisoner is a labourer.

Frederick Baring.—I saw the machine at Northington-down-farm before the mob went there in the afternoon. I saw the machine was broken.

Mr. Baron VAUGHAN, in summing up, explained the acceptation of the term " malice aforethought" as the law regarded it.

The Jury found the prisoner *Guilty* of the assault with intent to murder.

Mr. Justice ALDERSON passed sentence upon the following prisoners, who were place at the bar:—John Allen, David Champ, Thomas Hayes, and John Hopgood, convicted of breaking machines, 7 years' transportation; Thomas Stagg, for a like offence 18 months' imprisonment, and to be kept to hard labour; John Smith, one year's imprisonment, and to be kept to hard labour; and Jonathan Woodford and Charles Bryant, 3 months' imprisonment.

(*Before Mr. Justice* PARKE.)

John Baker, James Crew, Thomas Bishop, and *William Summerbee*, were indicted for having assaulted William Longman, and stolen 40*s.* from him, on the 22d of November, in the parish of Leckford.

William Longman.—He is a farmer, and lives at Leckford. A mob came to his house on the 22d of November, at 9 o'clock in the morning. There were about 48, they had sticks, hammers, and one had an axe. All the prisoners were there. Crew had the axe. He went out to them, and they said they wanted some bread and cheese, and he said he supposed they must have some, which they had. They then said they must have 2*s.* each. The prisoners could hear the demand. Some of them pushed the door open, and said they would not have it shut. He offered them 2*s.* a-head, but they would not have it: he then paid them 3*s.*, which came to 7*l.* 4*s.* He gave the money to John Baker, who was tithing-man, he being the man the mob said was the receiver. He gave them the money, fearing they might do something worse. He had a wife and six children in the house. Summerbee was working for him. He seemed rather forward in the mob, and was not very civil. He said he was not paid enough for his work. He counted the men, and the prisoners were reckoned in.

The Jury returned a verdict of *Guilty* against all the prisoners.

William Baker, John Annetts, James Cooper, and *William Watts*, were indicted for feloniously destroying a thrashing-machine, the property of John Fosbury, at the parish of Burghclere on the 23d of November.

John Fosbury.—He lives at Burghclere. On the 23d of November a mob came to his house between four and five in the morning. There were about 100. They broke his machine. All the prisoners were there. Watts had a sledge-hammer in his hand, and was the most active in breaking the machine.

Mr. Justice PARKE.—Gentlemen of the jury, it will not be necessary for you to take Annett's case into consideration, as he has already been convicted. The learned Judge then went through the evidence.

The Jury found Watts *Guilty*, and *acquitted* the other prisoners.