

TRIUMPH OF TRESTILLON.

We have received the following letter, which we know to have been transmitted to the Secretary of the three denominations of Protestant Dissenting Ministers. Our readers will observe, that it was written before the dissolution of the Assemblies.

vessels of their danger, that the whole party were precipitated into the tide, which was then running down with great rapidity, and sunk to rise no more. The boat was found at some distance from the bridge, bottom upwards, and partly stove in.

The little island of Lampedosa, it now seems, would satisfy the Americans for their claims upon Naples. This has a good harbour, and is so far desirable for them; but it is incapable of cultivation, and is used by the Neapolitan Government, if we do not mistake, solely as a place of banishment for criminals.

Some time back, a blind Piper, accompanied by a blind Weaver, natives of Londonderry, came to Cork for the purpose of consulting Mr. Hookin, Oculist. Upon examination, Mr. Hookin with much regret declared the impossibility of rendering the Piper any service (he having completely lost his sight by small-pox), but gave the poor Weaver every hope, by assuring him he had no hesitation in pronouncing the practicability of immediate restoration to that great blessing sight, but added the necessity of his remaining in Town at least six weeks.

THE CREDITORS of Messrs. RICHARD and SIMON BLACKMORE are particularly requested to meet at the Mineral Brown Paint, on Sunday, the 29th instant, at Noon, for the purpose of having a final Arrangement made for the payment of their Debts.

By the Lord Lieutenant and Council of Ireland, A PROCLAMATION. WHEREAS the time limited by the Proclamation of the Lord Lieutenant and Council, of the thirteenth day of April last, for prohibiting the Exportation out of Ireland, or carrying coastwise, Gunpowder or Salt-Petre, or any sort of Arms or Ammunition, has expired.

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ROYAL ENGINEERS' OFFICE.

We hereby certify, that the Mineral Brown Paint, prepared and sold by Mr. James M'Adam, has been used in the Ordnance Department at this station for three years, for purposes similar to those before mentioned; and we are of opinion that it has fully answered the purposes for which it was applied.

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TRIAL OF JAMES TUCK, FOR THE MURDER OF MR. JOHN DRAPER.

[CONCLUDED FROM OUR LAST.]

William Webb examined by Mr. Andrews.

Witness was at work for Mr. Parish, in August. He recollected the night when this misfortune happened; it was the 8th of August. He was at the Bald-faced Stag on that night. About ten o'clock, as near as he could say, he saw Mr. Draper, and felt him likewise. It was outside of the house, in the road, where he saw him. He caught witness very fast by the collar, and wanted to wrestle with him. Witness said, "My friend, I am no wrestler." The deceased, however, did wrestle with him, and kicked him twice on the legs. Witness was hurt by him, but he took it in good part, and never struck him. The deceased received no injury from him, to his knowledge. He fell twice, and witness with him. Witness helped him up. He was obliged to do so, because deceased fastened on him, and would not let him go. The second time of getting up, he slipped his hold of witness's collar, who turned from him, but he ran at witness again, who then stuck up to him, and pitched him down on his back-side. He then got up and went into the house. Whilst this was going on, he did not see the Prisoner, Tuck. Draper, he thought, was greatly in liquor.

Cross-examined by Mr. Alley.

As the deceased was an elderly man, and in liquor, he did not strike him. He could not say but that a stout man, like Mr. Draper, by falling on the ground, might receive a bruise on the head, without witness's being acquainted with it.

John Walpole examined by Mr. Walford.

Witness is a butcher at Enfield. On the evening of the 8th of August, he was at the Prisoner's house, and remembered John Draper coming there. He was in the front parlour. There were a good many of them in company together. The deceased had a small bulldog, seven or eight months old, along with him. He remained at the Prisoner's with Draper until he persuaded him to go towards home. The deceased was his neighbour, and knew Mr. Tuck's premises perfectly well. When he persuaded the deceased to go home, it was about half-past 9. He at last went away, leaving witness in the room. The Prisoner was occasionally in and out of the room while they were there. Before he went away, he got talking about fighting with a Black, who was, he believed, a fighting man. The Black said, "I shan't hit you, but if you strike me, I will take the law of you." The deceased had a middling-sized red pocket-book, but witness did not see it opened. He did not think it looked very full. The deceased did not pay for his liquor. Smith paid for the gin and water. The deceased talked of betting, but witness did not think he mentioned the sum he would lay. The well was a little out of the foot-path leading to the stable and brew-house, about four yards one way and five another.

Cross-examined by Mr. Dowling.

When Draper was talking about waging, he did not exhibit any money. There was nothing to prevent a drunken man from stumbling into the well. After Draper went away, the other part of the company remained enjoying themselves. About half an hour before Draper left, Robinson and some other person left the company.

John Holmes examined by Mr. Andrews.

Witness resides at Tottenham. About three in the afternoon of the 8th of August, he went to the Bald-faced Stag. He saw the Prisoner there. He remained in the house until near twelve o'clock at night. He knew Draper perfectly well, and was in the habit of assisting him in executing warrants. He came to Tuck's house a little after eight o'clock in the evening, and appeared to be rather in liquor. A young man, a stranger to witness, was with him. He went into the parlour, and was talking to several of the company rather loud. Whilst Draper was there, Tuck occasionally came in, but there was no conversation between them. Witness was called out of the room to settle a warrant he had against a person of the name of Church, and afterwards returned. When he came back, Draper was talking to people in the room, but he was not quarrelling with any person. He did not see the deceased produce any money. Witness remained a good while, and told the deceased he would ride home with him, to which he agreed. He was at that time forydrach in liquor. A little before eleven, he missed him out of the room; and, about the same time, he also missed Crouch, Saunders, and Robinson, who were pugilists, and lodged in Tuck's house. He believed they were in what was called training. He also missed Mr. Tuck; he did not see him at that time. On missing those persons, he went outside of the door, to look for Draper and his cart. It was then near eleven o'clock. He saw nobody when he went out; the cart and horse were gone. He went back to the room, and said to a man named Flowers, "I believe Draper has given me the double, for I went to look for him." About twelve o'clock, witness quitted the house entirely. After he had missed the persons he had mentioned, he saw neither Crouch, Saunders, nor Robinson; but he saw Tuck in his parlour. When he last saw him, it might be about 20 minutes or half an hour after eleven. Where Tuck and those three persons were during their absence, he could not say. When the Prisoner came back, there was nothing remarkable in his appearance. He did not seem alarmed at anything. Witness was on the side of the well, when the Coroner was view-

ing it, about three days after the man was found. The well was covered with bushes, except a place about a yard over, for a dipping hole. The aperture was of a triangular form. Persons went to the head of the well by a little ascent. The rise was eight or nine inches, possibly a foot. When he saw the well, the post and rails were both broken down. From the state in which he saw the well, he thought it was not likely that a man should fall into it. He did not think that a man could accidentally fall in.

Cross-examined by Mr. Alley.

There was a little rise to the well, but no obstruction. From post to post, where they drew the water, might be six feet across, but he did not think a man could fall into it. If he went to walk on the furze or fern that covered it, he might perhaps fall in. Witness did not mean to say, that Tuck, when absent, was out of the house. He did not know whether the other three men went to bed or not, when they left the parlour.

James Peat examined by Mr. Walford.

Witness is a smith, and lives at a village called Cock-Fosters. On the evening of the 8th of August, he was at the Prisoner's house, and saw the deceased there. He was in the parlour, and witness saw him for an hour. The Prisoner was going in and out. The last time he saw Draper, he was leaving the room, as witness supposed, to go home. He went out alone. The young man, Smith, had left the room, a few minutes previous. There were seven or eight persons in the parlour, all of whom witness knew, when Draper went away. About ten o'clock, he saw the deceased in the parlour. During the time he was there, he pulled out no money; neither did he pay any. Witness continued in the parlour behind the bar for half an hour after deceased went out.

Cross-examined by Mr. Dowling.

Mrs. Tuck applied to witness to borrow money. He was not confident what sum she asked for. He thought it was about £10. She said she wanted to make up a sum of money for the brewer, and witness supplied her with £6. He saw in her possession, at the time, a packet of notes. There might be 12 or 14. When witness gave her the £6, she said, that, with what she had, would enable her to make up the sum she had to pay the next morning, and she put the notes together. Witness saw the deceased after that. He lent Mrs. Tuck six one-pound notes. It was not quite nine o'clock at the time. He saw Tuck at his usual avocations, in the course of the evening. The deceased did not complain that he had lost any money. Tuck left the parlour where witness was about eleven o'clock. He asked his wife for the key, saying, he would go to bed; and witness saw him go out apparently for that purpose.

Re-examined by Mr. Walford.

Witness received five of the six one-pound notes which he lent to Mrs. Tuck from the house-keeper of Mr. Parish. They appeared to be very fresh. He could not tell where he got the other. It was in his possession for ten days, but it was not much worn.

Mr. Andrews here observed, that, as the names of three persons who had left the parlour had been mentioned, he would call and examine them, if his Learned Friend pleased.

Mr. Alley expressed a wish that they should be examined. They would prove that they had all gone to bed, and thus remove any idea that they had been employed by the Prisoner to do any thing improper.

Samuel Robinson (the black pugilist) examined by Mr. Walford.

Witness was living at the house of Mr. Tuck, on the 8th of August. The deceased was there on that evening. The last he saw of him was between the hours of ten and eleven o'clock, when he was sitting in the parlour with others. No person went out with witness. When he left the room, he went up stairs to bed.

On his cross-examination by Mr. Alley, witness stated the forbearance with which he had treated the insults of the deceased.

Richard Crouch examined by Mr. Walford.

Witness lived at the house of Mr. Tuck. On the 8th of August, in the evening, he saw the deceased there. The last time he saw him was about half-past ten o'clock. He was then going out of the parlour. There was a person of the name of Church lodging in the house. He could not attend, for he was a Prisoner in the King's Bench.

Cross-examined by Mr. Adolphus.

Witness was at Mr. Tuck's on the morning of the 8th of August. He was at breakfast, in the front parlour, with the Prisoner, who saw the deceased coming up with a horse and cart. Tuck descended coming up with a horse and cart. As immediately said, "here's Mr. Draper coming, as good an old man as ever lived." He also said, he understood he had been a man of considerable property; but that, in consequence of some misconduct of his own, or of some law affair, his relations had got it from him. Tuck and Draper shook hands together through the window, and in the whole of his conduct towards the deceased, the Prisoner evinced cordiality and friendship. He saw the deceased intoxicated in the evening. He did not know, that he wanted to fight himself, but he wished his dog to fight Mr. Tuck's horse, Walpole, and others, wanted him to go home. Witness went to bed, about half-past eleven o'clock, in company with Saunders. Tuck was told of it by a haymaker.

Charles Johnstone, examined by Mr. Andrews.

Was servant to Mr. Parish's; passed by Mr. Tuck's house about twelve o'clock on the night in question. Austin and Brickett, with whom he was, had gone on before him. He saw four men running hastily out of the front door; knew none of them, but the landlord of the house, the Prisoner at the bar, who was the first of them. Knew him by his voice, and it being a moonlight night could see him. The Prisoner said, "D—n his old eyes, he's gone round here—he's gone this way I know." Another of the men said, "We'll give him a good hiding, and we'll kick him in a dir-pick which they mentioned. They ran in a direction towards the well. There was a gate by the side of a shed which led into the field where the well was. They ran through this gate, which led to the stable-also. He did not stop to see what they were about, but went on about his business. Brickett and Austin went into the Prisoner's house shortly before he was twelve going out. His reason for knowing it was twelve o'clock, or nearly so, was, that he had gone on nearly half a mile afterwards, and heard Mr. Cummins's cock strike twelve. Was detained so late, because he had been to London, which he left at ten o'clock, with a load of ashes, to deposit on the road opposite Mr. Tuck's house. Put up his three horses then at Beech-hill, a little further than Tuck's place. Mentioned not all, but some of what he had seen, the next morning, to Joseph Harvey and to James Seymour. When he told it, he had heard nothing of the misfortune. Had no reason for telling this, but that the row happened; he did not tell them what he had heard, but merely the fact of their running into the field. The witness here corrected himself, and said, that he had not mentioned the row until after the old oster came and told him of Draper's death. He was led into the error of saying it was before, by the lady in which Counsel addressed him. When Harvey said a man was drowned in the well, then he told him what he had heard and seen the previous night. It was a very bright moonlight night; knew the premises of the Bald-faced Stag.

Cross-examined by Mr. Alley.

Was a carter; took up his load of ashes at six o'clock in London, about twelve miles from Tuck's house, which was a quarter of a mile from his own place. It was after ten o'clock when he set out. Knew Mr. Langdale. Was employed nearly two hours in putting up his three horses, and returning back again by Tuck's house; had taken no beer that night. On the Monday week after, he stated the facts to the Justice, but he did not mention that Brickett and the other man had gone to the house, because they were, in point of fact, within the house before the men ran out. He knew that the boxing men were in the house. Told the Justice, that he thought the men were of the running out of the house to fight; but when asked by the Justice, why he did not stop to see the battle, he answered that he had been sitting up two nights and wanted to get home to his bed on that night. Was always on good terms with Tuck; admitted, that he had got a drubbing in the house a few days before, from one of the persons there; he asked for a pot of beer through the door, which was shut, it being late, and they would not give him any. This happened the Monday before, when he was rather fuddled; on knocking at the door, he said, "Bring me a pot of ale and a prize-fighter;" when one of them came out and knocked him down. Two young men were with witness, but they said or did nothing; one of them (Samuel Broome) took out a warrant for him for this assault.

Re-examined by Mr. Andrews.

His two companions stopped at Tuck's house on the night in question, but he went on. Had not the slightest ill will towards the Prisoner. It was Church, the boxer, who kicked him.

Richard Langdale examined by Mr. Walford.

Was bailiff to Mr. Parish; knew Johnstone, the last witness, who was carter to Mr. Parish; knew Brickett and Austin—the latter was a boy. On the Thursday night, Johnstone, the last witness, came home to Mr. Parish's, from his London journey, at about a quarter before nine o'clock; he then took the chains off the horses and fed them, which might be done in an hour and a half, though two hours was the general time. He thought he was not more than an hour and a half on that night. It would, of course, take more time to dress and feed them after a journey to London. Gave Johnstone, and several more men who were with him, about seven quarts of strong and small beer on that night in Mr. Parish's stable; could not particularly recollect to which of the men he gave the beer; saw Johnstone among the rest in the stable, but could not say whether he shared in the beer.

Cross-examined by Mr. Adolphus.

Between nine and ten o'clock, the beer was distributed; it was intended for Johnstone as well as the rest. Johnstone did not say when he started from London on that night. Witness went to bed about ten o'clock on that night. Saw Johnstone in the stable about three quarters of an hour after he arrived. He merely concluded, that this was the time, from his recollection. It was but just dusk when Johnstone returned, and certainly not mentioned to witness until after eight o'clock on the following morning; when it was told he never heard any thing about him from Johnstone. He was told of it by a haymaker.

Samuel Brickett examined by Mr. Andrews.

Was in the service of Mr. Parish, as a carter. Remembered the 8th of last August; was hay-carting until very late. Johnstone had gone to London with a team of horses. It was half-past nine when witness had got his horses into the stable.

Did not see Johnstone in the stable after he (the witness) had put up his horses. Johnstone's stable was the same as his own. The carters got the beer in the stable; it was given to those who had been with the hay. Did not see Johnstone there when they were serving it out. Saw him about an hour before he went down the Stag; he was then settling his horses, or walking about. The making up three horses would last for two hours. Witness quitted the stable with Johnstone and Austin, just as the watchman was going to cry the hour of twelve o'clock; that was the answer the watchman gave to Johnstone, who inquired the hour. They were all then going to the Stag. Witness went first into the house with Austin. Johnstone did not; he turned to his own road home, which lay in that direction. Saw no more of him that night. They dropped in at the Stag to take some beer and bread and cheese. Mrs. Tuck was at the bar. Saw nobody else there with her. There were a girl and a boy belonging to the house in the tap-room, with the old oster and three Irishmen. Mr. Tuck, the landlord, was not there. One of the Irishmen he knew, because he had worked with Mr. Parish. He was a stranger to the other two. Did not get any bread and cheese, as Mrs. Tuck said it was past hours, and she would not draw any beer. Witness and Austin then walked into the tap-room, where they saw the maid and the servant sitting down. Mrs. Tuck at that time called out for Ben, the oster boy, to go and get the master if she might draw his beer or not; the boy went out towards the back of the house, through the back door, which he opened, and returned to tell her that she might do it if she pleased. The beer and cheese were then brought in, and they stopped to take it, at farthest for about twenty minutes. Did not see Tuck while he stopped at the house. The back door, through which the boy went, led to the four corner ground and the stable, from the four corner ground the well could be easily got at.

Cross-examined by Mr. Adolphus.

Took no particular notice of time that night. Had not his watch with him then, and merely judged from what the watchman said, who certainly declared the hour was twelve, in answer to Johnstone. To the best of his recollection, Johnstone had no share of the beer at the time, but would not swear he had not his share. The beer was brought in from the cellar by an Irishman; they might have been about half an hour drinking it. They left off work very late on that night. The beer was brought in after they had finished their carting. Thinks he saw Johnstone about three quarters of an hour afterwards, but did not see him coming in. There is a little brook near the house. He crossed the bridge before Johnstone. Never saw four men rush out of the front door. Johnstone, when he parted from witness, was going steadily towards his own home at Cock-Foster, and had of course, from the turn of the road, his back turned from the house, while he (the witness) had his face towards it. Johnstone could, however, see the front of the house as well as he. Here the witness related, precisely as Johnstone did, the affair of the Monday night, as Johnstone was beaten by the Pugilist. On the morning after the man's body was found, he saw Johnstone in the hay-yard, who did not say any thing to him about the four men he since said he saw rushing out of the house. Had not heard of Draper's death until after 3 o'clock. Johnstone had not then said a syllable of what he had seen.

Re-examined by Mr. Andrews.

Johnstone was behind him on going over the bridge. If men were coming out of the front door of the Bald-faced Stag, Johnstone could have heard them talking, or seen their persons, at the turning where he passed. On the morning of Friday (the morning after Mr. Draper's death), he had not heard of the accident until after he parted with Johnstone.

William Austin examined by Mr. Walford.

Was a boy in the service of Mr. Parish. Remembered going to the Bald-faced Stag the last witness, at 12 o'clock on the Thursday night, according to the watchman's account. Johnstone went on his own way home, and they both went in. Here the witness corroborated the testimony of the former witness, as to the difficulty of procuring the beer, bread and cheese, at past hours.

Cross-examined by Mr. Dowling.

It was quite dusk when they left off work on that day. Partook of the beer, but could not say that Johnstone had any.

Joseph Harvey examined by Mr. Andrews.

Was a carpenter, living at Cock-Foster, and was at the Bald-faced Stag on the night of the 8th of August, where he saw Draper; did not observe him paying any money. Saw Johnstone leave a load opposite Tuck's door between nine and ten o'clock. Heard of Mr. Draper's being drowned on the following morning about eight or nine o'clock. Saw Johnstone after hearing this news, and asked him whether he had heard of it. Johnstone replied, that he had also heard it, and stated, that, on the night before, about twelve o'clock, he was passing the Bald-faced Stag, where he heard high words, and saw some people rushing out from the door, but he did not name them. He added, that he had heard a scolding in the yard of the public-house, and that one of the parties said, "He is gone this way, and we will follow him." Nothing else passed between witness and Johnstone. Did not go up to the Bald-faced Stag afterwards.

Cross-examined by Mr. Alley.

Johnstone never said the landlord was one of the men, nor did he say any thing of his being beaten a few days before by the pugilist.

Thomas Hubbard examined by Mr. Walford.

Was Mr. Parish's watchman; remembered the night when Brickett, Johnstone, and Austin, had asked him the hour; it was between eleven and twelve o'clock. He had called the hour of eleven about half an hour before.

Cross-examined by Mr. Dowling.

They asked him what o'clock it was, but he could not positively swear as to the hour he told them. Johnstone lodged with him, and never said any thing the next morning of what he had seen outside Tuck's house.

Tary Holbourne examined by Mr. Andrews.

Had been a servant to the Prisoner between three and four months. Remembered having seen Mr. Draper at the house, about nine o'clock in the evening of the 8th August; did not see him doing any thing with a purse, nor with Bank-notes. She did not see him paying any money to her master. She went to bed about half-past ten or eleven o'clock on that night; at that time Mr. Draper remained in the parlour with other company, four persons, she believed, remained sitting with him. Her mistress was usually the last person up in the house. She lighted a candle for Mr. Church to go to bed; he went up stairs, but she could not swear he went to bed. Crouch also slept in the house. Her master was then in the parlour with the company. Was never disturbed or called up that night, after she went to bed. Her master's sleeping-room adjoined her own—she did not recollect hearing him go to bed. Did not hear Draper wrangling below stairs. The usual time of shutting up the house was ten or eleven o'clock. Never saw Draper at the house before. When she last saw him, he had no appearance of being bruised. Was not the first up the morning following; her master first called her at a quarter before five o'clock. She did not get up until called a second time, soon after. Saw nothing particular in her master's appearance. When she went out the next morning, to bring in water from the well, she observed a piece of wood, broken in two or three pieces; this was certainly done since the day before. The broken piece was the enclosure round the opening, and was partly of the covering. On going for the water, she saw it look very thick, and on dipping the pail down, observed deceased's hat on his head and part of his face. She immediately ran to her master for assistance, and said, "Good gracious, master, there's a man in the well!" He was then alone, and letting the fowl out of the hen-house. He seemed much alarmed, and said, "It's the poor old oster." When she saw the piece in the well, it appeared as if standing on its feet, with the head barely out of the water, leaning against the pipe of the well. Her master then went to the well, saw the body, and returned to Robinson, and observed, "Good gracious, Robinson, there's that poor old oster in the well!" She saw the body put into the brew-house. The clothes remained on the body in the brew-house. Just as they were going to breakfast, Draper's son came. He was shut for by her master, who could not eat any breakfast, he was so shocked.

Cross-examined by Mr. Alley.

Her master appeared greatly shocked at the discovery. Any body might have passed towards the well and fallen in. The railing around it was rotten, and any body might tumble through it. Her mistress always kept the cash of the house, and when money was wanted for the brewer, her master always applied to her for it. She was usually called up in the morning by her master.

Benjamin Potts, examined by Mr. Walford.

Was servant to the Prisoner last August. Remembered when the man was found in the well. On that morning, his master gave him a parcel after the man was found, but before he was found he told witness to be ready to go on an errand; added, about seven o'clock the evening before, he told him to be ready to go to Enfield in the morning. Did not know what his master had been doing between the time of finding the man and giving the parcel to him. He delivered the parcel there in the same state he received it at home.

Cross-examined by Mr. Adolphus.

Went at the same time, by his master's direction, to apprise the family of Mr. Draper of what had happened. Went there first, as he was directed.

Charles Smith examined by Mr. Andrews.

Was an apprentice to Mr. Ethridge, the brewer, at Enfield, where the Prisoner was a customer. His boy came about half-past seven o'clock on the morning of the 8th of August, and paid in five-pound notes, and £2 in silver. Witness enclosed the Prisoner's name on the back of each of the notes, with the day of the month, and his own name at length, and afterwards gave it to his employer.

Philip Ethridge examined by Mr. Walford.

Was clerk at the Enfield brewery, and corroborated the statement of the preceding witness, as to the amount of the notes, one of which was given afterwards to Mr. Reynolds, and another to Mr. Street. These notes were afterwards given to the deceased's brother.

Cross-examined by Mr. Alley.

Had no reason to complain of Tuck's payments; they were rather backward lately, but could not say to what amount. His wife managed his business. It was a matter of moral certainty, and witness told Tuck, that the notes he sent would be followed by the brewer was in the habit of taking notes from various persons.

Witness said, to a question from the Judge, the notes were not the present payment alluded to, but were made two days before it was meant to be called for.

David Draper examined by Mr. Andrews.

Was brother to the deceased, whom he did not see on the 8th August, but his son called upon him on the morning of the 9th, and went with him to Tuck's house, where they saw the body in the brew-house. Witness asked Tuck (who was the first person he saw) about his brother's property. The answer was, "Whatever property he had must be still about him; but he knew nothing of it." He then said, that witness desired the body might be searched. They then proceeded to search his pockets, when his son pulled out two pocket-books which he then held in his hand, and a small purse, containing nine shillings and a halfpenny. There was no money in the pocket-books; they only contained loose papers, which, as well as the books, were quite water-soaked. The Prisoner, while they were examining the body, became extremely sick in his stomach. Nothing passed between witness and Tuck, except a mere description of how the body was found. At times, his brother had a great deal of money, and the Prisoner must have known the nature of his business. Received 25 pound notes from Ethridge on the 13th August, 16 of which he had in his pocket, and the remaining two were given to Reid, the officer.

Cross-examined by Mr. Alley.

About two years ago, his brother took the benefit of the Insolvency Act.

Wm. Reid examined by Mr. Andrews.

Was a Police officer of Hutton-garden. He then produced a sealed paper, given to him by Mr. Draper, which he then presented to the Court. On the seal being opened, the notes were presented to Mr. D. Draper, who identified them as being those which he received from Mr. Ethridge.

Wm. Reid cross-examined by Mr. Adolphus.

Arrested the Prisoner, who showed no disinclination to go with him; but, on the contrary, afforded the utmost facility for a search, &c.

D. Draper, cross-examined by Mr. Adolphus.

One or two persons were present when the pocket-books were taken out of his brother's pocket. He did not open them at the time, but did a few minutes afterwards, when he found they contained no property.

Ethridge and Smith here identified the notes as being those paid from Tuck's house.

Wm. Reynolds examined by Mr. Andrews.

Was an Attorney living at Cheshunt. On the morning of the 8th August he remembered having seen the deceased, to whom he then paid, on account of a client, eight one-pound notes. One of the notes just produced was handed to witness, who identified it as one of those notes, from its being the mark £19 in figures on its back, in his own hand-writing. He marked it the day before, as it was the outside note of a bundle of £1 and £2 notes, amounting to £12.

Cross-examined by Mr. Alley.

Paid Draper from the outside of the bundle; did not say at Hutton-garden that he could not tell whether it was from the outside or the inside of the parcel he paid Draper.

A scrap of paper was handed to this witness, but he could not say whether it was his hand-writing. Never heard £10 that the Prisoner would be convicted. Had made such a wager that he would be committed in the first instance. This wager was with Mr. Gray, but without any intention of paying or receiving the amount so wagered. It was a mere thing of conversation, and not meant as any more. Did not know Mr. Davison, of Charing-cross, nor did he ever bet a wager with any body else on the same subject.

The scrap of paper was then presented to him again, but he could not decidedly say if it was his hand-writing. Mr. Harmer told him at the Police-Office to write £10 on a piece of paper like the figures on the notes. He did so, but before he did it, he said what he was then going to write would not be like the figures on the notes.

Re-examined by Mr. Andrews.

Is positive that the note now produced in the same he paid to Draper. It has a name besides the £19 in figures, which is certain. Had no ill-will towards the Prisoner, whom he never knew before him, he had not the smallest doubt. His reason for saying, that what he was going to write at the Police-Office would not be in the same character as that which he had written on the back of the note, was merely because he had a less comfortable place to rest the paper upon there than he would have had at home.

Reynolds, jun. examined by Mr. Walford.

Was son of the last witness, and saw his father mark several rolls of notes early in August; the mark of £19 on the note now before him was done by his father, in his presence.

This witness underwent a long cross-examination, of no importance.

Richard Street examined by Mr. Andrews.

Knew the late Mr. Draper, to whom, on the 10th of July last, she paid £1 4s. 4d. Knew the pound note which she gave him in this payment, it was marked with two names, and the letters J. L. Those marks were on it when she received it from a Mrs. Taylor. It was the only note she had. Mr. Draper wrote upon it after he received it. He put a wrong name, having written "Streats," instead of "Street." Witness corrected him, and amended it, and also put J. B. under her name; those were the initials of the person for whom the debt was paid to him.

A note was here handed to the witness, which she identified as the note she paid Draper. It bore all the marks she had previously described.

The witness further said, that Mr. Draper looked particularly at the note.

Cross-examined by Mr. Adolphus.

On the 8th of July, she paid the note to Mr. Draper, and about six weeks afterwards it was stolen to her again. The marks on the front of the note, "J. Ross, 26th 7th month," were on it when she paid it to Mr. D. Can't swear to the mark "Pocock."

Mr. Adolphus here said, the date of the note was but the 6th July, 1816, and yet she swears it had all those other marks which are ascribed to it, in this manner, that is, the seventh month, the 26th July, in the terms used by one of the Society of Friends. How could this be on it the 8th July, when she paid it?

Mr. Andrews replied, that it did not follow because the date was on it, it really had been at that precise time in circulation.

Baron Graham, after consulting with the other Judges, was of opinion that there was, from this mark, evidence to go to the Jury, that the note had been in other hands on the 26th July. It might certainly have gone back again to Draper's hands.

Joseph Clerk examined by Mr. Walford.

Was a surgeon residing at Enfield. On Saturday, the 10th of August, he examined the body, and discovered bruises on the head, face, and neck, particularly under the right ear, as if from a fist. The Prisoner said, that the deceased had been fighting; his being found in a well was in the witness's opinion sufficient cause for his death, and he then did not very minutely inquire. At the suggestion of the Coroner, he examined the body again on the 13th of the same month. It was then removed to Enfield. The blows on the cheeks were not of themselves sufficient to stun a man, but those under the ear were. From an internal examination of the head, the blows on that part did not appear sufficient to cause his death—under the ear and on the neck were violent and sufficient to kill him—and if the body was found on the ground, instead of being in the well, he would have concluded that he had fallen by mortal blows.

Cross-examined by Mr. Alley.

A work elapsed between the first and the second examination, and, of course, the body could not have been so well examined as on the first. A fall would not have produced the appearance which the head had, unless it came in contact with some hard substance.

Mr. Henry Holt examined by Mr. Andrews.

Was a surgeon, and examined the body on the 13th of August. The examination was then minute, as to the external part. He observed a violent mark under the right ear, where a blow would be very fatal—there was an appearance of an issue of blood in that part. The blow, of which the mark remained, might have produced death, particularly when the blood was inflamed with liquor, and the vessels full. He examined the body again the day after. He opened the head on the second occasion, and concurred in opinion with the preceding witnesses.

Cross-examined by Mr. Adolphus.

Such a blow might have produced death, and yet not internally exhibit any appearance of concussion. A bruise always looks worse after a body has remained exposed.

The case for the prosecution was here closed.

The Prisoner, on being asked by the Court what he had to say in his defence, replied, that he was perfectly innocent of the heinous crime laid to his charge, and that as such he left himself entirely to the mercy of the Court and the Jury.

The first witness called for the defence was—

William Gray examined by Mr. Adolphus.