

A full report of the trial of James Blomfield Rush for the murder of Mr. Jermy and his son, of Stanfield Hall, in the county of Norfolk, commencing on wednesday March 28 and concluded April 4, 1849 at Norwich Assizes.

Contributors

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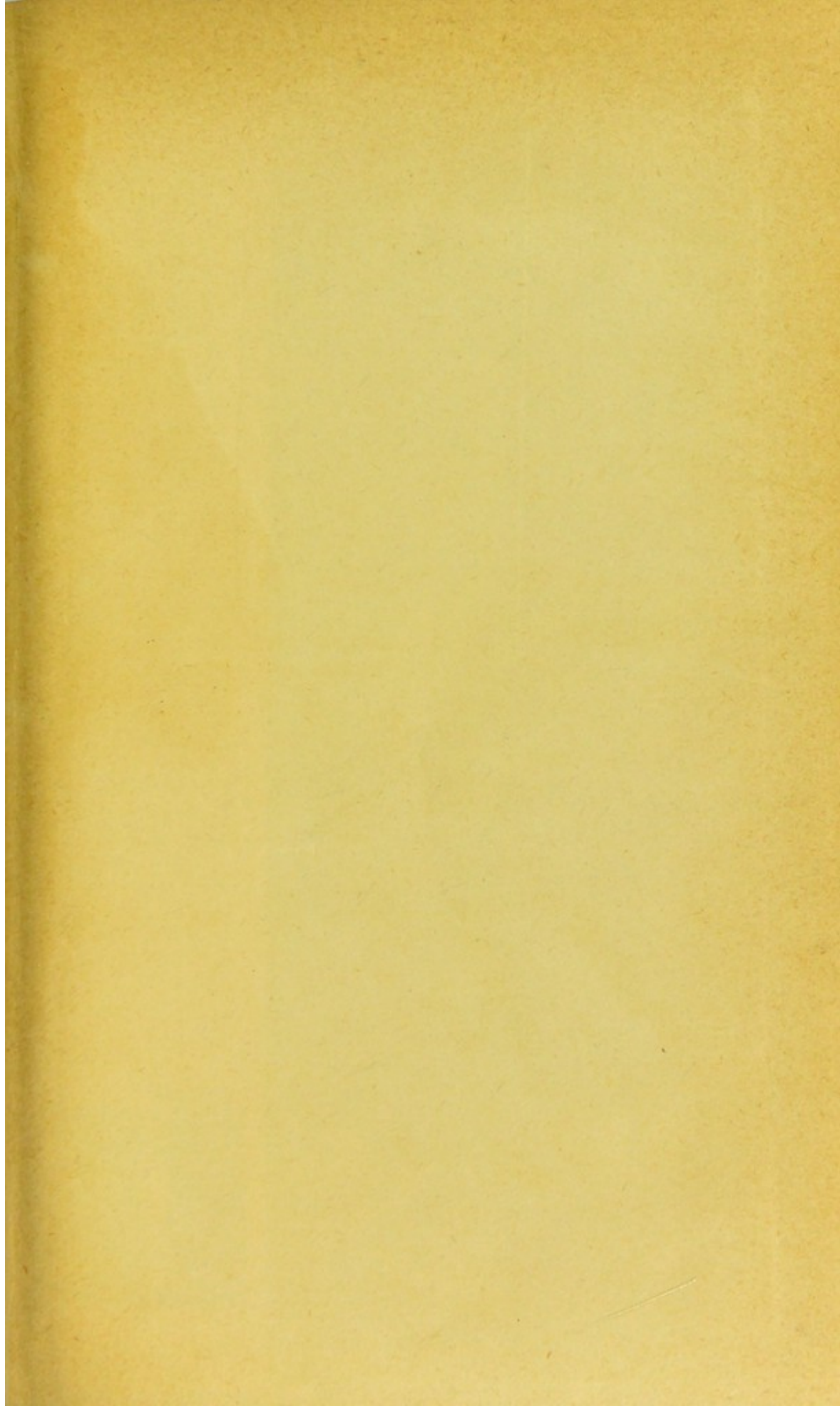


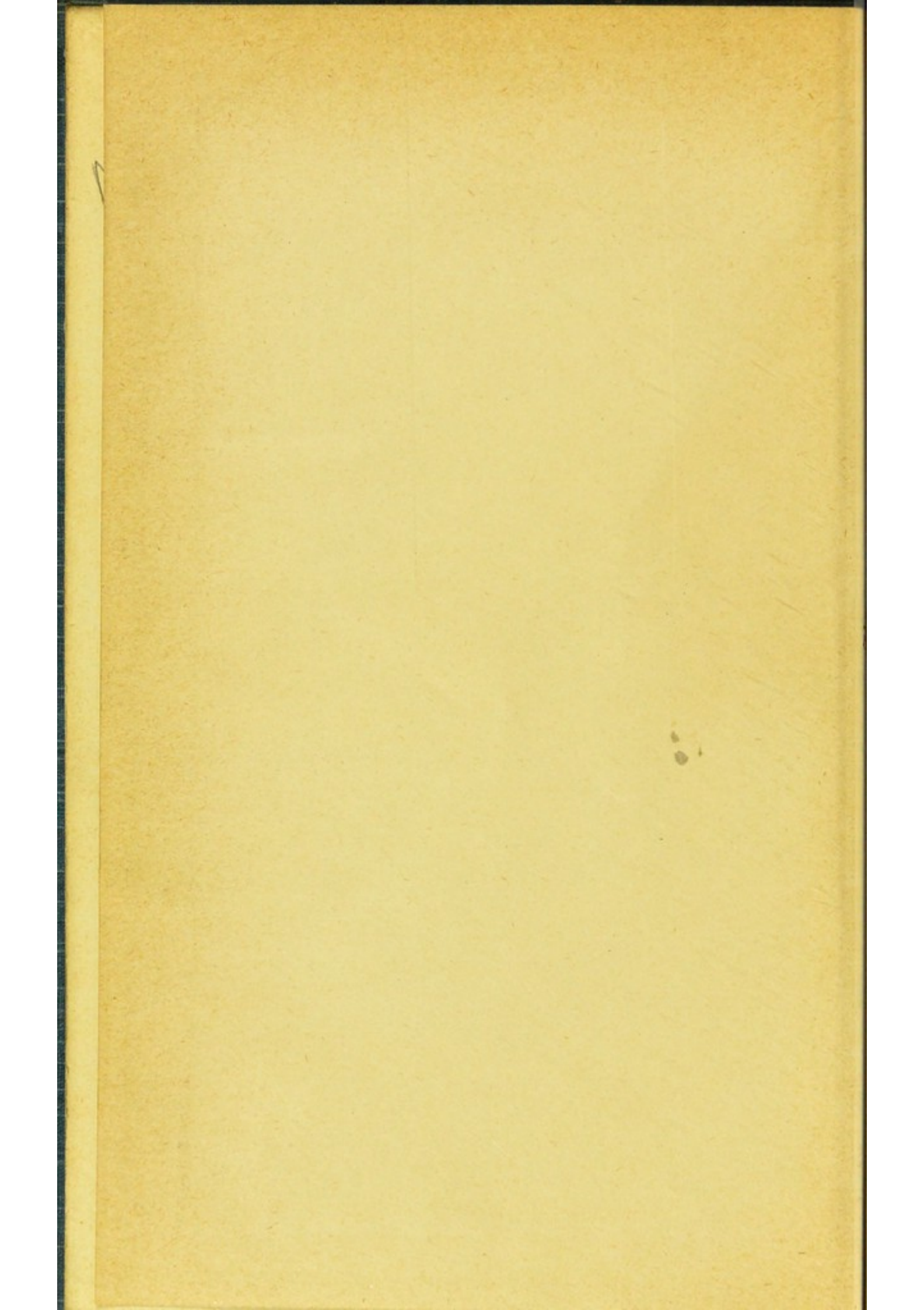
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disreputable as to be the topic of general conversation, not only among persons in his own position in life, but even among the workmen of the town. The officers feel that the unenviable notoriety he had acquired reflected upon the entire regiment. Major Jones thinks it his duty to remonstrate with Captain Robertson upon his conduct, and to advise him to be more circumspect. Colonel Bentinck, upon hearing of his conduct, asks Major Jones if the reports are true—is informed by him that they are perfectly true, and directs Major Jones to tell Captain Robertson that if he again heard of such misconduct he would order him into barracks. This brings us to the next charge preferred against Colonel Bentinck, the order of the 25th August, 1861, to attend morning and evening stables. It is not necessary for me to point out to this court that, although in ordinary cases a commanding officer has no right to exercise inquisitorial power as regards the private habits or amusement of officers under his command when they do not interfere with the due execution of their military service, he has an undoubted right, and it is his bounden duty, to interfere promptly and decidedly when the acts of any of them are such as to attract public scandal and reproach, or as being *contra bonos mores*, and for the performance of this duty he is responsible to his military superiors. This trial has, through the pertinacity of the prisoner to attempt at all hazards to injure his commanding officer, been dragged out to such a weary length that parts of my reply will appear disjointed from the fact of its having been prepared at intervals during the defence, and this must be my excuse for alluding now separately to certain points in the prisoner's third and last address, instead of incorporating my remarks in the body of my reply, under their proper heads. Whatever may be the result, Col. Bentinck may well be consoled for the attack that has been made on him by the way that all the officers of the corps, of all ranks, with the exception of two or three, who have become his assailants, have rallied round him, and have, by those kind and honest acts and expressions of attachment which a just and kind-hearted commanding officer can alone inspire, shown how they repudiate that attempt to injure him, which I shall no further notice, as I could not characterize it as it deserves without borrowing from the prisoner's address to this court some of his strong epithets. The cause must be weak indeed which can only be defended by such unscrupulous attacks upon witnesses—attacks which could have made no impression upon such a court as this, and which can be made only to influence public opinion. The court have on record my protest against the admission of evidence of any occurrences as to the third charge anterior to the 1st October; but the prisoner and his advisers would have it otherwise, and he must take the consequences. He knew that it was utterly impossible to prove intimidation in Dublin on the 1st October, so that the term was made to apply to a previous period, although he has been equally unsuccessful in proving his alleged acts of cruelty or oppression against Colonel Bentinck. No commanding officer is safe from attacks of this sort, when such an opportunity has been afforded of making them. No commanding officer who conscientiously performs his duty can fail to have some enemies. The ordinary routine of military discipline will inevitably produce inconvenience to some, and when those inconveniences fall upon ungenerous natures, enmity is the sure result. Every commanding officer has felt this at some time of his life. He may have to cast his major's horses, or he may have to check a refractory subaltern, who thinks he does not get as much leave as his own idea of his merits leads him to expect, or he may have to remark upon the absence from parade of a veterinary surgeon's servant. Each and all these things are enough with some men to engender bad feelings, produce anonymous slanders in newspapers, and to ensure combination when circumstances shall admit of an apparently safe attack. Such attacks have been unsparingly levelled at Colonel Bentinck under cover of a defence for the prisoner. One of these attacks has been made in court, and was so reprehensible that the court deemed it necessary to summon Colonel Bentinck before them to make him that acknowledgment which was only his due, and to assure him of their unanimous disbelief of a degrading insinuation which was made against him; and I am satisfied that every member of this court, and every person who dispassionately weighs the evidence bearing on this case, will acquit Colonel Bentinck from all moral guilt in these transactions. I thus conclude this painful and embarrassing subject, rendered doubly painful by the duty that has been imposed upon me of controverting the testimony of officers holding her Majesty's commission, with what success the court will decide.

THE END.

CLARK'S EDITION.

A FULL REPORT

OF THE

TRIAL OF JAMES BLOMFIELD RUSH

FOR THE

MURDER OF MR. JERMY AND HIS SON,

OF

STANFIELD HALL, IN THE COUNTY OF NORFOLK;

COMMENCING ON WEDNESDAY MARCH 28 AND CONCLUDED APRIL 4, 1849, AT NORWICH ASSIZES.



PORTRAIT OF RUSH, SKETCHED IN THE COURT.

[FIFTIETH EDITION.]

LONDON:

PRINTED AND PUBLISHED BY W. M. CLARK, 17, WARWICK-LANE.

PRICE SIXPENCE

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COMMENCED ON WEDNESDAY MORNING 25 AND CONTINUED UNTIL 27TH OF NOVEMBER 1835.



ENGRAVED BY HARRIS, AND KEPT IN THE COURT.

[FIFTH EDITION]

LONDON:

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EMILY SANDFORD.

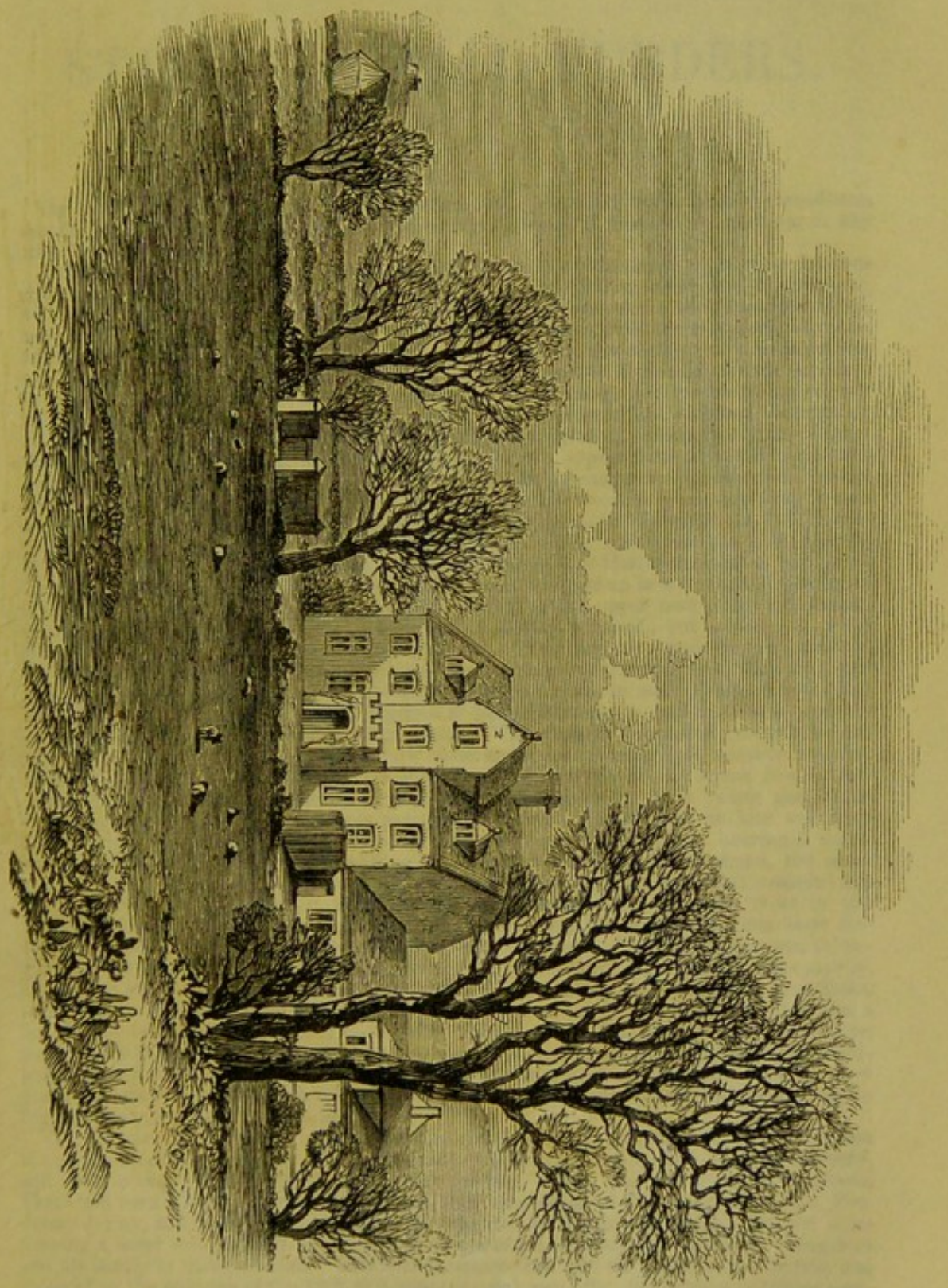


JOHN R. HARRIS

STANFIELD HALL.







POTASH FARM.

THE STANFIELD HALL MURDERS.

ON Tuesday evening, the 28th of November, 1848, Stanfield Hall, near Wymondham, was the scene of the most atrocious murders ever perpetrated in Norfolk, or, perhaps, in any other English county.

Before relating the particulars of this horrible affair, it will be necessary to state the construction of Stanfield Hall. It is a large building in the old English style of architecture, with a moat before it, and an extensive park round it. Of late years a wing has been added, comprising the servants' apartments. In front of the main building is a porch entrance, leading into a spacious hall, from which there is a passage to the dining and drawingrooms on the left. To the right of the porch there is an entrance and passage for the servants, leading into their compartment of the building. This passage and the preceding one run front to back. A passage runs from left to right across the centre of the building, intersecting the servants' passage and leading to the dining and drawingrooms. The perpetrators of these murders were well acquainted with the premises, as will appear from what follows:—Mr. Jermy, the Recorder of Norwich, Mr. Jermy, jun., and Mrs. Jermy dined together on Tuesday evening, at the family mansion, Stanfield Hall. The butler, two female servants, and a man servant were on the premises. Two female servants had gone to Wymondham, and had returned to the park, but were not in the Hall before eight o'clock. About half-past eight o'clock, Mr. Jermy, senior, left the dining-room, and walked through the Hall to the front of the building. On returning, just as he entered the porch, a man wrapped up in a cloak, and wearing a mask, fired a pistol at him, and the shot lodged in the upper part of his left breast, close to the shoulder. He fell down, and instantly expired; but owing to what followed was not removed for nearly an hour. The assassin went to the servants' entrance to the right, passed through the passage from the front, turned to the left into the passage across the building, and met the butler. With a pistol in each hand, he motioned the butler to go back. Being greatly alarmed at the apparition of a man in a mask presenting two pistols, the butler retired into his pantry. The assassin proceeded onwards to the turn of the passage, where there was a dark recess and a door opening into another passage, leading to the back of the premises. He appears to have arrived in the recess just as Mr. Jermy, jun., alarmed at the report of a pistol, left the dining-room. The young gentleman went to the door opening into the back passage, and there the man fired at him and shot him through the right breast. He instantly fell down dead. Mrs. Jermy, hearing a noise, went to the same place, and, while standing over the lifeless body of her husband, the same diabolical assassin fired a pistol at her. The shot shivered one of her arms and wounded her in the breast. Her maid-servant, more courageous than the other servants, went to the same spot to see what was the matter; and, while supporting her mistress, the murderer discharged a pistol at her and severely wounded her in the thigh. The female servants, thinking they should all be murdered, hid themselves. The man-servant, who was then in the stables, hearing all this firing, and supposing that the house was attacked by a number of ruffians, swam across the moat and set off to Wymondham, where he gave the alarm, which caused a telegraphic despatch to be sent to the Norwich police station. The murderer had, therefore, no difficulty in making his escape. The two women-servants who had gone to Wymondham returned with two young men, and while they stood outside of the moat talking they heard the report of a pistol, and saw the flash. They thought Mr. Jermy, jun., was trying to frighten them, and they went to the lodge.

There are several afflicting circumstances associated with the murdered persons just before the perpetration of the crime. The wretch made his escape; having left death, and misery, and woe in that mansion which, only a few minutes before, was the scene of happiness. There had been a family party at dinner that day, consisting of Mr. Jermy, his son, Mrs. Jermy Jermy, and Miss Jermy, the youngest daughter of the late Recorder. On the same evening a letter was posted from Mr. Jermy to one of his most intimate friends, inviting him and his family to Stanfield Hall. This letter, perhaps the last the Recorder ever wrote, was received on the morning of the 29th of November; and soon after, the gentleman whose company was thus solicited, heard of the murder of his friend! The letter contained a message from Mrs. Jermy Jermy to a young lady, an inmate of the family alluded to:—"Mrs. Jermy

Jermy hoped Miss — would bring her music, as she counted of playing some duets with her !”

A servant, who had been employed in the stable, and heard the firing, was the first to carry the intelligence to Wymondham. He obtained a horse from Mr. Colman, the present occupier of Stanfield Farm, and rode to the town, spreading the alarm as he went. A number of persons were soon on the spot: the first who arrived, Mr. Standly, the auctioneer, found that the affrighted servants had secured the doors; but, on giving his name, he was admitted. Mrs. Jermy Jermy and her maid had been removed up-stairs, and placed in bed; but the bodies of Mr. Jermy and his son lay where they had fallen. Shortly after, W. R. Cann, Esq., magistrate; Mr. J. S. Cann, solicitor and magistrate's clerk; with Messrs. Samuel Cann, W. Cann, John Cann, R. W. Clarke, W. Clarke, T. E. T. Colman, R. J. Tunaley, Charles and William Skoulding, W. Glasspoole, — Fryer, W. Taylor, and G. Secker, arrived. They took every precaution that was requisite for the safety of the family, and for careful attendance upon the wounded females. Some of the county police and a party of the Norwich police also arrived; but their proceedings, and the steps subsequently taken to further the ends of justice, will be found in detail in our report of the trial.

It is remarkable that, as soon as the intelligence of these dreadful murders was received, public suspicion pointed to one man as the perpetrator; and, before it was at all generally known in Norwich what steps had been taken at Wymondham, the name “Rush” was reiterated by every one there as the assassin. This arose from certain circumstances in which this Mr. Rush had been connected with the late Recorder; circumstances that had bred ill-will between them, and which had sprung out of that fruitful source of quarrels and litigation, money transactions. It was known, too, that Rush had denied the right of Mr. Jermy to the Stanfield estate; and it was believed that he had instigated certain parties, of the names of Larnier and Jermy, to institute adverse claims against the late Recorder. It may serve better to elucidate our Report of the Trial, if we here insert some particulars relative to the Preston family, the Stanfield property, and the prisoner Rush.

We shall, first, give a few particulars of the

PRESTON FAMILY,

Settled at Beeston St. Lawrence, in the hundred of Sunstead, in this county.—This family came originally from the village of Preston, in the hundred of Babergh, Suffolk, where they held rank as gentlemen in the reign of Edward III. Jacob Preston, of Old Buckingham, in this county, was the fourth son of Wm. Preston, of Preston, and his wife, Rose, daughter of Mr. Whipple, of Dickleburgh. Jacob Preston died in 1630, and is interred at Old Buckenham. In 1640, Sir Henry Hobart conveyed the manor of Beeston, with the advowson, to Thomasine, the widow of Jacob Preston; and their son, Jacob Preston, came into possession in 1658. He was an ardent loyalist, being an attached and favourite servant of Charles I.; and one of the four gentlemen appointed to wait upon that unfortunate Monarch during his imprisonment. Charles, as a last tribute of affection, presented him, when on the scaffold, with an emerald ring, which is still preserved at Beeston Hall. He married Frances, daughter of Sir Isaac Appleton, of Waldingfield, in Suffolk, and Bokenham House, in Norfolk. Their son, Isaac, knighted at Whitehall, by William III. in 1695, is considered the common ancestor of the Preston family, a branch of which has ever since continued to reside at Beeston Hall. Sir Jacob Preston, who now possesses the Beeston property, is a descendant of a female branch of the family. Elizabeth, the daughter of Isaac Preston, Esq., of Beeston, married Henry Hulton, Esq., of Andover, Hants, and their son, Thomas Hulton, assumed, by Royal license, the surname and arms of Preston, and was created a Baronet on the 30th May, 1815. He married Elizabeth, daughter of George Adams, Esq., of Lichfield, who died without issue. His second wife was Jane, the youngest daughter of Thomas Bagge, Esq., of Stradsett Hall, in this county and their eldest son, the present Baronet, was born on the 25th of Jan., 1812. Sir Thomas died on the 21st of April, 1823.

THE STANFIELD ESTATE, AND THE JERMYS.

The manor of Stanfield is a very ancient one; it belonged to Earl Warren in the time of William the Conqueror, from whom it descended to the Bigods; and from them it was held, in 1306, by “Katherine, wife of Robert Fitz Osbert.” The Cursons were the next owners; and in 1349 it was in the family of the Appleyards, who held it till the middle of the 16th century; when it passed into the hands of James Altham, Esq., who, in 1564, sold it to Edward Flowerdew, Esq., of Hethersett, who lived at Stanfield Hall. After another temporary change, it was purchased, in 1642, by Sir Thomas Richardson, whose eldest son, Thomas Lord Richardson, Baron of Cramond, in Scotland, had two sons, Henry and William. The former died without issue; the latter, by his second wife, Elizabeth, daughter and heiress of John Daniel, goldsmith, of Norwich, left two children, William Lord Richardson, and Elizabeth, who, by the death of her brother without issues, became his heiress. This lady married, in August, 1735, William Jermy, only son of John Jermy, Esq., of Bayfield; and then the Stanfield manor came into the possession of the Jermy family.

We have thus traced the property to Mr. Jermy (through whom, as shall be presently shewn, it came to the Prestons; and who was the ancestor of the Jermys and the Larners the present claimants); but we turn aside to notice a lady whom the genius of Scott has immortalised in his picturesque romance of "Kenilworth," and who once resided in Stanfield Hall—Amy Robsart, or Robsert. Elizabeth, widow of Sir Terry Robsert, had the manor of Syderstone, or Syderstrand, granted to her, in the 12th of Henry VII., by the Earl of Suffolk, Edmund de la Pole. From her the manor, &c., descended to John Robsert, Esq., "called late of Wymondham, alias of Stanfield, in the parish of Wymondham." This Sir John Robsert and dame Elizabeth, his wife, and Amy, his daughter, resided, according to Blomefield, in 1546, in Stanfield Hall. Amy married Sir Robert Dudley, afterwards Earl of Leicester. The unfortunate lady came to an untimely end, at a house at Cumnor, in Berkshire, about three miles from Oxford, by a fall down stairs, and was buried in St. Mary's, the university church of the city. The tradition—founded on facts of great suspicion known at the time—is, that she stood in the way of the unprincipled Dudley's ambitious projects; and that she had been most foully dealt with in this alleged accident. The villagers long talked of the fate of the amiable and beautiful Amy; and

"Full many a traveller oft hath sigh'd
And pensive wept the Countess' fall,
As, wandering onwards, they've espied
The haunted towers of Cumnor Hall."

But to return to William Jermy.

His first wife, sister to Lord Cramond, dying without issue, he married, in 1751, Frances, daughter of Jacob Preston, of Beeston St. Lawrence; and granddaughter of Sir Isaac Preston, who was knighted by William III. On his marriage, the greater part of his property, including the estate and manor of Stanfield, was settled, by a deed, dated October 5, 1751, in trust, under certain limitations, for the benefit of himself, the said William Jermy, for life; and afterwards subject to an annuity of £400 to his wife, for the benefit of the children of the intended marriage. The annuity to Mrs. Jermy was secured to her by a term of 500 years, created on the property, and vested in Isaac and Thomas Preston, brothers to Mrs. Jermy, as trustees, to commence from the death of William Jermy; and, should there be no issue, these trustees were, by means of this term of 500 years, to raise and pay Mrs. Jermy £5000, in addition to her annuity. Mr. Jermy died without children; and by his will dated December 12, 1751, all his property was devised to trustees, for the benefit of his widow for life; and after her death, the estate was entailed on Jacob Preston, son of Isaac Preston, and Mrs. Jermy's nephew, and his male issue; and should he die without issue, then to Thomas Preston, Mrs. Jermy's brother, with remainder to his first and other sons, and their heirs male. The persons entitled were to use the surname and bear the coat of arms of the testator, William Jermy; and failing issue of Jacob and Thomas Preston, then the property was to go "to the use of such male persons of the name of Jermy as should be the nearest related to the testator in blood." The will was proved on the 17th March, 1752, and Frances Jermy, the widow, subsequently married John Mitchell, Esq., M.P. for Boston, Lincolnshire. In 1753, under a deed made on the 15th of August, in that year, between Mrs. Jermy, Isaac Preston (on behalf of his son Jacob, then a minor), and Thomas Preston, and Mr. and Mrs. John Mallinson (the latter of whom was Mr. Jermy's heir-at-law), a fine was levied on all the property of the late Wm. Jermy, to confirm the provisions made in the will, except the limitation to the nearest male heirs of Jermy; and Mr. and Mrs. Mallinson surrendered the copyhold portions of the estate, some property at Pulham being made over to them as a consideration.

At this time, there was living at North Walsham an attorney, named Francis Jermy, who, it was believed, was the nearest male heir of the deceased testator, Wm. Jermy; and in order to bar the limitation to the latter's heir male, should Jacob and Thomas Preston die childless, Isaac Preston opened a negotiation with him, which ended in the execution of a deed of bargain and sale, dated the 30th of April, 1754, by which the said Francis Jermy, as nearest male heir to the testator, assigned all his interest to Isaac Preston, in estates described as situate at "Bayfield, Glandford, Letheringsett, Saxlingham, Wymondham, Hethersett, Ketteringham, Carlton, Suffield, Felmingham, Gunton, Antingham, Tasburgh, Fornett, or elsewhere, in the county of Norfolk." But another branch of the family existed at Yarmouth: a John Jermy, who is described as a "poor and illiterate man;" he was a labourer, and the testator had bequeathed him six guineas a year. He is thought to have been the real heir; and on the 19th of September, 1754, he also executed a deed of assignment to Isaac Jermy, of his reversionary interest to the estates in question for a sum of £20. Isaac Preston died in 1768, leaving by his will, dated Nov. 25, 1764, all his estates to his son Jacob, to whom Stanfield Hall was first demised. In 1772, Thomas Preston, the second devisee named in the will, died without issue; and in 1787, Jacob Preston died, also childless. Isaac Preston, his half-brother, the eldest son of Isaac Preston, by a second wife, then succeeded, under the will of his father; he suffered a recovery of the estate in 1792, and died in 1796, like his brother and uncle, without issue; having by will, dated 6th July, 1792, entailed his estates on his brother, the Rev. George Preston, father of the late Recorder of Norwich,

who then came into possession. He resided principally at Stanfield; nearly rebuilding the Hall, and greatly improving the property.

THE LATE ISAAC JERMY, ESQ.,

was born on the 23rd September, 1789. He was educated at Westminster School, and graduated at Christ Church, Oxford. On leaving college, he became a student of Lincoln's Inn, and was called to the bar as a member of that Society. For some time he practised with success on the Norfolk Circuit, and was eventually appointed Recorder of Norwich. He married, early in life, Miss Mary Ann Beevor, daughter of the late Sir Thomas Beevor, and sister to the present Baronet. This lady died in 1823, leaving two children; viz. the son, who was murdered on the evening of the 28th of November, and a daughter, married to the Rev. W. Jephson, who has recently seceded from the Established Church of England to that of Rome. In 1832, Mr. Preston (the name Mr. Jermy retained till the death of his father) married a second time, the lady being Miss Fanny Jephson, daughter of the Rev. Mr. Jephson, Prebendary of Armagh, in Ireland. This lady died in October, 1835, leaving a daughter, Isabella, only a few weeks' old at the time of her mother's death. About two years after (October 2, 1837), his father, the Rev. George Preston, died, leaving him heir to Stanfield, and his other entailed property. Shortly after the death of his father, Mr. Preston took the necessary steps for complying with that stipulation in the will of Wm. Jermy, that the possessor of his estates should assume his name and arms. In August,

1838, the late Recorder took the name and the arms of Jermy, by license from the Crown.

Mr. Jermy, jun., was married, and has left an infant daughter, now heiress to the family property.



THE PRISONER RUSH.

James Blomfield Rush is a man well known in West Norfolk, where he had for many years carried on the business of a farmer and land agent, and also of an appraiser and auctioneer. He is an illegitimate child, his reputed father being a gentleman farmer of good property, near Wymondham. His mother was Mary Blomfield, daughter of Mr. James Blomfield, farmer, miller, and baker, of Tacolnestone. She was engaged to be married to the gentleman of whom Rush is the supposed son; but the suit was broken off, and Miss Blomfield brought an action for "breach of promise." She obtained a verdict, and large damages, which appear to have formed the marriage portion with Mr. Rush, of Felmingham, a tenant of the Rev. George Preston, under whom he had commenced holding in 1811. The prisoner was two years old at the time of the marriage. Mr. Rush permitted him to take his name; and from that time he has been known as James Blomfield Rush. Mr. Rush, who had no children of his own, appears to have been a kind father to young James; and, being a good farmer, and the first eight or nine years of his tenancy having been good farming years, he saved money, and could afford to give his adopted son a good education, at the school of Mr. Nunn, of Eye. Soon after he left, he turned his attention to agriculture. In 1824, he took a farm at Aylsham, under the Rev. Samuel Pitman; and such was his character then, that he was enabled to form a matrimonial connection with one of the most respectable families in the neighbourhood. He married Miss Soames, of Aylsham, in 1828, when he removed to Wood Dalling, taking the Dalling Hall Farm, in that parish, under W. E. L. Bulwer, Esq. This farm, he says, he improved very much, laying out a great deal of money upon it. During his tenancy, a wheat stack was destroyed by fire; and it has been asserted that Rush was apprehended, and indicted as the incendiary. The bill, however, never went before the Grand Jury. It has further been said, that, on his applying to the Insurance Office for the amount of insurance on the property destroyed, the office declined paying the money, leaving him to his remedy at law, which he never sought. This is not the fact. The amount of damage done was ascertained and fixed by Mr. Pratt, land surveyor, and the office paid it. During his residence at Wood Dalling, in 1830, a large number of persons assembled at Foulsham, and commenced destroying the thrashing-machines used in that parish. They were dispersed by a company of horsemen, under the direction of Sir Jacob Astley, the Hon. G. J. Milles, and P. Boileau, Esq. One man was taken into custody near Rush's premises, by Mr. Thaxted, Sir Jacob's gamekeeper, who was rescued from custody by some of Rush's men, acting, it was said, under his orders; and Rush was indicted at the March Assizes, in 1831, "for aiding and assisting in that rescue." No verdict, however, was taken, and Rush was discharged, on entering into his own recognizance to keep the peace.

Rush's tenancy under the late Rev. George Preston commenced in 1835, under an agreement for eighteen years, from Michaelmas, at £110 per annum; and, says Rush, in a pamphlet published by him last year, "he also gave me an agreement for my father-in-law, for the same time, at £130 per annum." At Michaelmas, 1836, Rush took the Stanfield Hall farm, on a lease for twelve years, at a rental of £500 per annum. This was contrary to the advice of his father-in-law, who, Rush asserts, never forgave him for taking the property;

as, he said, he would have to lay out out so much money, he would never recover himself. On leaving Dalling Hall Farm, he was threatened with an action for breach of covenant, which he compromised. Settled at Stanfield, Mr. Preston made him his agent or steward. He also had a considerable connexion as an auctioneer and land-agent; and for several years a large proportion of the Michaelmas sales in the county fell to his share. He gave up business as an auctioneer a few years back on account of his health. After the death of the Rev. Geo. Preston, in 1837, the late Mr. Jermy continued to employ Rush as agent; but having discovered that the leases granted to Rush were illegal, Mr. Jermy rescinded them, and this seems to have created the first ill-feeling between these parties. New leases were, however, granted; but, according to Rush's statement, at higher rents; that for the Felmingham farms was dated the 16th of March, 1839. It was granted to Rush's father-in-law and himself; but Rush always contended that he was not the owner of any property or produce on the premises, during the life of his father-in-law and his widow. It is also stated, that, soon after Mr. Jermy's accession to the Stanfield property, he sold the Hall to Rush for £1000; re-purchasing it about two years after for the same sum. Rush's own account of this transaction is, that when Mr. Jermy came into possession, he wished to take down the Hall and the offices. As he seemed bent on this step, Rush bought the premises, with the understanding that he could pull them down immediately, or have the whole of his term to do it in. About two years after, Mr. Jermy changed his mind, and Rush re-sold him the property. Mr. Rush, sen., died in 1844, from an accident, occasioned, as was supposed, by his own gun, which was found lying, discharged, by his side; the Coroner's Jury returned a verdict of accidental death.

A few years ago, Potash Farm, in Hethel (then the property of Mr. Carver, but of which Rush had become tenant), which is very conveniently situated for occupation with Stanfield Hall Farm, and equally so as an appendage to the Stanfield Hall estate, was for sale. Mr. Jermy wished to become the purchaser, and consulted Rush as to its value, which he fixed at £3500; and he was authorised by Mr. Jermy to buy it for him. Rush attended the sale; but, instead of concluding the purchase for his employer, he bought it, at the price of £3750, for himself, to Mr. Jermy's annoyance. This transaction produced a coldness between the parties which, however, did not continue long; and Rush, being unable to conclude the purchase, applied to Mr. Jermy to lend him the requisite money. This request was complied with; and subsequently he rented eighty acres of land of Mr. Jermy, to add to Potash Farm; other sums were also advanced to him on security of that farm, till between £5000 and £6000 were lent upon mortgage of the Potash estate. This is the account given by parties who ought to be well acquainted with the transaction. Rush, however, denies it: he says he wished and endeavoured to persuade the late Mr. Jermy to buy the estate; but he refused to give so much as it was valued at by £150. He, therefore, bought it himself, Mr. Jermy agreeing to lend him £3400, at four per cent., for eight years, to enable him to do so. More money was subsequently advanced, and the term extended to ten years. There must be some error in Rush's statement as to the time; for the term expired in 1847; and, as Rush could not pay the amount, proceedings were ordered to be taken against him; he, however, succeeded, by promises of payment, to gain time, and eventually the ejectment was suspended for a period, to give him the opportunity of redeeming the mortgage, if he could.

About six years ago, Rush's wife died, leaving him with nine children. Subsequently to that event, he appears to have met Emily Sandford, with whom he formed a *liaison*, and who lodged at Mrs. Acome's, No. 2, Mylne-street, Claremont-square, Pentonville. Here Rush, in the character of her uncle, frequently visited her, taking up his abode in the house; and generally spending his evenings, it is said, at the Angel Inn, the Grecian Saloon, or Sadler's Wells Theatre. When he remained all night, the landlady made a bed up for him on the sofa. This female was at Potash Farm in 1847; for, in October of that year, she appears, according to a statement in a pamphlet published by Rush, in 1848, to have witnessed, as his "housekeeper," along with P. Bougen, jun., a bailiff then in possession under a warrant of distress, a memorandum of a conversation he (Rush) alleges to have taken place between him and Mr. Jermy relative to his future occupation of the farms. In 1848, however, she appears to have been principally at Mrs. Acome's. In October last, she told her landlady that her father was dead, and shortly after, she said she had lost her husband. Rush, soon after, took her to Norwich, and engaged lodgings for her in Theatre-street, as a widow, under the name of James. She was then *eniente*, and her landlady, after a short time, being made acquainted with her equivocal position, objected to her continuing an inmate. Rush then removed her to Potash Farm.

Sometime previous, Rush appears to have been involved in pecuniary difficulties; and he was, at Michaelmas, 1847, considerably in arrear for the rent of Stanfield Hall Farm. Shortly after the harvest that year, there were both on the Potash and Stanfield Hall Farms indications of a "breaking-up" of the establishments; or, at all events, of a wholesale disposal of the property. Large quantities of wheat were transmitted to London; a considerable number of bullocks were also sold; and Messrs. Harvey and Hudson, Rush's bankers, to whom he was in arrear, seized a quantity of corn at the London terminus of the railway. Mr. Jermy was, at that time, living at Beach House, Yarmouth, where he received a communication from Wymondham, as to these proceedings; and this induced him to take out warrants of

distress, and to go over to Stanfield. On his arrival, he found that Rush had thrashing-machines and several dressing-machines at work, getting out his corn, the produce of the previous harvest, as quickly as possible. Mr. Jermy also visited the Potash Farm, where he found a hundred fine bullocks, many score of sheep, and about 250 fine pigs; and the machines well horsed. he therefore thought there was ample security for his rent, and that, as a landlord, it would be wrong to distrain; and he returned to Yarmouth with the warrants unexecuted. A few days after, he received an express, urging him to go again to Stanfield Hall Farm. He did so; and found that all the property was removed. Mrs. Rush told him everything had passed into her possession, and that she had paid £600, the amount of the valuation. Mr. Jermy then put distresses into both the farms, and commenced an action against Rush for breach of covenant. This was tried at the Norwich March Assizes, in 1848; and a verdict given for the plaintiff, with £477 10s. 10d. damages. Rush published the report of this trial in a pamphlet, in which he introduced the most intemperate abuse of Mr. Jermy, and also inserted a "case," drawn up from documents which had fallen into his possession, for the purpose of showing that that gentleman had no legal title to the Stanfield Hall property.

Towards the close of 1847, Rush called his creditors together, and offered them 12s. 6d. in the pound. It is understood that only one creditor refused to comply with this arrangement. Rush petitioned the Court, and was made bankrupt. There were several examinations, and he was strongly opposed, on the plea that he had concealed, or made away with, some books. This fact, however, was not established; and whilst the Commissioner censured Rush for the ill temper he had displayed during some part of the proceedings, he, on the other hand, acquitted him of all unfair conduct, and adjudged him entitled to his certificate. After Rush was declared a bankrupt, and before he had obtained his certificate, his mother died; and her property was left, in the hands of trustees, for the benefit of Rush's children.

During all these proceedings, Rush retained possession of the farms at Felmingham; the lease of which expired at Michaelmas, 1848. The rent was not paid for this property; and a distress was put in on the 11th of October, 1848. This Rush resisted; and at one time he threatened to shoot Martin, the officer who held the warrant; but the money was ultimately paid.

Still, the unsettled claim for the mortgage on the Potash Farm hung over Rush's head. The time for payment expired on the 2nd of December. Rush made repeated requests to Mr. Jermy for longer time; but it was thought he had had sufficient indulgence, and the applications were refused. The last interview Rush had with that unfortunate gentleman was on Sunday evening, the 26th of November, two evenings before the horrible murders. He then called at Stanfield Hall; the interview was a brief one, but what passed between them is not known.

DISPUTES RELATIVE TO THE STANFIELD PROPERTY.

From some circumstances which transpired shortly after the late Mr. Jermy took possession of the Stanfield property, it became notorious that his title has been disputed: one claimant is Thos. Jermy, a man upwards of sixty years of age, a grandson of the John Jermy of Yarmouth, who sold his reversionary interest in the estates in the year 1754; the other claimant is John Larner, Jermy's cousin: both are in needy circumstances. The first that was publicly heard of Thomas Jermy's pretensions was in June, 1838. The late Rev. Geo. Preston's furniture and library, at Stanfield Hall, were advertised for sale. Larner served notices on Mr. Jermy, and also on the auctioneer, to stop the sale, which did not at that time proceed—the auctioneer taking charge of, and locking-up, his property. Larner attempted to get possession of the Hall; and he effected an entrance with some friends, remaining there nearly a whole day, but he was eventually turned out by Rush—then acting as Mr. Jermy's bailiff—at the head of a party of his labourers. Larner then, as another method of asserting the title of his cousin, cut down some timber, and carted it away. He and his men were apprehended for this offence and taken before a magistrate, who discharged Larner, but his assistants were convicted in heavy penalties.

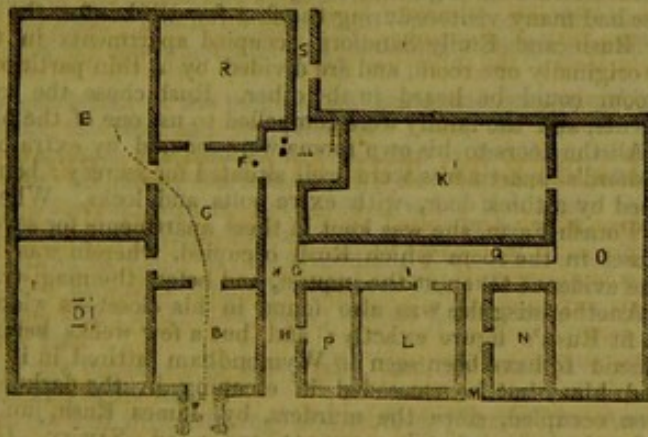
Shortly after, Jermy and Larner posted placards in the neighbourhood, stating their intention to take possession of the Hall; and on the 24th of September, 1838, Larner, accompanied by a London attorney named Wingfield, and supported by a body of between eighty and ninety persons, small tradesmen and labourers, from the neighbouring villages, entered the Hall, having forced open the porch door with a crow-bar. They turned out Miss Sims, the housekeeper, and a Miss Blomfield, who was staying with her, and one or two domestics; they placed the furniture, and Mr. Jermy's wearing apparel, on the lawn, and then barricaded the premises, which they held against all efforts of the civil power to dislodge them. Rush, being informed of this outrage, went to Wymondham, and informed the authorities of the affair, and then rode off to Norwich with a magistrate's order for the attendance of the military. The appearance of the soldiers alarmed Larner and the rioters, all of whom, eighty-two in number, surrendered. They were tried at the Lent Assizes, in April, 1839; when, Mr. Jermy generously withdrawing the serious charges of feloniously and tumultuously as-

sembling, they all pleaded guilty to one of simple riot. Larner and Wingfield were sentenced to three months' imprisonment, and the others to shorter periods.

Subsequent to these proceedings Mr. Jermy remained unmolested in the possession of the property; and when Mr. Jermy came of age, they agreed in cutting off the entail, which the infant daughter of the latter becomes entitled to the estate. A short time previous to the murders, rumours were circulated of another attempt at litigation being contemplated; and it appears that, for the last two years, Rush had been negotiating with Thomas Jermy and John Larner, with a view to put them, as he said, in possession of the property; Mr. Jermy, it is presumed, not having complied with his demands, and he expecting to make a good bargain with the claimants.

The evidence of Emily Sandford before the magistrates shews, if true, that Rush was playing an artful and complicated game. In London, he got Larner and Jermy to sign an agreement, granting a lease to him of farms at Felmingham, Skeyton, North Walsham, &c., and then in the occupation of the executors of Mary Rush and himself, for 21 years, from October 11, 1848, at the rent of £230 a year; he promising to do all in his power to place them in possession of the property; and they agreeing to allow him to repay himself all his charges and expenses. He also provided another agreement, in which the late Mr. Jermy agreed to grant him a lease of the above farms, which Emily Sandford signed as witness. When the execution was put into Felmingham Farm, in October, 1848, he placed Larner and Jermy there; and, what he called, gave them possession. He would fain have had them remain; but they declined, and returned to London, he defraying the expenses of their journey. During these proceedings, Rush professed to have found a will of the late Rev. G. Preston; and in the course of last summer he placed the alleged will, it is said, in the hands of a solicitor in London. It is certain that some parties wrote to the Norfolk and Norwich Hospital, and also to the officers of one of the parishes in Norwich, stating, that such a will was in existence; and that, under it, legacies were left to the above institution, and to the parish. A short time before the murder, Thomas Larner took the surname of Jermy; and after Michaelmas, 1848, he issued circulars, claiming the Stanfield estate; and ordering the tenants to pay no rent except to him. We now proceed to describe the mansion known as

STANFIELD HALL,



PLAN OF STANFIELD HALL.

- A Entrance porch; the spot is where Mr. Jermy, sen., fell, after being shot.
 B Entrance hall; the dotted line the track of the assassin to
 C The staircase-hall. D Dining-room. E The Drawingroom.
 F The small inner passage, where Mr. Jermy, jun., Mrs. Jermy, and the maid were shot and fell. ::: Swan-shots and slugs were found in the wall opposite and in the dresser against it.
 G The corner of the passage where the footman met the assassin. * Where the lighted lamp stood, about the height of a man's breast.
 H The footman's pantry door, from whence he saw Mr. Jermy, jun., shot.
 I The passage through which the murderer came, leading to
 K Servants' offices L Small sitting-room.
 M The servants' entrance, where he entered after shooting Mr. Jermy, sen.
 N Store-room. P Pantry. R Study
 O Servants' hall Q Staircase of servants. S Passage

Stanfield Hall, a handsome building of the Elizabethan period, standing on one of the highest spots in Norfolk, and the grounds being in the three parishes of Wymondham, Ket-

teringham, and Hethel. It was put in its present condition, as regards the exterior, by the Rev. George Preston; and the large windows divided by mullions, the clustered chimneys, and ornamented gables are characteristics of the Tudor style of domestic architecture. The arms of the family are sculptured upon the entrance porch. The Rev. George Preston spent £15,000 on the improvement of this mansion; and the Recorder had expended a large sum in furnishing it. The house stands on a fine lawn, and is surrounded by a park, which is enclosed by a large moat, which is crossed by a bridge directly in front of the house. We give a view, and also a plan of the ground-floor. The principal entrance is by the porch, which opens into a spacious hall. This hall opens into the "staircase-hall;" so-called, as it contains the staircase to the principal upper rooms; the drawing and dining-rooms are to the left of the entrance-hall and the staircase-hall, the doors from each being in the latter. A long passage runs on the right side of the entrance and staircase-halls. To the right of this passage, and opening into it, is the butler's pantry; and the servants' rooms lie to the right of the pantry. Between the housekeeper's room and cook's pantry is a passage, to which access is gained by a glass-door from the lawn. By this door Rush used to enter, having access to the Hall whenever he pleased. It was, also, by this door that the assassin, whoever he was, entered the house after Mr. Jermy was shot. He appears, when he was seen by the butler, to have been making his way to the library, where Mr. Jermy's deeds were deposited. The passage opens into a long corridor, on which the servants' rooms abut, and which ends in the passage before referred to, as running to the right of the entrance-hall. Opposite the entrance to this corridor a lamp is fixed, which gives light to the vicinity. Another lamp between the drawing and dining-room doors lights the staircase-hall.

POTASH FARM

is situated at a distance of seven furlongs from Stanfield, and three miles from Wymondham. The land adjoins Ketteringham on the one side, and Stanfield Hall Farm on the other; and the house, which has a south aspect, is a neat brick building, being nearly opposite Stanfield Hall. The land which lies between them is flat; and the road which the assassin is supposed to have taken lies nearly in a direct line across it. The house stands close to a by-road, leading into the main road to Wymondham. It has a centre porch entrance, with apartments on each side; and has a garden in front, and numerous out-houses and offices in the rear. The house had many visitors during the first few weeks after the murders. The rooms are all small. Rush and Emily Sandford occupied apartments in the end of the building. These were originally one room, and are divided by a thin partition; whatever is said or done in one room could be heard in the other. Rush chose the front door as the entrance to his apartments, and the family were compelled to use one of the back approaches from the farm-yard. All the doors to his own rooms were secured by extra bolts and locks. Rush and Emily Sandford's apartments were well situated for secrecy; being flanked by a short passage, and closed by a thick door, with extra bolts and locks. When Emily Sandford was first taken to Potash Farm, she was kept in these apartments for several days.

There is a large closet in the room which Rush occupied, wherein was found the disguise mentioned in the evidence taken at the inquest, and before the magistrates on the examination of Rush. Another disguise was also found in his closet—a widow's dress—said to have been made to fit Rush's figure exactly; and but a few weeks before the murders were committed, he is said to have been seen in Wymondham attired in it. Some parties recognised and followed him; but he succeeded in escaping in the darkness of the night. Potash Farm has been occupied, since the murders, by James Rush, jun., a respectable young man, his wife, brother, two female servants, and a lad—Savory. On the 21st and 22d of March there was a sale of the property on the farm, a great part of which, it is understood, was bought in.

COMMITTAL OF RUSH.—THE CORONER'S INQUEST.

On December 14, the Magistrates of Norwich finally committed Rush for Trial at the next Assizes, on the charge of murdering Mr. Jermy and his son. And, on Tuesday, December 19, the Coroner's Jury, at its sixth adjournment, returned a verdict of "Wilful Murder" against Rush, who thus stood committed on both the Magistrates' and the Coroner's Warrants.

THE FINDING OF THE GRAND JURY.

On Wednesday afternoon, March 28, 1849, while Baron Rolfe was engaged in the despatch of the business of the Crown Court, the Grand Jury found bills against *James Blomfield Rush*, of Potash Farm, near Wymondham, for the murder of the late Isaac Jermy, Esq., of Stanfield Hall, Recorder of Norwich, and his son, Isaac Jermy Jermy, Esq.

The investigation lasted little more than half-an-hour. Only four witnesses were examined, the butler, the cook, Emily Sandford, and Mr. Nichols.

THE TRIAL.

FIRST DAY.—THURSDAY.

Very early on the following morning, considerable crowds of persons had assembled around the entrances to the Shire Hall, and strong forces of policemen were required to repress the eagerness of the people. No description can possibly convey an adequate idea of the scene which presented itself, as the time approached for the prisoner being brought up for trial. In the court, however, everything was quiet. Mr. Pinson, the keeper of the Castle, had very considerably effected some important arrangements for the accommodation of the press and the bar; and, by direction of the Sheriff, all the magistrates and visitors were admitted by tickets.

The reporters for the public press, of whom there were a great number in attendance, assembled at the Castle as early as seven o'clock, and were shown, in regular order, to their respective places assigned them in court, by persons in attendance for that purpose; and, under all circumstances, the best possible accommodation was given to the press that could be anticipated. A portion of the dock was boxed off for the local reporters, as also a place for the prisoner, who was accommodated with a seat, desk, and paper. Colonel Oakes, and a corps of police, were in attendance to facilitate the ingress of parties, and preserve order; a task, under the immense prevailing excitement, of no little difficulty.

Shortly after eight o'clock, the magistrates were admitted, and, on the opening of the door, a regular rush and run for the seats took place, and all, in a few seconds, were occupied.

The galleries above and below were the next places thrown open—all of which were instantly filled by gentlemen and ladies of great respectability. Here and there might be noticed a policeman on the benches, preserving a sitting for persons high in station. Angry discussions, more or less, were now becoming frequent with the javelin-men at the doors, all of whom appeared so extremely anxious to do their duty, which on other occasions so few of them care about. The gentlemen of the bar were next in attendance; and every available place at the table was soon filled. The Petty Jury were the next parties admitted, under the conduct of the police, and superintendence of the Rev. E. Postle, one of the visiting magistrates of the gaol. The latter gentleman rendered considerable service in accommodating parties officially concerned, and was particularly obliging in affording facilities to the reporters.

Amongst the gentlemen in the magistrates' seats and spectators' gallery were, the Lord Bishop of Norwich, the Hon. and Very Rev. the Dean, the Marquis of Douro, M.P.; Lord Cadogan, Lord Hastings, the Hon. E. K. Coke, M.P.; the Hon. Jacob Astley, the Hon. and Rev. Thos. Keppel, Sir Henry Durrant, Bart.; Rev. Canon Wodehouse, Rev. Ewd. Postle, Rev. — Farquier, Rev. S. Pitman, Rev. J. Methwold, Rev. John Dolphin, Capt. Marryat, Col. Fitzroy, Sam. Bignold, Esq., Mayor of Norwich; H. N. Burroughes, Esq.; Wm. Bagge, Esq.; N. Micklethwaite, Esq.; W. H. Windham, Esq.; H. Dover, Esq.; A. Gilbert, Esq.; — Gwyn, Esq.; — Edwards, Esq.; R. Gilbert, Esq.; J. Knight, Esq.; J. Long, Esq.; F. L'Estrange Astley, Esq.; J. T. Mott, Esq.; Joseph Scott, Esq.; W. Repton, Esq.; E. Mollett, Esq.; W. Norris, Esq.

The court was now crammed in every part, and the most lively interest evinced at the approaching business of the day.

The table was covered with drawings and models, plans of the county, with ground plans of the Hall, and the Farm-house, were exhibited for the Judge and Jury, delineated with great care, and showing the exact positions in which the parties were placed, as stated by the witnesses. Models of Stanfield Hall and of Potash Farm-house, were on the table, executed by Mr. Worman, builder, of the Castle-meadow, under the direction of Mr. Kerr, architect; and painted by Mr. St. Quentin, of Bethel-street.

These models were most accurately made to measurement; and they enabled the Jury to understand the different localities better than *viva voce* evidence would possibly have done. They were ingeniously constructed, and reflected great credit on all the parties concerned in getting them up. The plans were drawn by Messrs. Brown and Kerr; and by Mr. Drane.

Precisely at nine o'clock Mr. Baron Rolfe entered the court, when a solemn silence immediately prevailed, and the prisoner Rush was called. Every eye was directed to the box, when the prisoner entered, dressed in black, apparently in good health, and looking well. He stood charged in the calendar as follows:—

“James Blomfield Rush, aged 48, committed December 14, 1848, by the Hon. and Rev. Robert Wilson, clk., Sir J. P. Boileau, Bart., Rev. Edward Postle, clk., and W. R. Cann, Esq., charged on the oaths of John Witheford, of Stratton St. Mary, superintendent of police, and others, with having, on the 28th of Nov. last, at Wymondham, murdered Isaac Jermy and Isaac Jermy Jermy; charged also upon an inquisition, held by Edward Press, gent., coroner, with the murder of the said Isaac Jermy. Charged further, upon another inquisition held by the same coroner, with the murder of the said Isaac Jermy Jermy.”

He was arraigned on the indictment charging him with the murder of Isaac Jermy, Esq. He paid great attention to the reading of it, and pleaded "Not Guilty."

He then asked his Lordship for time to lay his papers on the desk, before the Jury were sworn. The request was acceded to. The prisoner having arranged his voluminous papers, (in doing which his hand trembled exceedingly) said, "I am quite ready, my Lord."

The swearing of the Jury was then proceeded with.—The name of John Beales having been called, he was challenged and retired.—The PRISONER: May I ask why that gentleman is ordered to leave the box?—CLERK OF THE ARRAIGNS: He is challenged by the Crown.—The PRISONER: I wish to make one observation to the Jury. I shall not challenge any of them. But I hope if any of them have any unfair influence in this case they will retire of themselves.—The administering the oath was then proceeded with, and the following persons composed

THE JURY.

Robert Barber, *Ellingham*.
Henry Browne, *Thirne*.
John Butcher, *Walpole*.
Thomas Bunting, *Thornham*.
Thomas Cowling, *West Walpole*.
James Cracknell, *Claxton*.

William Fuller, *Wrenningham*.
John Gray.
Arthur Goodchild, *Shelfanger*.
John Hilton, *Strumpshaw*.
George Humphrey, *Filby*.
Charles Harvey, *Dilborough*.

The Jury being sworn, the PRISONER (who conducted his own defence) said, My Lord, may I make a few observations before the counsel makes his opening speech?—The JUDGE: This is not the right time for you to do that, you will have an opportunity hereafter.—PRISONER: The way in which the evidence is so extraordinarily got up, induces me to ask.—The JUDGE: This is not the time for you to interfere; you shall make your observations afterwards.—The trial then proceeded.

Mr. Sergeant BYLES (with whom was Mr. Prendergast and Mr. Evans) rose and addressed the Jury as follows:—

Gentlemen,—It is to be regretted, on the part of the prisoner, that he has not thought fit to avail himself of the very able assistance which the bar of this circuit would have afforded him if they had conducted his defence; but he has preferred to conduct it himself. It will, therefore, be doubly incumbent upon us to be careful that we produce before you no evidence as to the admissibility of which there can be the least doubt. I trust that you will give us credit, that, in all cases of this kind, we would not seek, in that way, to do the prisoner any injury; and, if by any inadvertence or ignorance on our part, we should fall into such error, my Lord will take care that the prisoner's ignorance of the laws of evidence shall occasion him no injury. Gentlemen, you will naturally say, what motive can the prosecutor assign for such a crime as this?—a question natural and reasonable; and the answer will make it necessary for us to take up the thread of these transactions at a period anterior to that to which your attention will be more especially directed, because there are, and have been, certain transactions between the deceased Mr. Jermy and the prisoner at the bar, the full understanding of which is essential to the right apprehension of the facts of the case, in order that your judgment may be led to a safe and satisfactory conclusion. Gentlemen, the deceased Mr. Jermy was a learned friend of ours. He was the Recorder of the city of Norwich, and he was a gentleman of fortune. He was one of the chairmen of Quarter Sessions, and he was in the habit of presiding at those sessions in the very seat his Lordship now fills. Mr. Jermy had a residence at Yarmouth, and he also had a considerable estate at Stanfield, in this county. His father, the Rev. Mr. Preston, died, I think, in the month of October, 1837; and when the late Mr. Jermy succeeded to the property, his name also was Preston, but after coming to the estate he assumed the name and arms of Jermy. Gentlemen, in the immediate vicinity of the Stanfield Hall estate there is a farm, called the Potash Farm. The Stanfield Hall estate consists of 700 or 800 acres of land, and a large farm-house, and the prisoner had been a tenant of the Stanfield Hall Farm. The late Mr. Jermy had also two farms at Felmingham, that place being on the other side of Norwich, and, I am informed, towards North Walsham. Now, one was occupied by the prisoner, and the other by his mother, who is since deceased; so that, in fact, he or his mother did occupy four farms—the Stanfield Hall Farm, the Potash Farm, one at Felmingham, and another farm.

Gentlemen, about the year 1844 the late Mr. Jermy advanced to Mr. Rush considerable sums of money upon the Potash Farm, the ownership of which, subject to the mortgage, belonged to Mr. Rush; and one of the first documents which will be laid before you on this occasion is the last of these mortgages, because it is a deed that will have an important bearing upon this case. It is dated on September 20th, 1844, and it recites several prior mortgages, but the effect is this, a sum of five thousand pounds, in all, is charged upon that estate, by way of mortgage, and in favour of the late Mr. Jermy; and the deed contains a provision—it being dated on September 28th, 1844—that the money is to remain on the security of that estate until the 30th November, 1848. You will see at once that is an important date; because the tragical occurrence into which you will inquire took place two days before the money became due—the 30th November. The occurrence to which I have to direct your attention took place on Tuesday, November, 28th.

Gentlemen, I shall produce, among other things, the prisoner's pocket-book. I shall show you that a note, in addition to the provisions of the mortgage deed, was given by the late Mr. Jermy.

On Sept. 20th, in the pocket-book, we find this entry:—"Sept. 20th, Wednesday, Potash interest due.—Principal due 30th September, 1838." That is evidently a mistake for the year 1848. There is only one other provision to which I shall call your attention in the deed of 1844. It is this. the interest of £5000 was 4 per cent.; that would make £200 yearly, and the prisoner had turned a tenant, so as to enable Mr. Jermy to distrain for that rent of £200. Gentlemen, some disputes arose between the late Mr. Jermy and the prisoner in regard to the Stanfield property. I shall not trouble you with the details. Suffice it to say, that in October, 1847, Mr. Jermy put on some distress. I don't know that the particulars of the distress will be very material.

The late Mr. Jermy also brought an action against the prisoner, which was tried this time twelvemonth, for breach of covenant in the Stanfield Hall Farm. This seems to have occasioned in the prisoner's mind no good feeling towards Mr. Jermy. Now I shall be able to show that in the early part of the year 1846, by the testimony of a person named Howe, the prisoner expressed himself in a very angry way towards Mr. Jermy:—"I'll not be long before I serve him with an ejectment for the other world." (Sensation.)

The PRISONER here wished the learned counsel to repeat the words stated to have been used by him—a request with which Sergeant BYLES complied.

The PRISONER said this was the first time he had heard of any such evidence being adduced against him.—His LORDSHIP said it would not prejudice him, unless the learned counsel was in a condition to prove that he had used the words. The prisoner was quite right to ask to have anything repeated which he did not hear, but that was not the time for commenting upon it.

Sergeant BYLES proceeded:—Gentlemen, I shall call another witness before you, who, at the time of these distresses, will speak to other expressions on the part of the prisoner; and amongst others, to this:—Speaking of Mr. Jermy, the Recorder, and a gentleman of the name of Clark, a solicitor at Wymondham, the prisoner said, "D—n them, I will do for them the first opportunity I have."

It is very true both these expressions depend upon the verbal testimony of witnesses—evidence which is not so satisfactory as written evidence. Such things are apt to be misheard, misunderstood, misreported; but it will be my duty to lay before you some statements which are in print.

[Rush here asked the name of the person to whom he was said to have made the former statement, alluded to by Mr. Sergeant Byles. The learned counsel said his name was William Frederick Howe, and that he was formerly a clerk to a gentleman of the name of Waugh.]

The passage which I am now about to read to you will not be subject to any of those observations which I myself have thought it right to make upon the verbal testimony of witnesses, because they are to be found in a pamphlet printed by the prisoner. Upon that subject there will be no doubt, for I shall call the person to whom the prisoner gave a copy of this pamphlet, and produce the copy that he gave; therefore, there will be no question that I have a right to call your attention to some expressions in this pamphlet. It purports to be a report of the trial, to which I have called your attention, at Norwich Assizes, in 1848—this time twelvemonth; and also a case (says the pamphlet), "Jermy v. Jermy, as to who is the right owner of the Stanfield Hall and Felmingham estates." Gentlemen, will be convenient that I should here state to you, and it will be necessary to prove to you, that, shortly after the death of the Rev. George Preston, some persons made their appearance as claimants to the estate; originally, I believe, a man named Lerner, and afterwards a person named Jermy. It would be foreign to this inquiry to go into the nature of the claims; suffice it to say, that they did make such a claim. The passage to which I particularly invite your attention are the passages in which he speaks of Mr. Jermy, the Recorder. I find these passages at the bottom of page 5. "Even if the villain had behaved as he ought to have done, to have acted with common honesty, I should never have done myself much good; not half so much as I should if I had remained at Dalling."

This passage was at the request of the prisoner again read to him.

There is another passage to which I shall call your attention. I do not propose to read the whole of this pamphlet; but if the prisoner requires it, it shall be read, or any portion which he desires.

The PRISONER: If one part is to be put in, I will have the whole.

SERGEANT BYLES: Certainly, the whole shall be produced. I don't propose to read it now as a part of my statement. The other passage is, "But after all there is no reason why I should now be ruined in character by this villain, as well as my own property being sold up by him." Again, "This fellow Jermy has no right to the Stanfield property, and he knows it as well. His whole conduct in keeping possession, and taking the name of Jermy, and his behaviour to those poor people who have a right to it, has been most villainous and disgraceful to any man who can have any pretensions to respectability, and which I should be most happy to prove when called upon to do so." The account of the trial

is stated to be drawn up "so as to show who is the rightful owner of the Stanfield estate, and the means this fellow has taken to get into possession; why I have published it is, that some one who has money might come forward, and might see that justice may be done to this Mr. Jermy, who is the owner, and who is now out of possession for want of the means to employ counsel, and to have the matter brought to a trial. I do hope that some one will come forward and oust this fellow, who has not half so much right to the property as I have."

Again: "That is why I think every thing has turned out for the best, if these poor people should be put into possession through any steps I have now taken or am about to take."

Again: "There is one thing certain; if there is any truth in the Bible, such villainy is sure to be overtaken, and that when it may be least expected."

Now, gentlemen, I will call your attention to the contents of this pamphlet, as showing you two things—the state of the prisoner's mind, and that he contemplated taking some steps with reference to the claim of these persons to the Stanfield Hall property; but I shall also put in a letter in the hand-writing of the prisoner, in order to show his feeling towards the late Mr. Jermy. It is dated the 28th April, 1848, and it is written from the Angel Inn, at Islington, and addressed to his son. You will observe that the 28th of April is after the trial of this cause. He says in this letter:—

"I have at last got Jermy in a fix, and the rogue and villain knows it well; how he will act, indeed, will soon be seen; at all events, he now knows that if he ruins me I can him."

Rush asked the number of the document referred to? The learned counsel said it was page 19, in the list of documents number I.

We have thought it right to furnish the prisoner with a copy of those documents, which will be read against him. These pieces of evidence, therefore, are in writing, or rather, one of them is in writing and the other in print. Gentlemen, the case was tried in March, 1848. In May the prisoner became a bankrupt. And here I must tell you, that for some time before this period, there had been living in the house with him a young person of the name of Emily Sandford. Her father was, I believe, at one time, a clerk in a very extensive house of business; a person in humble and respectable circumstances; and this young person the prisoner engaged as governess to his children. Amongst other witnesses she will be called before you, and she will tell you that, in the month of October, 1848, about half a year after this transaction, she was taken by Rush to London. I am wrong, however, in that; she did not go up with him; lodgings were taken in Mylne-street, Pentonville, for her.

She will tell you that, on the 3rd of October, there was a meeting, at the lodgings at Mylne-street, between Rush, the man named Larner, one of the claimants, a man named Jermy, one of the other claimants, and, I think, a son of Larner's. An agreement was there signed, and to the contents of it I shall call your particular attention. But the evidence of Emily Sandford, with respect to that transaction, will be confirmed by a letter in the hand-writing of the prisoner; that letter bears date 2nd of October, 1848; it is a letter from Rush to a person of the name of Read. Mr. Read seems to have been the individual who was disposed to lend assistance to Mr. Jermy (the claimant) and Larner.

Rush asked the number of this document, and was told by the learned counsel that it was 28. It is dated from Felmingham on the 2nd of October, 1848, and is in these words:—

"Dear Sir,—I expect to be in town to-morrow instead of Wednesday, as I wrote to you; and as I have now got a lawyer who will do all in his power to have justice done to Mr. Jermy, I will at once let you and Mr. Jermy know how far I am disposed to assist him. You must, in order that I may do so, have Mr. Jermy up to town to-morrow (Tuesday evening). You, Mr. Larner, Mr. Larner's eldest son, and Mr. Jermy, must meet me at my lodgings, No. 2, Mylne-street, and I will at once tell you my plan, and the only plan that will ever give him his estates.

"There is one point I must have observed, strictly to the letter, and that is, no one of us five but the lady who is going to find the money to carry my plan into execution, is to know what we are after, till I think proper. It will in no way interfere with the course your lawyer has taken, but it will materially assist it. I will explain all when I see you to-morrow night. You must have Mr. Jermy up, as I shall want him down in Norfolk to take possession on Wednesday; and if you and Mr. Larner think it advisable, after hearing my plan, Mr. Larner must accompany me. You will be so good as to send into Mylne-street, Claremont-square, Pentonville, to say what time in the evening I may expect to see you; unless Mr. Larner's son should be at so great a distance that he cannot meet us. Trusting that God has hitherto ordered all for the best, I am faithfully yours, J. B. Rush.

"P.S.—Above all do not appeal to Mr. G. I would not have him know that Mr. Jermy is coming down to Norfolk for £500; he is a clever man, but not to be trusted in anything I have to do in this matter."

I have read that letter to you at length in order that you may see how far the statement, which you will hear from witnesses as to what took place at that interview, is corroborated by what comes before, and by what follows. I shall show you, that on the 3d of October, the parties met together at the lodgings in Mylne-street. There were present, Thoma Jermy

Charles Larnier the younger, and Rush. At that meeting, also, Emily Sandford was present, and she was pointed out to Jermy and Larnier, as the lady who would find the money.

Gentlemen, that interview resulted in a written agreement, to which I now beg to call your attention; it is an agreement made on the 3d of October between Jermy (that is, Thomas Jermy, the claimant), John Larnier, Charles Larnier and Rush. It is an agreement that they shall let the Felmingham Farms to him for the term of twenty-one years, from the 11th of October, 1848, at the rent of £230. I do not propose to read the whole agreement now, but it will be read at length presently. He, on his part, agrees that he will, as soon as he conveniently can, after signing this agreement, put Thomas Jermy, the claimant, into possession of the said estates, and that he will do all he can legally to assist him in maintaining possession. Then there is a further agreement, that another agreement like this should be signed, and all I need say about that now is (not to encumber the case with any unnecessary statement), that a subsequent agreement in terms very much the same as signed between the parties.

This agreement being framed, and Rush being at that time in possession of the Felmingham Farm, it was agreed that Thomas Jermy (the claimant) and Larnier should go down to Felmingham Farm, and be put in possession. Accordingly, Thomas Jermy and the elder Larnier, I think, on the 4th of October, proceeded to Norwich for Felmingham. I believe Rush went with them, though not in the same carriage, yet in the same train; and that all went down together to put this agreement into execution, as far as taking possession goes, on the 4th of October, 1848; on the 5th of October, the next day, Emily Sandford, by Rush's direction, returned from London; she goes down to Norwich, and from Norwich to the Potash Farm.

The next date to which I must call your attention is the 10th of October. On the 10th of October, Emily Sandford and a boy named Savory proceeded in a gig from the Potash Farm, which is a short distance (about a mile one way and rather more the other) from Stanfield Hall. They proceeded part of the way there, and they came to a sort of a ditch or dyke, of which you will hear probably something more in the course of the case. That stops the pony and gig, and it is late at night and dark. Rush and Emily Sandford (she being unwilling to be left in the gig) proceed towards Stanfield Hall. She remains at the bridge, which is over the moat that surrounds part of the Stanfield Hall, and he goes in, in order to see Mr. Jermy. What occurred upon that occasion I am not in a position to shew you, but Rush came out and rejoined Emily Sandford. They got into the gig again and went towards the Potash Farm, and eventually, I believe, he took her, or rather the boy Savory took her, to the Bowling Green Inn, in Norwich.

It will be important for you to bear in mind that this interview between the Recorder and Rush took place on the 10th day of October last. First of all she went to the Bowling Green public-house, and afterwards went to the Swan, and afterwards to some lodgings kept by a person named Stacey, in Theatre-street. When she was in the lodgings at Stacey's, Rush produced to her a paper to sign, that paper being dated the 10th of October.

Now, gentlemen, you will observe I have already told you, that Rush's interest in this farm would expire on the 30th of the then next month; and the agreement which Emily Sandford says was produced to her, is dated the 10th of October. She hesitates to sign it; he tells her that it is only a copy, and eventually she puts her signature to it.

Gentlemen, I beg your attention to this document; it is a

"Memorandum of an agreement, dated the 10th day of October, 1848, by me, Isaac Jermy, Esq., Recorder of the city of Norwich; that is to say, I agree for myself, my heirs, administrators, or assigns, to let to James Blomfield Rush, of Felmingham, his heirs, administrators, or assigns, all those two farms lately occupied by Mr. John Rush and the said James B. Rush, for the term of twelve years, from Michaelmas, 1848, at the annual rent of £300 per annum; and that a lease and counterpart be prepared at the expense of the said James Blomfield Rush, his heirs administrators, or assigns, with the same covenants as are now contained in the leases to the aforesaid John Rush and James Blomfield Rush; and that a clause in the said lease is to be inserted, that my son, Jermy Jermy, is to have the right of shooting over the said farms—that he is to have a sitting-room and bedroom provided for him when he requires the same in the shooting season, and to be boarded in the farm-house, and to pay what is reasonable for the same. In witness hereto, I have this day set my hand.

"I. JERMY.

"Witness, EMILY SANDFORD."

This refers to the Felmingham estates, and is, you see, an agreement for a lease of them. I shall be able to show you that Emily Sandford was afterwards dissatisfied with having signed her name to this agreement. I shall shew you that she wrote to Rush and kept a copy of her letter or answer. I shall show you that he remonstrated with her about writing on such a subject, and destroyed her copy by tearing it to pieces. On Saturday, the 4th of November, Emily Sandford goes back to Potash Farm, but, in the mean time, Jermy and Larnier, who had been down at the Felmingham farms, not much liking, I suppose, to stay there and do nothing, returned to London. They did return to London against the will of Rush, though, I believe, Rush gave them a sovereign towards the expenses of their journey back. On Tuesday, the 21st of November, Rush produced to Emily Sandford some more agreements to be signed.

Now I do not propose to read the whole of these agreements to you, but you will find another of them dated the 10th of October, and I think there are two dated the 21st of November. The one which is dated the 10th of October purports to be between Rush and Jermy. Jermy, by that agreement, agrees that Rush shall have £5000 on the Potash estate for three years beyond the time mentioned in the mortgage deed, at 4 per cent., and purports to be signed by Jermy and by Rush. That is produced to Emily Sandford, and she signs it. They are represented to her to be copies. There is another agreement produced and signed under similar circumstances, by which Mr. Jermy is made to agree to cancel the mortgage deeds altogether.

Gentlemen, we are now approaching the verge of the transactions to which your attention will be more particularly called. I only made this preliminary statement in order that you might see, as clearly as I can make you see, the situation in which the parties stand. I shall show you that, about this time, the prisoner was in the habit of going out at night after dark. We are now, you know, in the month of November. I do not propose to trouble you with any statement of all the events—with any details of what took place before the night in question. I must, however, state thus much, that it will clearly appear before you, that on the Friday night, the 24th (not for the first time), after tea, he went out for something, and continued out very late. There are many circumstances, if that should be inquired into, which may possibly be deserving of your attention. But this case is so full of minute details that, without great care on our part, I shall be apt to overburden it with that which will be entirely superfluous; that is the only reason why I do not trouble you with these details.

He went out, I say, on Friday, the 24th, after having gone out on several occasions before. He went out, also, on the night of Monday, the 27th. But I must mention one or two circumstances that occurred on the Monday. There was to have been, I believe, on the Tuesday night, a concert at Norwich, and he had taken a family ticket to go to that concert. On the Monday, his son, who was living in the Potash Farm with him, left, to go to Norwich, and his son's wife also left. They went first of all, I am told, to Felmingham. There was a female servant in the house, and, for some reason or other, she also went; leaving, on the Monday night, the only persons in the house, properly so called, Rush and Emily Sandford. Rush, on the Monday night, after tea, went out as usual, and was out some time, and returned late.

Now, gentlemen, I have brought you to Tuesday, the 28th. I shall be able to show that on that day, I think about half-past four in the afternoon, Rush inquired of a person of the name of Cooper whether Mr. Jermy was at home. Rush dined that day at the usual hour. I believe he asked what time dinner would be ready, and he observed, "There is just time for me to go into the garden and fire off my gun." He accordingly went into the garden, fired off his gun, and returned to dinner. At half-past four he had inquired whether Mr. Jermy was at home. At the usual hour they sat down to tea, Emily Sandford and he alone in the house, for the charwoman, who was ordered to come, came about six o'clock in the morning and left about one. As they were sitting at tea, Emily Sandford observed the prisoner to be a good deal agitated. He said, in answer to her inquiries, "I have been thinking a great deal about the story which we read the other day of the Scottish Chief (alluding to the well-known story of Robert Bruce, before a celebrated battle), where he lay upon his back and saw a spider, which had suspended itself from the ceiling, and swinging backwards and forwards, with a view, apparently, of reaching the beam. The insect tried six times and succeeded the seventh. The Scottish Chieftain said, 'I have tried several times and have failed; this insect has succeeded the seventh time, and I will try again, and I shall succeed.' He did try, accordingly, and proved successful."

I am told it will be proved that the prisoner said, "I have tried several times and have failed; the next time, perhaps, I shall be successful." Emily Sandford expressed her alarm, and said, "What can this be? it must be something more than poachers" (for he said he had been out after poachers).

Rush said, "I shall like you better if you don't ask me now."

She observed him to be extremely agitated, and at one time, in the course of the tea, he was in tears; when tea was over, he left the room and went upstairs into his bedroom. He afterwards came from his bedroom, and went out between seven and eight o'clock. She heard him go out, but nobody saw him. I would rather you should hear from herself any expressions which may have taken place about his going out. This, gentlemen, was between seven and eight on the Tuesday night.

This model (pointing to a model on the table) represents the Potash Farm, and will show the position of the various rooms through which the prisoner is supposed to have gone. In going from Potash Farm to Mr. Jermy's mansion, which lies, as I have told you, at the distance of about a mile one way, and rather more another, he would have passed first of all through the yard, which was covered with straw in its ordinary condition. He would then have passed through what is called in this county a loke, which is, I am informed, a road from the homestead to the field. That loke was littered with straw. I do not think there is anything which would prejudice the prisoner in the fact of the loke having been littered with straw, because I understand it had been littered before.

The nearest path towards Mr. Jermy's house was by the side of some fields over the bank. But it will be extremely necessary for you to bear in mind that a portion of that path, which never had before been littered, was then littered with straw by the prisoner's direction; and that the straw ceased where the green sward began. Thus the prisoner could walk from his house towards Mr. Jermy's dwelling, first of all through the straw-yard, then along the littered loke, then along the litter which had been laid by the side of the fields, until he got to the green sward; and then he would be upon a hard gravel in front of Mr. Jermy's dwelling, where no trace of footsteps could be discovered.

Now, gentlemen, at this time, the late Mr. Jermy (dinner being over) was sitting in his dining-room. (I do not propose to trouble you with a model, but I shall call your attention to it presently.) His son and his son's wife had left the dining-room, and were in the drawing-room. They were about preparing for tea, and, I believe, for a game at *picquet*—the cards being upon the table.

The elder Mr. Jermy, into the circumstance of whose death we are now inquiring, left the dining-room, and proceeded first of all through the staircase hall, then through the entrance of the hall to the porch, which is in front of the mansion. I need not state to you the circumstances, which will appear in evidence; but it will be perfectly clear that the moment he reached that porch some person very near him, probably standing between the porch and the window, where there were marks of heels, presented a gun, or more probably a pistol, to his breast. It was loaded with slugs, and it shot him instantly through the heart, being discharged close to him. It nearly blew the heart to pieces. The slugs were lodged in the muscles and integuments of the body. Several ribs were broken, and the deceased fell backwards upon the door-mat and expired.

Immediately afterwards, at the side door of that mansion, entered a man of the size and height, shape and carriage, of the prisoner. I have told you before that the prisoner was in the constant habit of coming to this house. Indeed, at one time, he was in the habit of going in without rapping. At the side door, then, at which the prisoner usually entered, came in a man with a cloak, and armed with fire-arms. Whether those fire-arms were a short gun or guns, or whether they were a brace of double-barrelled pistols, I will not undertake to say; I decline to tie myself to any hypothesis on that subject. It is very difficult for us to discover; I have a notion what they were; I should suppose them to have been a brace of pistols, but we cannot tell; neither is it at all important to inquire. One witness will tell you that they saw one of those guns or pistols; another will say they saw two. The man went along the passage, and, as he was going along, he dropped two papers, which I hold in my hand, and to the contents of which I shall beg presently to direct your particular attention. He had to pass a side passage, where he saw the butler, a man named Watson, whom he pushed with his elbow as he passed. He then walked to the door that leads into the staircase-hall. Mr. and Mrs. Jermy the younger had heard the report of a pistol outside of the door. Young Mr. Jermy was proceeding towards the part of the house that the circumstances required. The door was opened; and when Mr. Jermy was going through the door from the hall on one side, and the armed man, whoever he was, was going into the hall on the other, they met. The pistol again was presented exactly at the breast of young Mr. Jermy, and passed through the lappel of his coat, scarcely making any hole at all. He also fell down in the hall.

Mrs. Jermy, at this time, had remained in the drawing-room. She immediately came out into the hall, and passed over or by the dead body of her husband. When the female servant, Eliza Chestney, who will be called as a witness before you, heard her mistress scream for help, she ran up to her, and taking hold of her by the waist, called out, "Oh my dear mistress!"

At this moment the armed man was seen again coming out of the dining-room, or in the direction from the dining-room. These two females were opposite to him at the end of the passage; he fired the gun and hit the leg of the servant, he being at no very great distance. The gun or pistol would have been, perhaps, a little inclined. Another shot hit Mrs. Jermy in the arm; she now lies upon a bed of suffering; therefore it is not possible for me to bring her as a witness before you.

The man then proceeded along the passage, and went out again by the same door, but not until some observation had been made by the servants, to which I shall presently call your attention.

Gentlemen, about nine o'clock Rush's knock was heard at his own door. Emily Sandford went to the door to open it, but did not see him come in. He went up-stairs into his own room, and after a short interval returned again without his boots, his stockings about his legs, and, I think, with his coat off. He said among other things to Emily Sandford (I do not propose to repeat the whole conversation to you), "If any inquiries should be made, you say that I was not out more than ten minutes." He told her to make haste and put out her light, and go to bed as soon as she could. She then went up-stairs and asked where she was to sleep. She was told to sleep in her own room—for the first time, I believe for a considerable length of time; for I believe, amongst other misfortunes incurred by this young lady, it will be but too apparent that there was an improper connection between her and Rush.

Now, gentlemen, I must trouble you to go back with me for a minute or two to Stanfield

Hall. In consequence of what the servant saw and said, messengers were immediately dispatched to Norwich for the police, and they were at once sent to Rush's house. Several of them were there and watched the house at intervals, to take care that nobody left it. The surgeons came to the hall, and the dead bodies were carried into the dining-room. And the surgeons will give you some important evidence as to the mode by which they came to their death, and the distance from which the shots were fired. The policemen reached the vicinity of Potash Farm somewhere about two or three o'clock.

Whether the prisoner slept that night I know not; but about half-past two in the morning he rapped at Emily Sandford's door, and desired to be let in. The door had been fastened, but she got up, unbolted it, and let him in. He then said:—"NOW YOU BE FIRM, AND REMEMBER THAT I WAS OUT ONLY TEN MINUTES LAST NIGHT."

She could get no information from him; but he said she would hear something in the morning. She took hold of his hand, and observed that he trembled violently. She also was in a state of the utmost alarm, having no conception of anything having occurred like what I have been detailing to you. She began to tremble violently, so much so that he said he thought she must have the ague; and he went and fetched a great coat to lay over her bed.

The police continued on the watch till towards morning. The first person they saw came down from a place behind the house (for he did not properly sleep in the house); this was the boy Savory. First of all they went and apprehended him.

There are some statements made between Rush and the police which, I think, are deserving your attention. I am told that he himself described the hour at which this transaction took place, no person having before suggested it. But with respect to evidence of that kind, I had rather you should hear it from the policemen than state it positively myself. It is certainly not impossible that something may have been dropped by some of them about the hour, though I am told that it is not so. Gentlemen, they searched the house; they found a closet in which were two guns loaded, one of them with a barrel shorter than the other; they also found a lantern. No lantern, however, was seen upon this occasion; but evidence will be brought before you to show that the lantern was seen late at night on a prior occasion, upon the grass before Mr. Jermy's house. They found two cloaks, and one of these cloaks well deserves your attention. One of them had been formerly a woman's cloak, and had been dyed black, it being before of another colour. It had, in its original state, a hood, but that had been converted into a cape. They also found some bullets, some shot, a wig with false whiskers to it, and other things, with the enumeration of which it is not necessary that I should trouble you.

Now, gentlemen, I beg to call your attention a little more in detail to what took place in the Hall. I did not interrupt the course of my narrative before to state to you particularly what the inmates of that place will say. I shall be able to call before you the girl who was shot—Chestney. She is unable to stand, or to walk, but arrangements have been made by which she will be brought before you. Gentlemen, she saw the man that fired. There was a light in the dining-room behind him, and I think it will appear that there was another light also. She does not pretend to have seen his face, but she knew the prisoner perfectly well; she knew his shape, his size, his general appearance, and his head; and she will tell you whether she believes now, or believed then, that the prisoner was the man.

In addition to that, I shall call the butler, Watson, whom he passed by, and whom he touched. I had rather not state before you what that butler will say. He will tell you, however, whether or not this was Rush. He did not see his face. But I will also call before you the cook. Now, the cook was standing in the kitchen, exactly in the position described to you. She saw the man pass, and she not only noticed him, but she particularly took notice of the cloak that he had on, and the cape of that cloak. She also will tell you whether Rush was the man. What they said at the time is not evidence, but what they did at the time deserves your attention. In consequence of their directions, the Norwich police were sent to Rush's house. The direct evidence, therefore, against the prisoner, will be the testimony such as I have described, or rather such as you will hear, of Watson, of Chestney, and of Read, the cook.

But now, gentlemen, I beg to call your most particular attention to another piece of direct evidence, and it is these two papers that were left in the Hall. They are written in a large hand, as you will perceive, if not in a disguised hand. I will read them to you. They are both alike, or nearly alike. I shall particularly ask your attention to the substance upon which they are written—apparently a piece of an outside cover of an account book, or something of that kind.

The words are, "There are seven of us here, three of us outside, and four of us inside the Hall, all armed, as you see us two. If any of you servants offer to leave the premises, or to follow us, you will be shot dead; therefore, all of you keep to the servants' hall, and you nor any one else will take any harm, for we are only come to take possession of the Stanfield Hall property.—THOMAS JERMY, the Owner."

Gentlemen, after what I stated in the opening of my address to you, you know who Thomas Jermy is, and you know that Thomas Jermy had been down to the Felmingham Farm. It is very true that he had gone back to London, and the other man that was with him—

Larner. There were two of them there, but whether Mr. Jermy knew that they had returned to London or not, I cannot undertake to say. I do not know whether he knew or not; I doubt if he did, for they certainly had not returned to London very long. Now, by whomsoever this was left, the object of it unquestionably was to blind; it was intended to make the parties in that house believe that the perpetrators of this outrage were Thomas Jermy and another man. I am afraid that that rather means Jermy and Larner.

Gentlemen, I will call before you that Thomas Jermy. I am told he is an inoffensive man, verging upon seventy years of age, and you will learn from him, that so far from having anything to do with the transaction, he and Larner had both returned to London. Whoever, therefore, put this paper down, intended to throw the blame of the transaction upon an innocent person.

It begins, also, with another blind. "There are seven of us here." Gentlemen, you will learn in the course of the case whether there is any pretext whatever for that. It says, "We are all armed, as you see us two." You will learn, also, whether there is any pretext for that, whether there is any ground for the supposition, that more than one person was there; and whether the words "us two" are not meant to refer to Thomas Jermy and to Larner.

Now, the man threw these two pieces of paper down in the Hall, and I will call a person intimately acquainted with the hand-writing of the prisoner. I believe the prisoner, in the earlier part of his career, has been an auctioneer; and the evidence which I shall give you is not the ordinary evidence of hand writing, but the evidence of a person who has been accustomed for hours together to see him write, and to copy from his writing. He will tell you, that though this is in a disguised hand, he believes that it is in the hand-writing of Rush.

In cross-examination, the prisoner will be at liberty to ask his reasons for his belief, and it will be for you to judge whether those reasons are satisfactory. This paper, therefore, will be direct evidence, on the ground that we propose to prove Rush's hand-writing; when I say prove—you have sat upon juries before, I dare say, and know that it is not customary to call a witness to swear positively to hand-writing. If your own hand-writing were produced before you, some time after it was written, you could, perhaps, only say that you believed it was yours. But there is another piece of evidence—you will please to observe that these two pieces of paper appear to be part of the same book. Among the documents found in the possession of the prisoner, are two books, which will be put into your hands, and which you will find are precisely the size of this book. The two books found in the prisoner's possession bear, at the bottom of them, the inscription, "Mercantile accounts by single entry—Jarrold."

Now, I shall call Messrs. Jarrold before you, and they will prove that they are in the habit of selling books of this kind, in sets of three and two. The sets of two are smaller books, and we may, therefore, dismiss them. But I will show you the sets of three, in order that you may see whether the fact is not consistent with my statement. They will tell you that the marble covers of these books are not of the same colour; they are sometimes of one colour and sometimes of another. They will tell you that this outside sheet is thicker than usual; and you will say whether this outside sheet does not, in this respect, correspond to those sold in sets of three. You will observe that the two books found in the prisoner's possession have a white label upon them; and, if you look at that found in the hall, you will see the place where a white label has been scratched off. It corresponds, in size, with the label upon the others, but, as it is scratched off, we cannot read it, and, of course, cannot tell certainly whether it is one of the same. There will also be some evidence with respect to the paper, with which the insides of these covers are lined. The second observation, therefore, with respect to the papers dropped in the hall, is this: I will give you evidence, to show that the words were written upon the cover of a book like that which Rush had, but which book, for some reason unexplained, is absent.

What is become of the inside of that book, I do not know. Emily Sandford will tell you that when she went up into his room the second time, there was a bright fire burning in his grate, which would give him the means of disposing of the inside of the book; and I may as well mention, with regard to his boots being missed, that they were, as well as the paper, capable of being entirely destroyed by an ordinary fire.

Gentlemen, this paper will be the second branch of the direct evidence against the prisoner. Now, it is evident that the person who did this deed must have been a person who knew the house; undoubtedly, it was a person of the shape and size of the prisoner; and it will be clear to you that the prisoner was from home at that time. Gentlemen, I am afraid that when the prisoner comes to make his defence, you will require a satisfactory answer to this question:—WHERE WAS THE PRISONER DURING THE TIME HE WAS ABSENT FROM HOME ON THAT AND THE PREVIOUS OCCASIONS? I shall say no more to you on the subject of the motive or of the pretence. I shall call before you Mr. Jermy and Mr. Larner to exculpate themselves, if they are innocent, or inculpate themselves, if they are guilty; and you will have to ask—Upon whom does the suspicion rest? But I shall also call before you a very important witness: the young woman I have alluded to—Emily Sandford.

I should not be doing my duty to the prosecution, if I did not state to you the circumstances upon which I rely for the confirmation of her testimony. You will learn from her

that she stated that Rush had told her that he kept his papers in a secret place in the floor of the closet, known only to his mother and himself. In consequence of this statement, a search was made in the floor of that closet, and the papers were found. I shall show you that the circumstances are corroborated by a letter to which I have already alluded, written to Read, relative to the interview which took place in Mylne-street, as well as by the agreement which was there signed.

But there is another fact which I might state. When before the magistrates, she deposed, upon her earlier examination, a portion, but not the whole, of what I have now stated. In particular, she gave one of the most important facts—that Rush had desired her to say that he had been out only ten minutes. I shall show you that Rush was excessively incensed against her for making that statement, a statement which, if it were true, went to his life, and would well account for any degree of exasperation which he might evince. You will learn what his conduct was; and I will afterwards show you that although he knew she had made this statement against him, he wrote a letter to her, and you will have to judge whether this letter be or be not consistent with the suspicion that Rush knew she had been swearing against him that which was most material. The letter is dated from Norwich, and begins thus.—

"I am sorry I used the language I did when I was last with you, but I hope you know enough of my temper to believe me when I tell you that you have nothing to fear from my bad wishes or from what I then said. Whatever be the result of this unjust accusation against me, you will always have my best wishes for the health and happiness of yourself and of our child. Write only a few words to acknowledge the receipt of this, for we are not allowed to say more.

JAMES B. RUSH."

That letter was intercepted, and will be laid before you.

Another circumstance will be proved to you. When the man, whoever it was, fired at the two women, the first person was wounded in the leg, and I told you before that when that shot was fired, the pistol or gun might be a little inclined. At that spot was found a ramrod. Now that ramrod is too short for either of the guns that were found, which do not want ramrods. It would rather appear to belong to a carbine or large pistol, either single or double-barrelled; but it may have belonged to a pistol, or it may not; and it may have been left designedly.

I beg to repeat again what I said before, that it is immaterial with what instruments of death these transactions were accomplished. I will shew you what was found, and give you all the information which it is our power to lay before you. The only observation I have to make is this: There is a witness who, under ordinary circumstances, should have been called before you—I mean the unfortunate Mrs. Jermy. I will prove to you that she is now in a state in which she cannot be removed without danger to her life; and upon mature consideration it seems to us doubtful whether any statement of hers would, even under recent Acts of Parliament, be evidence. Under these circumstances, therefore, you will have no evidence on the part of Mrs. Jermy, and it will be for you to say whether or not we satisfy you. This, gentlemen, is the case.

But I am reminded by my learned friend that there is another observation which I ought to have made. I have told you that the man that fired the shot had a cloak on. I shall shew you that there was such a cloak in the possession of the prisoner. I cannot tell you how Rush was dressed when he went out, and when he returned, and for this reason: Emily Sandford was in the parlour, and he did not come in until she, having opened the door, had returned back again. I shall be able to shew you that, upon another occasion, he took active precautions that he should not be seen.

Now, gentlemen, that is an outline of the case. It consists of two species of direct evidence, and it consists also of that which sometimes is the only evidence which in cases of this kind can be brought before a Jury—circumstantial evidence; because, when people meditate crimes like this, of course they take care to surround themselves with all the circumstances they can, which will conduce to secrecy. Therefore, in many of these cases, it is impossible to lay any direct evidence before the Jury.

Gentlemen, you have heard a great deal about this case. You will, I am sure, dismiss all you have read and heard from your minds, and attend only to the evidence. The prisoner has a right to require of you that you should sift the evidence minutely, and that, if you entertain, not a fanciful and capricious, but a reasonable and solid doubt, that you should give him the benefit of it. But, gentlemen, you have your duty also to discharge to the public. If you have no reasonable doubt, society, which otherwise would fall back into its original barbarism, expects that outrages like this should be repressed by the iron hand of the law.

This is a question of unusual publicity. The eyes of this great assembly, and I may say of your countrymen, are upon you. But that, gentlemen, will in no way influence you, further than to make you more anxious to discharge your duty, and to adhere to the golden rule of human conduct, which, believe me, is this, "To do, upon all occasions, your duty, and to leave the consequences."—The learned sergeant then concluded, at a quarter to eleven o'clock, having occupied the attention of the Court rather more than an hour and a half.

RUSH now applied for the witnesses for the prosecution to be sent out of court—more especially Mr. Cann, the solicitor.

His LORDSHIP, however objected, inasmuch as Mr. Cann was a solicitor for the prosecution; and advised that Mr. Cann should be the first of the witnesses examined.

It was, however, decided that it was necessary first to prove the accuracy of the models and plans, and the architect was accordingly put into the box.

MR. KERR'S EVIDENCE.

ROBERT KERR deposed that he was an architect, residing in Norwich. The models produced were accurate models of Stanfield Hall and Potash Farm-house; and the ground plans were accurate plans of the Stanfield Hall and grounds, and the Potash Farm and grounds. The smaller plan was a correct plan of the first floor of Potash Farm.

The PRISONER put some questions to Mr. Kerr in reference to an explanation of the plan of Potash Farm-house; his (the prisoner's) differing slightly from the plans of the prosecution.

PRISONER asked if it were possible for any one standing by the window looking into the back yard to see the front staircase?

Mr. KERR replied that it was not. A man could be seen from that position at the foot of the front stairs; but he could not be seen going up.

His LORDSHIP referred to the model, and expressed his opinion that even the foot of the stairs could not be seen; but that a person might be seen to approach it. His Lordship informed the prisoner, however, that if any difficulty presented itself in reference to the model, Mr. Kerr could be recalled for explanation.

EVIDENCE OF MR. DRANE.

Mr. JAMES DRANE, of Norwich, surveyor, made the plan of part of Stanfield Hall estate and Potash Farm estate, now produced; it was quite correct. The part coloured green was pasture or plantation: the grey part was Potash Farm. Mr. Drane explained the plan to the Court, and said there was a part called the "loke" on the Potash Farm, with green on each side of it. The distance across the fields, from the porch of Stanfield Hall, by the "loke," to Potash House, was 1589 yards. The distance by the Ketteringham Lodge gate and road, was one mile five furlongs and 161 yards; and by the Wymondham Lodge gate and road, two miles, two furlongs, and four yards. The distance from the Hall to Gower's Farm-house, at the back, was 491 yards. The distance from the Hall to Ketteringham Lodge gate was 1195 yards.

THE PRISONER cross-examined the witness at some length as to the particulars of the routes which he took in measuring the distances. WITNESS said that there was nothing to protect any one from falling into the drains, when going through the meadows, between the nuttury and Stanfield Hall.

BY THE COURT: The drains were each between eight and nine feet wide.

BY THE PRISONER: The Old Seven Acres field was ploughed. If witness had been going through the field on a dark night, he would not have walked on the bank. The bank was about two feet high, and four feet wide at the top. Was positive the sides of the "loke" were green.

The PRISONER put a number of questions relative to the measurements, all of which were answered by the witness, and explained.

MR. CANN'S EVIDENCE.

Mr. JOHN STEPHENSON CANN, solicitor, of Wymondham, was then examined. He deposed that, on the 2d of December, he went to Potash Farm with Superintendents Witherford and Hubbersty. He went into the parlour, and entered a closet there. A board in the floor was removed by Witherford, in witness's presence. Witness then took a box from under the boards.

(It was now discovered by Rush that Witherford was in the court, and he denounced this as infamous.)—Witherford immediately withdrew.

Examination of Mr. CANN continued: He unlocked the box the following day, after getting a key made. He found a number of documents, one of which was an agreement dated the 10th of October, 1848, which he now produced—it was marked A; another, dated the same day, was marked C; another was dated the 28th of November, 1848, and marked B. There was also one dated the 3d of October, 1848; it was marked D. Witness produced a document, also marked E, found afterwards at the prisoner's house at Felmingham, on the 5th of February. It was in a carpet bag, in an iron chest. He also found at Felmingham a draft of a letter, dated the 19th of April, in the prisoner's handwriting. It was either in a locked-up closet or in the carpet-bag. There was also at Potash a notice dated the 12th of October, 1848, signed "Thomas Jermy;" a notice dated the 19th of May, 1848; a letter dated the 14th of October, 1848, addressed to the prisoner; a letter dated the 19th of September, 1848, from Read to the prisoner; a notice dated the 23d of October, 1848; and two notices signed by the prisoner, dated October, 1848 (one without a date, the other dated the 26th). Witness found a letter also of the 30th of September, 1848, from Read to the prisoner.

By the PRISONER: I think we examined Mrs. Jermy, Watson, and the girl Chestney only on the day after the murder. I do not know of any one else having taken any depositions of Watson's, but I saw some notes taken of his evidence before that; I saw them shortly before you came in; I had taken some down myself before you entered, but it was all taken again in your presence. The notes I speak of were, I suppose, in my possession when Watson was being examined before you. I believe they were lying on the table, but I was not using them in any way. A portion of Watson's evidence was taken at one o'clock; I do not know where you were at the time. I cannot say whether I had then seen Pont, the police-officer. I took down nothing that day from Miss Sandford (or Mrs. James). I saw her that day at the Hall, in the room you had been in. Mr. Wilson was there. I took none of her evidence down that day, and do not know that any one else did. She was in the room about 10 minutes or a quarter of an hour—that's the outside. I had not seen her in the course of that day before she came to the room. I did not, on the 29th, hear of any evidence as to what she had to say about the occurrences of the previous evening. Watson was examined before you some time in the afternoon, but I cannot say whether it commenced before or after candle-light. I should think it was at least ten o'clock at night when I first saw Emily Sandford at the Hall, directly after you had left. I left between eleven and twelve, about an hour, I should think, after she left. I was at the Hall, on the night of the murder, between nine and ten. Nothing was taken down in writing that night. I was not in the brown parlour. I left the Hall before twelve o'clock. I heard Watson describe the man he saw that night in the Hall. I do not know that he gave a particular description, but he said he believed you were the man. I think this was in his pantry, between ten and eleven o'clock. I do not remember that he gave, in my hearing, a description of the man's dress that night.

I returned about four o'clock in the morning with Sir Thomas Beevor. I was in the room part of the time, while my father examined Miss Sandford, on Friday, 1st December, about the papers. This was at Wymondham Bridewell. There were no questions asked about the papers—it was her own statement. She then said she had written some papers for you. I was not in the room when she first went in. I did not see her till half-past seven or eight. I took nothing down that night; I think, however, that my father did, but I did not see him, that I remember, although I will not swear it. I believe Miss Sandford was there from two to three hours, but I was not present all the time. Altogether, perhaps, I was present about two hours. Hubbersty, the police-officer, and Witherford, were also in the room. I believe I was present when she left, but I heard nothing read over to her, nor did I see her put her signature to any paper. I have seen no document with her signature affixed on that date, except the examination, which, I believe, had been taken before you in the morning. I heard, just before she came on the Friday, that she was going to be examined that evening. I cannot say by whose orders she was sent for to the magistrates' room at the Bridewell.

The Bridewell is three miles from Potash. What I heard that evening was conversation; she was not on oath, I believe; but I was not present when she entered. I heard she had been questioned the same day at Potash, by the police-officers. I did not know before she came to the Bridewell what she was going to be examined about. You were in the Bridewell at the time. I remember coming to speak to you with Mr. Waugh, a solicitor from London, on that day. I had not then heard of any fresh evidence she had to give, different to what she had given. I was not present, I believe, on the Thursday when she finished her first examination. I cannot say whether Mr. Wilson, the magistrate, made any observation to her before she signed her first depositions. I was not acting as your solicitor. You said to me something about objecting to your papers being pulled about by police-officers generally. Nothing was said to me by you respecting sending a note to Miss Sandford, at her residence. I promised you that the locks and papers should not be interfered with, except by people in authority. You said you had no objection to me or my father taking them. I believe I said if any papers were taken at that time, you should have an inventory. Mr. Waugh applied to me for an order to see you, and I said he must apply to the magistrates. I had no idea that you expected I was acting as your solicitor.

Mr. CANN (to the Court) explained that Rush, on going to the gaol, said he should leave it to him, but he refused to act for him, as he could not do so, holding the position which he did, as clerk to the magistrates.

The LEARNED JUDGE here told Rush that his examinations seemed quite irrelevant; he did not, however, wish to be strict.

Mr. Cann's cross-examination continued: Mr. Waugh did not tell me that I was acting as your solicitor, but that he was; and Mr. Waugh obtained an order to visit you in that capacity. I never told Mr. Waugh that I was about to visit you.

(Several questions were here asked by the prisoner, which the learned Judge said he could not think of taking a note of.)

Mr. Waugh never told you in my presence that you could not be in better hands than with me as your solicitor? Mr. Waugh advised you to have a solicitor. He said, "You have been a fool once" (alluding to this time twelvemonth), but said there was plenty of time to think of a solicitor between then and March. I waited and spoke with you after Mr. Waugh left the room, on the Friday. You gave me your watch and chain. You did not tell me that

you had no money, and I did not receive it as security for any costs that might become due. The next time that Miss Sandford was examined about the papers, after the 1st of December, was, I believe, on the 13th or 14th. I had, however, I believe, shown her the papers after I found them, but I am not certain. I cannot even swear that I saw her between those dates, though I believe I did. I cannot say how often I have had conversations with Mr. Clarke, of Wymondham, solicitor, respecting the copies of agreements. I cannot say how often he has seen them; I don't know that he has seen them more than once. They have never been in his possession. Neither my brother nor any one else has had the opportunity of inspecting them while I have been absent. When Miss Sandford was examined by you on the 13th and 14th of December, and by the magistrates on the 5th of January, I did not sit between you and Miss Sandford in order that you might not see her, nor she you. You were very violent several times, and said you wished to move your chair.

MR. CANN (to the Court): He was very violent, and shifted his chair about. He could not see the whole of her face. In fact, when he was so violent, she was terrified and fainted, and the surgeon said the examination must not continue. She was not in good health.

PRISONER: I ask you, if you, of your own knowledge, do not know that we were so placed that we might not see each other?—WITNESS: I believe the object of the magistrates was to protect the witness.

PRISONER: That will do. Did you not hear me complain of not being allowed a solicitor?

—WITNESS: Not till after you were fully committed; but on the 5th of January I think you did.

PRISONER: When was it that it was mentioned to Mr. Pinson, that you were not acting for me as solicitor?—WITNESS: On the 4th of December, I think; and I said the sooner you were undeceived the better—if you thought so.

PRISONER: Did not the magistrates refuse to allow me to put the questions myself to Miss Sandford?—WITNESS: Sometimes, after your conduct had been violent.

HIS LORDSHIP: If the magistrates did anything illegal in that respect, and the depositions were brought against you in evidence, then they would be useless; but you are now on your trial, and the depositions will most likely not be produced.

PRISONER: Did not I complain of your saying something to Miss Sandford?—WITNESS: I think once you thumped on the table.

PRISONER: You are a young man, and I do not know what to think of you. Did I not also call out to Mrs. Bryant to leave off talking to her?—WITNESS: I believe you did.

PRISONER: Is not that the time the magistrates called me to order?—WITNESS: They had to do so many times; and I believe that neither mine nor Mrs. Bryant's speaking had anything to do with it.

PRISONER: That was enough to make any body violent. Good God of heaven and earth! if I am to be interrupted when I am examining an important witness, by people of that sort telling the witness they were saying wrong—

JUDGE: I have myself felt inclined to stop you several times.

PRISONER: Do you remember how long Emily Sandford was examined on the 12th of December?—WITNESS: I cannot say: I took no depositions from her, except in your presence. She was examined only about half an hour or so.

PRISONER: Are the applications I made to the magistrates for my papers and other documents which I required for my defence, in your possession?—WITNESS: Yes.

PRISONER: Will you produce them?—They were then produced by Mr. Cann.

PRISONER: What papers that I there requested for my defence have been given me?—

WITNESS: Your solicitor has had copies of all he wished to take. He has seen every paper, and gone through them.

PRISONER: I asked then particularly for all letters from you to me, and copies of my letters to you. They have not been produced.—WITNESS: I found but one letter, and that has been copied.

PRISONER: What business have you done for me and my mother these last few years?—

WITNESS: I have prepared a case for you, and attended you on one meeting with Mr. Jermy, as your attorney.

PRISONER: Have you not also paid legacy duty?—I have received the money, but have not paid it. I hold the money still.

PRISONER: You gave a memorandum for it, but that money has not been given up.—WITNESS: I have not seen it.

PRISONER: How long is it since you received the money?—WITNESS: Perhaps two years.

PRISONER: And not paid yet?—WITNESS: And not paid yet.

PRISONER: I ask you what letters you have kept back or burned, that you knew would be of use to me for my defence?—WITNESS: None; they were all sealed by your daughter, by me, and by Colonel Oakes, and not broken open till before the magistrates.

PRISONER: Why was not the carpet bag sealed?—WITNESS: It was locked.

PRISONER: Were there not some title deeds?—WITNESS: Yes, and there they are yet.

PRISONER: Was there not a meeting at Wymondham on the 21st of November, at which young Mr. Jermy should have attended?—WITNESS: Yes; I remember one day he sent word

that he could not attend. He usually attended the meetings. They were fixed at eleven o'clock.

PRISONER: Where did you take the papers from and carry into the parlour, at Potash?—WITNESS: I did not take any, but I saw some on the table.

PRISONER: What was done to them when they were first taken into the parlour?—WITNESS: They were laid on the table, and I looked them over. This was before breakfast on Saturday, 2d of December; they were brought into the room either by Hubbersty or Witherford.

PRISONER: Did you hear any observation about how long they were left about?—WITNESS: No; I locked them all up in the parlour.

PRISONER: Was there any inquiries made about a lock that had been on the bag?—WITNESS: No.

PRISONER: Had you seen any of those papers, before?—WITNESS: Yes; I had seen the case which I prepared myself.

PRISONER: Were you in the closet when the board was taken up?—WITNESS: Yes.

PRISONER: Where were the other papers then?—WITNESS: They had not been brought into the room.

PRISONER: Could any one get into the closet before you went that day?—WITNESS: Certainly not! the keys had been delivered to me on the Friday; Witherford was the person who laid them down then in my presence.

PRISONER: What papers were taken out from under the floor, beside those in the box?—WITNESS: A good many; they are all here. There were cheque-books also, and a manuscript of a printed notice, with a note relative to your bankruptcy.

PRISONER: Were there any of the papers taken out of that closet before you saw Miss Sandford that morning?—WITNESS: Yes.

PRISONER: Were there any in her hand-writing?—WITNESS: I cannot say.

PRISONER: Did you see any documents there that you considered of importance to this trial, except what were in the box?—WITNESS: I do not know what you call "of importance."

PRISONER: When did you first know that you were to be solicitor for the prosecution?—WITNESS: Seven or eight weeks since.

PRISONER: How often within the last fortnight have you been to hear what Miss Sandford had to say at the Bridewell?—WITNESS: Three or four times; but she sent me a statement of her own accord, just before her confinement.

RE-EXAMINED BY COUNSEL: The two books produced I found in the closet at Potash, but not under the floor. I found no other book at all of the same description. The prisoner gave me his watch and chain, because he had a short time previously been to my office, and told me to make out my account, and he would give me some money. The amount due to me was sixteen or eighteen pounds. Although he had promised me money, he had not done so; and he said, when he gave me the watch, "You may as well take this, as I owe you money."

PRISONER asked if it was regular for the counsel to get up and ask about what had not before been mentioned? Nothing had been said in the re-examination about the watch, in the same way as in the cross-examination.

The LEARNED JUDGE replied that the cross-examination had in that respect been conducted fairly.

The PRISONER asked his Lordship to inquire when it was first mentioned that the watch was given for a previous debt?—WITNESS: It was first mentioned at the Castle.

JAMES WATSON'S EVIDENCE.

JAMES WATSON deposed that he was footman in the service of the late Mr. Jermy, at Stanfield Hall. He had lived there since May last. He knew the prisoner Rush, who was often at the Hall, and used to enter by the side door. There was a bell to the door, but he used to come in without ringing; and he generally went into the servants' hall. Witness had also seen him in other rooms. Rush knew the house well. (The model of the Hall was now produced, and the position of the passages, rooms, stairs, &c. explained by the witness and counsel.) The usual dinner hour was six o'clock. Witness did not know, on the evening of 28th of November, who left the dining-room first. Mr. Jermy, senior, was at that time living in the house, and young Mr. Jermy and his wife, and Miss Jermy, a daughter of Mr. Jermy, senior, whose age was about fourteen. There was a groom living in the house, and six female servants. The cook's name was Read; Chestney was housemaid. There was a lamp with a reflector on a table in the staircase-hall, on the evening of the murders. There was also a lamp at the end of the long passage. There were in the dining-room two wax candles; but no light in the entrance-hall. Besides a light in the staircase-hall, there was a fire. After dinner, Mr. Jermy frequently went out of the outer porch door for a short time. On the evening in question, witness was in his pantry, about a quarter-past eight, when he heard a report at the front of the house near the porch. The pantry window was near the porch. When he heard that report, he went out of the pantry a few feet, to the spot where

the two passages meet. Could then see the door leading into the staircase-hall. While there, witness saw a man coming from the direction of the side door. He passed witness, and was about three feet from him when he did so. While passing, the man moved his left elbow. Witness saw the man go to the staircase-hall, and then observed the door open. Saw Mr. I. Jermy Jermy open it; he was coming from the staircase-hall towards the passage. The man was then about three feet from the door. Witness saw the man then point a gun or pistol at young Mr. Jermy, and fire it. Mr. I. Jermy Jermy immediately fell down backwards into the staircase-hall upon the mat. Witness returned back to the pantry, and, while there, heard a woman's footsteps running towards the lobby, from the servants' hall; she was screaming. Witness then heard two more discharges of fire-arms, very quick, one after another.

Upon hearing those reports, witness went out of the pantry towards the door of the staircase-hall, and then saw Mrs. Jermy go towards the back staircase. She was running. Witness also saw Chestney lying in the lobby, opposite the staircase-hall, and about two feet from the wall. On that wall there still existed the marks of the discharge of fire-arms. Chestney complained to witness, and he dragged her to the back staircase. Did not see the man again, and did not know which way he went out. The old gentleman was in the outside porch, dead, with his head towards the inside door. He found him there about half an hour after. Having procured the assistance of Mr. Gower and his two sons, witness searched for old Mr. Jermy, and found him lying on the mat in the porch; he was then dead. The wound was on the left side. Witness saw the man, when inside, drop two papers in the long passage, and afterwards saw one picked up. They were like those produced. The man was low in stature, and stout. Witness could not see his face, as he had something over it. Could not see what it was; but there was light enough to see his gait and general appearance. He believed it to be Mr. Rush.

RUSH objected to the way in which the counsel put his question respecting the identity of the assassin; but his LORDSHIP said he thought it had been put very properly.

RUSH: Then I hope your Lordship will not find fault with some of the questions which I shall put.

Examination of WATSON continued: He had a cloak on, long enough to cover his arms. Witness saw two weapons, but could not say what they were; it struck him at the time that they were large pistols.

Cross-examined by PRISONER: He was putting the plate away when he heard the first report; he could not see out of the window of the pantry into the front, but he could out of the window of the passage. Did not look out of the passage window. After hearing the report, he left the pantry immediately. Had no plate in his hand when the first report was discharged, but might, perhaps, stay a few seconds before he left the pantry. The man, when witness saw him, was walking fast, but had not then turned the corner towards the lobby; he was, however, about to do so. Was five or six feet from the pantry door when he saw the man turning the corner. Witness did not remember if the cloak had a cape to it; did not pick up any paper that night, and did not see any servant do so. A few words were put to him in the brown parlour the same night, but very little of what he said was put down. Could only remember Captain Ives and his servant being there. There were some others; perhaps five or six. Could not remember who put the questions nor who wrote down the answers; in fact, he did not know them. Did not remember if anything was said that night about the man's having something on his face. Remembered saying that first on the next day, in the presence of the prisoner. Witness saw Mr. Cann on the Wednesday, but did not remember what he said to him. Did not remember hearing any one say anything about a mask before he gave the evidence before Rush. Did not see the man's legs, and had not been shown any cloaks that had been taken from Potash before he was examined.

[RUSH now put several questions relative to what the witness had said before the magistrates, but the Judge informed the prisoner that if he went on in this way he must put in the depositions, and then the learned counsel would have the last words, as he would be entitled to reply.]

RUSH replied that he certainly should put them in, as he intended to use them in his defence.

Watson's depositions both before the magistrates and the coroner were then put in and read.

Cross-examination by the PRISONER continued: He did not see the man take the arm from his cloak when he shot young Jermy. He did not know that Mrs. Jermy was wounded when he saw her. He saw her going towards the back staircase. He did not know where Anna Holmes was at the time, or the other servants. He saw none of the maids after hearing the reports, except Blanchflower, the nursemaid. He was in the passage when she called for some hot water, and she was in the nursery. The window of the nursery looked into the stable-yard. He saw her when he carried the hot water, but not before. He came down directly after he had carried the hot water. He did not see the man after he fired at Mr. Jermy and went into the staircase-hall. He might be a minute or two leading Chestney into the hall on to the back staircase. He believed it was after he was at the foot of the stair-

case that he fetched the hot water. He did not remember seeing any one afterwards. He saw a curly wig at the Coroner's Inquest. It did not resemble the head of the man in the passage. He had said before that he did not know what the man had on his head. He did not remember to have told anybody that Chestney's description of the man's head was incorrect. It was about a quarter-past eight when he heard the first report. He did not remember any one being there when old Mr. Jermy was found. A gig came up at the time, but he did not know who was in it. He knew it was about a quarter-past eight when he heard the report. He spoke from his own knowledge, and not from the statement of any one else. He did not see Emily Sandford till the evening after the murder; she was then in the cook's pantry. He did not remember any one being with her. He did not see her in his pantry. He should have known it, if she had been there any length of time. He did not remember speaking to her, nor did he recollect hearing her speak to anybody else. He did not remember seeing her since that day.

PRISONER: Remember! you are on your solemn oath. Will you swear before God that you have not seen her since that day?—WITNESS: I do not remember. I didn't see the man's hands, and cannot say whether they were up or down. I saw the fire-arms, and it occurred to me that they were pistols. When the man fired with one arm I do not know where the other arm was. Mr. Jermy had told me that he would not see you, about five weeks before the murder. I do not know how often you came to the house between that time and the time of the murders. I know you came several times. I cannot swear that you had been more than four times. I recollect your being there the Sunday before. I do not think you could come without my seeing you. I do not know what servants were out of the Hall at the time of the murder, or any young men being with them at the time. I had not heard of any books being circulated in the neighbourhood about law transactions between Mr. Jermy and yourself. Mr. Jermy never said anything to me about it. I have never heard about your being turned out of the place by Mr. Jermy. I do not recollect a man being dragged out of the fields and taken to the Hall, and kept there till Mr. Jermy came home. I do not remember your being at the Hall on the Tuesday before the murder.

By Mr. Sergeant BYLES: The night of the murder was very dark and windy. I do not know upon whom the wig was placed at the inquest.

The PRISONER asked if he might comment upon the discrepancies between the witness's present statement and that on the depositions?

The JUDGE said he had an undoubted right to do so, though he laid himself open to the possibility of counter-observations being made, and the similarity of the two statements being pointed out.

ELIZA CHESTNEY'S EVIDENCE.

The witness ELIZA CHESTNEY was here brought into court on a small couch; the witness-box was removed, and the couch occupied its place. She had been brought on the previous day from Stanfield, on the shoulders of several men, and had been since staying at the house of Mrs. Watson, Castle Meadow. Witness looked pale and weak, but evinced no signs of tremulousness in giving her evidence. She was attended by Mr. Tunnaley and Mr. Nichols, who occasionally gave her medicine.—She said: My name is Eliza Chestney; I was house-maid in Stanfield Hall in November last. On the 28th of November I was in the servants' hall about eight o'clock; I then heard a gun fired, which was followed by another discharge, and then a groan. I went into the passage which leads towards the staircase, when I met my mistress, Mrs. Jermy. She said, "Watson! Watson! Eliza! go to Mr. Jermy!" I took hold of her waist with my left hand, and taking hold of her hand with my right, I said, "My dear mistress; good God! what is the matter? For God's sake don't go." She did not speak, but looked wild. We went down the passage together. When I got as far as the doorway of the staircase-hall, I saw Mr. Isaac Jermy lying on the floor; I saw a man seemingly coming from the dining-room door. He had either a short gun or a pistol in his right hand up to his right shoulder; he levelled the instrument and shot me. I did not fall directly. Another shot followed directly after, when I saw my mistress' arm twirl in the air. My mistress then ran up-stairs and left me. I twisted round several times, and fell down. I gave three violent shrieks, and said, "Now I am going to die, and no one will come to help me!" I remembered no more till I awoke at the bottom of the staircase. I found myself seriously wounded in the leg, near the hip. I saw the head and shoulders of the man who shot me. The head was flat on the top, and the hair was bushy at the sides; and he had wide shoulders. I formed an opinion at the time who the person was. I had no doubt upon the subject. I believed and still believe it to be that man (pointing to the prisoner). I had seen him several times at Stanfield Hall, in the same passage. I did not observe anything about the man's dress. When I first saw him he was going towards the porch door; he was then sideways to me. He turned and saw me. When he shot me, he was about a yard from the dining-room in the staircase-hall. I was standing in the doorway; I saw the whole form of the head and shoulders, but not the face. I know no one in the habit of coming to the Hall but Rush, having a similar appearance.

Cross-examined by the PRISONER: It was about eight o'clock when the shot was fired, or

perhaps a little after. A few seconds (perhaps ten or twelve) intervened between the two first reports. I do not remember to have said that one shot came *immediately* after the other.

(At the prisoner's request, the depositions of this witness before the magistrates and coroner were then read.)

Cross-examination continued: I might perhaps have said that one shot followed the other immediately, but I was in too much agony to remember distinctly. When I was in the servants' hall and heard the first and second report, Reed, the cook, was with me. I do not know whether she got up when I did. The door leading into the passage from the servants' hall was then open. I might probably have heard any one in the passage, unless they were walking very light. I did not hear any one walking in the passage after the first report. When I heard the first report I sat quite still and said, "How silly," from the supposition that it was the servants. I was sitting by the fire at the time, and did not get up before I heard the first report. I left Reed with the other servants. I do not know how long the other servants had left the Hall before I heard the first report. Holmes, Mary Clark, and Maria Leach were the servants who were absent at the time. After the murder, I saw these servants first when I was lying at the bottom of the stairs. Holmes was the first I saw. I saw the pistols first at the corner of the passage. After I saw the man, it was not a second before he shot me. I saw but one hand used to fire the pistol. The last two reports followed each other instantly. It was the width of your shoulders and your height that made me think it was you. I do not remember having said that I did not know whether you had a cap or a hat on. I had not heard of Mr. Jermy's turning you out of the farm which Mr. Colman occupies. I have not heard of any books being circulated about legal matters between you and Mr. Jermy. At least I think I *once* heard something about them. I do not remember a parcel being sent to Mr. Jermy and being sent back again because the postage was not paid. I have never seen Emily Sandford. Mrs. Jermy passed me before I was wounded. I first saw the wig which Hubbersty produced about a week before my second depositions. I do not recollect your being at the Hall on the Tuesday before the murder. I had seen you several times at the Hall. I think I remember your calling once when Mr. Jermy would not speak to you.

By Mr. PRUNDERGAST: I was in a very weak state, and in great agony on my first examination. There was a light in the dining-room when the murder took place. It was at the back of the man.

MARGARET READ'S EVIDENCE.

MARGARET READ was next called. She said: In November last I was cook to Mr. If Jermy, at Stanfield Hall. I had lived there five months. On the evening of the 28th of November, Eliza Chestney and I were in the servants' hall, when I heard a report of a gun outside the house. This was half-past eight o'clock. Soon afterwards I heard another report, which was inside the house. Before Eliza Chestney left the hall, I heard a noise like the rustling of clothes, which appeared to come from the side door. After she left, I heard a third report, very soon after the second. I heard a scream of a female. I rushed to the servants' hall door, which opens into a long straight passage. I saw Miss Jermy running to the servant's hall, screaming, "Oh! Read, we shall all be murdered!" I then saw a man coming down the passage, about seven yards behind Miss Jermy. He had a fire-arm in his right hand. I do not know whether it was a gun or a pistol. It appeared to me larger than a usual sized pistol. He had on a coat or cloak, which appeared to have a cape. It was a low, stout man. I had seen Rush at the Hall repeatedly. The head, and size, and carriage of the man, were like those of Rush. As soon as I saw him, my impression was that it was Rush, and that is my impression still. Miss Jermy and I ran into the stable out of the servants' hall.

By RUSH: I saw Emily Sandford the other day after the murder. I had no conversation with her. I only heard her ask for a glass of water, which was brought to her. I saw her in the cook's pantry.

The PRISONER: Recollect, God Almighty hears what you are saying. Did you or did you not see her in the butler's pantry?—WITNESS: I did not. I think I saw her in the morning. She was several hours in my pantry, but I did not stay with her more than a minute. No one was with her when I saw her. I went in several times to the pantry, but only spoke to her when she asked me for the water. I did not tell her the evidence I was to give, nor did I hear anything she had to say. I saw her yesterday going before the Grand Jury. I do not remember having seen her since the day after the murder, except yesterday. There was sufficient time to go from the porch to where Mr. Jermy was shot between the first and second reports. I made that statement before the magistrates.

This witness's depositions before the magistrates and coroner were read at length, at the request of the prisoner, who complained of the discrepancy between them and her present statement, which he said he should comment upon at a future stage of the proceedings.

Cross-examination continued.—PRISONER: Why did you not say before the coroner, as well as before the magistrates, that there was time between the first and second shot for

any one to go from the porch to the place where Mr. Jermy was shot?—WITNESS: I don't know.

PRISONER: Did anybody tell you to say so?—WITNESS: No, no one; I knew it myself.

PRISONER: Do you know the meaning of the word "intervene?"—WITNESS: I do not; if you will explain it I shall know next time.

The JUDGE: Pray do not be flippant in your conduct.

PRISONER (to witness): You should not use words then that you do not understand. (This word, "intervene," was in the witness's depositions.)

WITNESS continued: It is about six yards from the foot of the back staircase to the side of the passage. I saw no one else in the passage but Miss Jermy. The man was about two yards past the foot of the staircase when I lost sight of him. I do not remember any one asking me about the murder, before my examinations. I will not state positively that no one asked me. I was not guided by the fact of a ramrod being found, in stating that the man had a short gun, or a long pistol. I never picked up any pieces of lead after the murder. When I saw the cloak at the Bridewell, I said it was longer than the one I saw in the passage. The one I saw at the Bridewell came past the knee, but the one I saw in the passage did not reach the knee. I first saw Watson when he came to the stable. I saw Blanch Flower first in the nursery after the murder had been committed. I noticed that you carried your head on one side, by your coming occasionally to the house. I do not remember speaking of it to any one before I mentioned it at the coroner's inquest, or before the magistrates. I have had no remarks made to me about giving that evidence. I cannot write my name. The cape I saw in the passage was sticking from the right shoulder. I cannot say whether it was the same as that I saw in the Bridewell. I did not observe the posture the left hand was in. I have not heard of any papers about legal matters between you and Mr. Jermy being circulated. I did not know that you were turned out of Stanfield Hall Farm.

By Mr. EVANS: The man in the passage had his head on one side.

MR. NICHOL'S EVIDENCE.

Mr. P. NICHOLS, surgeon: On Tuesday, the 28th of November, I was summoned to Stanfield Hall. I arrived there about two o'clock on the following morning. I found the bodies of Mr. Jermy and his son in the dining-room. I did not examine them till Thursday. The wound in Mr. Jermy the elder was on the outer side of the nipple of the left breast. The wound was two or three inches in diameter; the fourth, fifth, and sixth ribs were shattered. The charge carried away the body of the heart, passed through a portion of the left lung, and lodged in the muscular part of the spinal column. I took out several angular portions of lead. I saw no round shot. I gave the shot to Mr. Tunnaley, who assisted me in the examinations. The wound on Mr. Jermy, junior, was not more than half an inch in diameter; it was near the nipple of the right breast. I found the slugs in the body; they were of the same kind as those in the body of Mr. Jermy, senior. Both wounds must have caused immediate death. I gave the lead from both bodies to Mr. Tunnaley. In the body of Mr. Jermy, senior, I found something resembling a cartridge paper.

Cross-examined by the PRISONER: I think I took ten or a dozen of pieces of lead from each of the bodies. Those that Mr. Tunnaley has will be produced. Mr. Banks, of Holt, took a few with him. I have not stated that I gave all to Mr. Tunnaley.

The depositions of Mr. Nichols were read at the prisoner's request.

Cross-examination continued: I did not see Mr. Tunnaley give any of the pieces of lead to any one. About a dozen from each were taken out. I did not perceive any difference in the size of the pieces of lead. I think I have seen round shot taken out of game. I have seen a cartridge. It is the outside covering of the powder and shot. I think it would present a similar appearance to the substance taken from Mr. Jermy, and now produced. I was not in the brown parlour on the night of the murder. I heard no description of the man who committed the murder. No portions of lead have been taken from Mrs. Jermy's arm. Several have been taken from the servant's thigh. It was at my suggestion that the pieces were preserved.

MR. TUNNALEY'S EVIDENCE.

Mr. R. J. TUNNALEY was next sworn—He said: I am a surgeon, living at Wymondham. On the evening of the 28th of November I went to Stanfield Hall, about ten o'clock, where I saw the body of Mr. Isaac Jermy lying dead. On the Thursday following, I examined the body with Mr. Nichols. I found that Mr. Jermy's heart had been penetrated by a charge of shot, which was quite sufficient to occasion death. I produce two pieces of lead, which lodged in the muscles of the back. I took some pieces from the body of Mr. Jermy, jun., which I now produce. There are five pieces here. They were also taken from the muscles of the back, on the left side of the body. The pieces of lead from the two bodies appear to be of the same description; they weigh from eleven to thirteen grains. They are not shot, but irregular angular pieces of lead.

By the PRISONER: I arrived at Stanfield about ten o'clock. I saw Watson, the butler, there. I did not know him before. I do not know exactly how many pieces of lead from the bodies I have had in my possession at one time. I have had more than I produce here.

have produced enough to show whether death was caused by a single bullet or by several slugs. I did not think it necessary to produce all. There were many pieces remaining which we did not take out.

(By the request of the Prisoner, Mr. Tunnaley's depositions before the magistrates and coroner were read.)

WITNESS continued: I do not know what became of the other pieces removed. I did not take out eight or ten pieces. I laid the pieces which Mr. Nichols gave me down on the table or sideboard. I do not say that I took out all the five pieces which I produce from young Mr. Jermy's body. I have some shots from the girl's leg, which are in size and weight the same as the others. I have seen shots taken from game which have been as round as before they were shot. I did not hear Watson examined the day after the murders. I saw Miss Sandford the following day, in the pantry, I believe; I did not speak to her, nor she to me; I do not know who was with her. The magistrates were sitting in the housekeeper's room at the time; I did not hear any examination taken before the magistrates; I did not hear of any evidence which she was going to give.

The Court then adjourned, shortly before seven o'clock.

SECOND DAY.—FRIDAY.

The learned Judge took his seat this morning a few minutes before nine o'clock. The court presented the same appearance as yesterday, being crowded at an early hour in every part; and the interest in the proceedings of the trial seemed unabated. The prisoner was immediately placed in the dock; he appeared very nervous, his hands trembling considerably as he turned over his papers.

Before any witnesses were called, the prisoner observed to his Lordship, that he hoped the witnesses for the prosecution would be kept out of court. He proceeded: There is another observation I wish to make, my Lord, if you please. It is with respect to the witness mentioned by the learned gentleman yesterday morning, named William Frederick Howe. It was the first time I ever heard of such a witness being brought forward, and I have no hesitation in saying, and I do say, that he is a very great, bad man. I am sure he is a bad man, and I wish to have the reporters mention it in the papers, that it may be known where he comes from.

HIS LORDSHIP: I shall give no directions of the sort; I have no authority to direct the reporters to mention anything of the kind.

THE PRISONER: I only say that the man is a big villain, and a bad character, and it is a most infamous thing that such a witness should be brought forward in this way.

HIS LORDSHIP: When it comes to your turn, you can make what observations you please; but I cannot hear you now.

PRISONER: I only want to have this man's character sifted, so that I may know who he is.

HIS LORDSHIP: I have no power to conduct your case differently from an ordinary case. What you wish to say, you can say at a proper time.

PRISONER: He has pretended to be a clerk to Mr. Waugh; but, wherever he comes from, I ought to have some information about him, my Lord.

HIS LORDSHIP: I tell you I shall deliberately pay no regard to what you are saying.

PRISONER: I think it my duty to make these observations now. The man is a big villain, and everything the learned counsel has said about him is false. I never had such thoughts enter my mind. Wherever he comes from, he comes from a bad place, and not from where he represented himself. I hope those who live at a distance, and know anything about him, will come forward and state it. I have nothing to fear from the truth; but it is an infamous thing to bring a man like this forward at the eleventh hour.

The prisoner shortly afterwards turned to the reporters of the local papers, whose gallery was immediately at his right hand, and requested them to notice his observations. He was about to say something else, but was prevented by the officer of the dock.

EDWIN HARVEY'S EVIDENCE.

EDWIN HARVEY was the first witness called.—He stated that he was a carpenter, living at Wymondham. On Tuesday evening, 28th November last, witness and three others left Wymondham, walking, at half-past seven, for Stanfield Hall. It was about 50 minutes after that when they arrived. Mary Clarke, laundry maid at the Hall, and John Todd and Thomas Howes, of Wymondham, bricklayers, were the others. There is a gate on the outer side of the Hall bridge, over the moat. It is 30 or 35 yards from the gate to the porch of the Hall. When we got up to the gate, Mary Clarke went into the house, and came out again directly, with one of the other servants, Maria Leech. Leech in a minute or two went back again for her bonnet, and returned in about four minutes with Honor Holmes. Witness opened the gate to let Leech and Holmes through. When he had closed the gate, he heard the report of a gun or pistol, and as he was looking at the time towards the Hall, he saw the flash. It appeared to come more from the side of the porch from their left hand than from the other. He could see a figure of some kind, but could not say what it was.

He saw a light immediately after, apparently from the Hall, and heard a door go to very loud. The others were then walking on towards Ketteringham Lodge. Witness followed them, and when he had got about forty-five yards, he heard another report, not so loud as the first. Witness then went on with the others to the Ketteringham Lodge drive, where Holmes and Leech left them. Before that, he had heard the house dinner-bell ring.

By the PRISONER: It was not eight o'clock before I left Wymondham. I said there were three left Wymondham beside me, and not four. I stood by the gate about four minutes before Clark and Leech came together to me. Leech stopped only a minute before she went in for her bonnet, and she returned in three or four minutes. We stood talking at the time. Clark did not go in with her; she stood by the gate with me. I do not know if any of the others have been called to give evidence beside me. I heard Leech say she had been into the rooms to the magistrates. The night was very dark; but I distinguished, on the same night, the figure of a man thirty yards off; but at that place it was not so dark as near the Hall, not being so surrounded with trees. I observed a large kind of spark, apparently a piece of wadding, go from the pistol or gun, parallel with the left pillar. I should say it went up ten or twelve feet high. I was first asked about what evidence I could give, when I was before the Coroner's Jury. It was not taken down as I was not sworn, and they said it was nothing of any consequence. I was afterwards questioned at Mr. John Cann's office. The second time this occurred he took down what I said. Mr. Cann took down what I said about a month back. Howes and Todd did not stand so near the gate at the time of the report as I did. I thought the figure appeared more towards the left than the right, but it was nearly in front; it appeared to be only a yard or two from the pillars. It was in consequence of the light from the flash that I saw the figure. The width from the outside of the outside pillar of the porch to the inside is about three feet. We were talking and laughing at the time I heard the report. From the time we first arrived, to the time of the report, was about eight minutes, during which period we had been laughing and talking out loud. I thought the light appeared to come from the inside of the entrance-hall. I thought it was the shutting of the porch door that I heard. I saw no light in the Hall after I heard the door go to. Howes, Todd, and the three other servants, went immediately towards the Ketteringham Lodge, after we heard the report. I immediately went after them. I think there was a light in the butler's pantry. I observed no figure move; I only observed the figure of which I have spoken. If there was a light in the passage, and a person had moved past it, between it and me, I don't know whether I could have seen him. I swear that one of the noises I heard was a door going to. I had got from 150 to 200 yards into the drive before I heard the dinner bell ring. Holmes was with me then. Clark went to the Hall on an errand for Mrs. Jermy. We were walking when we heard the bell. Clark went to the lodge, and I do not know when she left it. I did not go into the lodge. I have never stated that I did. [PRISONER: Mr. Cann or some one has written down here, that witness, Howe, and Clark, went into the lodge, and witness has signed it.] I saw no one on the way to the lodge but those whom I have mentioned—By Mr. EVANS: When I heard the door bang to I was going away.

Emily Sandford's Evidence.

EMILY SANDFORD then entered the witness box.—She was attired in a black satin dress with a crape veil over her face, which she lifted over her bonnet (also black) on entering the box; she appeared very weak and dejected; she sighed frequently, and often turned her eyes to the prisoner.

Before she was sworn, the prisoner (who seemed in no way affected by her appearance) said: My Lord, I must make one observation. I have a higher power than your's to say to this witness, that I am not guilty of the charge that I am charged with.

His LORDSHIP: The Jury will say whether you are guilty or not.

The PRISONER: I cannot help it, my Lord, I must say so. In every respect, I am quite willing she should speak the truth.

His LORDSHIP: If she does not speak the truth, she will be subject to the pains and penalties of perjury in this life, and to punishment in the next.

The PRISONER: I have never yet had an opportunity of speaking to her, and I wish to have her well consider what sort of evidence she is about to give.

His LORDSHIP: You do yourself no good by—

PRISONER: I cannot help it, my Lord; it is my duty; I can prove my innocence.

His LORDSHIP: If you can, no one will be more satisfied than myself.

PRISONER: I wish to say that I have never been angry with her for contradicting her first evidence. I have sufficient to prove that I am innocent.

His LORDSHIP: You are entitled to be in court while her evidence is given, unless you misconduct yourself. With that leave, the evidence can now proceed.

THE WITNESS THEN DEPOSED: My name is Emily Sandford; I was living in London, in lodgings, about twelve months ago. About two years ago I became acquainted with the prisoner. I went down and lived with him some time at Stanfield Hall Farm. After some time, I went to London with him. It was about the beginning of February, 1848. The pri-

soner and I lived together at No. 2, Mylne-street, Islington. I went there under the name of James. One evening in October, I remember some persons coming to Mylne-street. Mr. Larner, Mr. Thomas Jermy, and Mr. R. Read were the persons present. Some writing was produced that evening; it was in my hand-writing. The document produced is in my writing. It was on the 3d of October, the time that the deed bears date. I wrote that paper the same day; I wrote it before the parties came, from a copy given me by Mr. Rush, in his hand-writing. He told me to copy it. Before they came I gave my writing to him. They came about six o'clock, and Mr. Rush then produced this paper, which they signed. It had remained on the table from the time I wrote it. It was read over aloud in their presence; by whom I cannot say. It was then signed by all the parties. That signature is mine. I saw the parties sign.

(Witness was now so overcome that she wept much. Her medical attendant came forward, but she said she was not ill.)

I did not put my name to the deed until Read, Larner, and Jermy were gone. I put my name to it by Mr. Rush's request. It was, I believe, proposed by Mr. Rush and Mr. Read, while the parties were all present, that Mr. Larner and Mr. Jermy should go to Felmingham. From the conversation, I understood the reason was, that they were to go into one of the farms. It was said that Mr. Rush was to furnish the means for travelling. I understood that Mr. Jermy and Mr. Larner were cousins. The parties left, I think, between eight and nine. I never saw Larner or Jermy afterwards; but I saw Read afterwards at Norwich. The next day but one, the 5th, I came down to Norwich by Mr. Rush's direction. He left on the 4th. It was arranged before we left London, that I was to go to the Bowling Green Inn, in Norwich. I arrived on the 5th.

Mr. Rush met me at the railway station. He immediately proposed that we should go to Potash that night, and he took me in his gig. When we got to Potash, I understood from Mr. Rush that his son and son's wife were at Felmingham. I went into the parlour, and the servant brought a light; I then went up-stairs.

There are two bed-rooms in that part of the house, both opening into a passage. The staircase from the lower floor leads into the passage. There is a door at the top of the staircase into the passage. We both slept in one room that night. I left Potash again, I believe, on the Tuesday following—the 10th; Mr. Rush told me in the forepart of the day that he was going to drive to Norwich; after tea, he said that Savory should drive him. About eight o'clock the gig was brought to the front door, and I and Mr. Rush got in. He did not say where he should take me to. The boy Savory led the pony, as it was dark.

While on the road, he said he should go by himself across the fields to Stanfield. I said I wished to go with him as far as possible, as the ground was very wet. We both went in the gig, through several fields, towards Stanfield Hall. We came to a ditch, and could get no further. Mr. Rush then proposed that while he went to the Hall, I should remain in the gig with Savory. I did not agree to that, but wanted to go with him. We then left Savory with the gig, and got over the gate, and walked on towards Stanfield Hall. He said, when we got to the bridge, that I had better remain out while he went in. I did so, he promising that if I was wanted he would send for me, or come himself. I remained outside about twenty minutes, when Mr. Rush again joined me. I asked if he had agreed with Mr. Jermy. He said, "Now I think he will," and then he went back to the gig, and went together till we got out of the fields, when he left Savory to drive me to Norwich; while in the gig with me, I asked him to go on to Norwich with me. He replied he would if he had not to see Mr. Read. I had understood before that Mr. Read was to come down to Potash. I asked him who would be present to receive Mr. Read and get supper; as I knew there was no one to do so. Nothing more was said on the subject; but he told me to go the Bowling Green Inn, and he would see me on the morrow or next day. Savory drove me to the railway station at Norwich, to get my boxes, and thence I went in a fly to the Bowling Green Inn.

I slept there that night. The landlady told me something, and I went off the next day to the Swan. I wrote a letter to Mr. Rush from the Swan, to say I was there, and on the Friday night he came. That was the day Mr. Read came. On that occasion both Mr. Rush and Read were present, and I understood they were going to London. Mr. Read went out to take a walk, and Mr. Rush was left with me. He asked me to copy some papers for him, which he produced. He gave me a copy of a notice. I began to write out some paper for him, but he called next morning, and said he would not trouble me to do it. I do not know whether the paper was destroyed; I gave it to him.

Mr. Rush returned to Norwich on Saturday morning from London. It was on the Thursday, I think, that he gave me the paper to copy. On Saturday morning he breakfasted with me. The same day, I went to lodgings to Mrs. Stacey's. He left me there, and, I believed went home in the course of the day. About a week afterwards he called on me at Mrs. Stacey's, when he showed me some pieces of paper, and told me he had something to occupy my time with. He produced a written paper that I was to copy from, and gave me the paper I was to write upon. He gave me one stamped piece first. I wrote the copy, as desired, upon the piece of stamped paper, and I finished it before he left. He dined with me that day. After I had made one copy, he wanted me to make another, which I did. That was also on

a piece of stamped paper. He took both pieces away with him. The Sunday afterwards he came again.

(Prisoner here complained that the counsel talked loud enough for him to hear them; and thought that if he could hear, the witness could hear also.)

He shewed me one of the papers again on the Sunday, after returning from the Cathedral. He dined at the White Hart that day. He said, "I want you to put your name to what you did for me the other day." He produced the copy I had written—I believe he produced both of them. The name of "I. Jermy" was written at the bottom. It had been added since I copied the paper. He said to me, "Write your name, and the word 'witness,'" which I did. The paper now produced, and marked C, is the one referred to. Mr. Rush left Norwich about four o'clock on Sunday afternoon. The date of the paper was the date of the day when I went to Stanfield. He said I might be a witness, though I did not go there. We had some words about the matter. He said he did not wish to make me a witness. He told me the papers were only copies. I wrote a letter to him on the subject on the Monday; I do not know whether he destroyed it.

Mr. EDWARD CANN, clerk to Mr. Cann, solicitor, was here called, and proved that he served a notice on the prisoner, (a copy of which was produced) on the 22nd of March.

The notice was then read. It required the prisoner to produce the letter written to him by Emily Sandford.

HIS LORDSHIP (to the Prisoner): Do you produce that letter?

PRISONER: I have never had any of my papers; I am quite willing the letter should be produced, if there ever was one; but I deny that there was such a letter.

Mr. CANN was sworn, and said he did not find the letter among the papers found on the prisoner's premises. He was cross-examined by Rush as to the time when the papers were found.

The PRISONER said: Let any one consider the situation I am in to produce any papers. There are other papers amongst those which have been taken, of the highest importance. I say there was no such letter there, but there other letters of Emily Sandford's, which ought to have been produced.

HIS LORDSHIP: Mr. Cann says he found no paper of that description, and that is all that we are now inquiring into.

The WITNESS (Emily Sandford) then proceeded: The letter I wrote was on the subject of my signature to the deed. I said it would be putting me to swear falsely. The next night he came to me, and spoke to me on the subject. He was very angry at my having written, and said it was very indiscreet to write about such matters. He asked me if I had a copy of the letter I wrote. I looked, and found one in pencil. I gave it to him, and he tore it up. He left the same evening; and one day in the week after, he came and told me I should go to Potash on the Friday following, the 3rd of November. On that Friday he took me to Potash; young Mr. and Mrs. Rush were there at the time, and the two servant maids. I took possession of one of the bed-rooms. [Witness was here shewn the model, and explained the position of her own and the prisoner's rooms.] We generally had our meals in that room for some little time, and slept in it also. We lived so about a week, and then went down one day to air the furniture in the parlour. We did not continue to live below stairs. While at Potash, on the 21st, the Tuesday before the murder, Mr. Rush produced something again for to copy. I did so on stamped paper, in the morning, and Mr. Rush took them, and went out, saying he was going to take the original to Mrs. Jermy to sign. I wrote three documents, which I thought at the same time were the same. He went to Stanfield Hall, and returned to dinner, having been gone two hours and a half. I asked him if Mr. Jermy had signed, and he said "No"; but he was going to call in the afternoon again, on his way to Felmingham. He said Mr. Jermy had behaved very kindly, as though they had never had any words. He said, "What a strange man Mr. Jermy is." He said young Mr. Jermy kept coming in to hear what the conversation was, but old Mr. Jermy desired him to leave the room, saying he was not wanted. After dinner, about three o'clock, he told me I had better take my walk, as he had a little writing to do. I did so, and came back in half an hour; and when I returned, a great many papers were on the table; and after I had taken off my things, he said, "I wish you to put your name to those papers you wrote for me." I saw two of the papers—those produced are the same (receiving them from the learned counsel). There was a third—two like that marked B, and one marked A. They were not open when I signed them; he said, "Put your signature to these, and the word 'witness.'" They were partly folded—I put my name and the word witness first, and then he signed his name. These signatures are my hand-writing. The words "Isaac Jermy" I did not notice when I signed. I do not know whether they were there or not.

COUNSEL (to His Lordship): This is the paper marked B.

When I gave him the paper (B) in the morning, the name Isaac Jermy was not there. I signed another (marked A) in the afternoon. This signature and the word "witness" is my hand-writing. When I put my signature to it, I think the name Isaac Jermy was upon it; but it was not there when I gave it to him in the morning. Mr. Rush did not write his name to this while I was present.

Mr. Rush dined at Potash on the 24th, between one and two o'clock. Towards the

evening, he said he had seen a fresh stake driven into the ground. I understood that he meant, that a stake had been driven in by poachers, and that he should go out after them. He had been out in the evening several nights before. He had only been at Potash three or four days, when he told me that he used to go out after poachers. On the Friday we took tea about six o'clock. Mr. Rush was standing by the passage window when I was getting tea ready in the bedroom. He said, "Make haste and get the tea ready; it is just the night for those rascals." We sat down to tea, and while we were at tea, he wanted a little spirits. He complained of being unwell, and said he would have some gin in his tea. I recommended him to take brandy. He said he should prefer gin, and went to get some from the closet. He got the gin, and poured some into his cup, and drank it with his tea. He asked me to have some, and I took a little in my tea. He then got the gin-bottle, and drank some gin from it. I cannot tell how much he drank. He said the gin would keep the cold out, as he was going out. After taking the gin, he went down to give his son some letters to take to the Wymondham Post-Office. He then went up-stairs into his bedroom, and told me to clear away the tea things, and go into my own room. He told me, also, that when I got into the room I was to put out the light, and watch James, his son, up the road, to hear when he passed, and let him (Mr. Rush) know. I did so; and he then told me to return to my own room again. He was, at this time, in his own bedroom, with the door shut. I closed my own room door as near as it would shut. He had, on prior occasions, when he was going out at night, told me to go into my own room.

I asked him to take Savory with him on this occasion, saying it was dangerous to go after poachers alone. I heard him go out, but did not see him. The door from the staircase was shut, but not locked. I heard him again that night, about half past eleven, come in at the front door, and come up-stairs. He opened the passage door, and said, "Where are you?" I told him, "Here—in your room." He said, "Step into your own room a moment." I had a light in his room. I went into my own room, leaving the light in his. I heard him go into his bedroom; he shut the door, but I cannot tell whether he locked it. I had no opportunity of seeing him when he came in. He left the house to go out about half past six or seven o'clock. After he returned, I remained in my room about a quarter of an hour, in the dark. He opened then the door of his own bedroom, and said, "Are you not coming in?" I went into his bedroom, and found him in bed. I thought the spirits he had taken had affected him. I said to him, "You appear tipsy, and its that nasty gin." He said, "Yes; I was a fool for taking it, and I feel very unwell." I made him some tea. I observed a pair of stockings, which he had worn, very muddy. I did not notice any other articles of his dress. The stockings were drying on the fender; they were muddy and wet about the ankle. I let him sleep some time before I went to bed. He slept a short time, and I aroused him to take the tea. It was about two o'clock when I made the tea for him. He went to sleep after taking the tea. In the course of the night, about two hours after he had taken the tea, he rose up in the bed, and said he was afraid he had lost something. He went about the room to look for something, and found his keys under the bed. He unlocked his closet, and searched about amongst some things. He said, "I have got it—it's all right." When he said he lost something, he said if he could not find it, he must go out and search for it.

(The Witness here appeared much affected, and it was suggested that she should retire for a short time.)

The PRISONER: It is a long while, my Lord, for her to sit here; if you were to let her retire for five minutes, she would perhaps feel more collected.

The WITNESS, on being asked by her female attendant if she would like to retire, replied the affirmative.

RUSH followed her with his eyes until she left the court, when he resumed his seat in the dock.

The Court then adjourned for ten minutes. On the re-assembling of the Court and Jury, Emily Sandford's examination was proceeded with.

I was in the parlour. He had been in his bed room about a quarter of an hour before he left. I heard him come down-stairs, and pass into the sleeping-room, and speak to the boy Savory. I did not see him at all then. I heard him go all the way through the back premises. I was in the house by myself after he left. As he returned from the sleeping-room, he said, "Fasten this door after me," meaning the porch door. He returned about nine or half-past nine o'clock. I heard him rapping at the door. I went and asked, "Who's there?" He said, "It's only me—open the door." I opened the door, and went into the parlour, and said, as I did so, "It is undone." He then came in and went up-stairs, but I did not see him. I closed the parlour door when he was going up. I asked him if he would have a light. He said no, he could get one up-stairs.

As he passed the parlour door, he told me to go to bed. I remained a few minutes in the parlour, when he came down into the room. He had neither coat nor shoes on when he came down and went into the parlour. He had either boots or shoes on when he came in. When he came into the room, he was very excited, and looked pale, ill, and agitated. He said, "Take the top of the fire off, and come to bed." I asked him what was the matter and whether anything had happened?

He said, "No nothing; if you hear any inquiries for me, say I was out only ten minutes."

He then told me to go to bed, and went to bed himself. I afterwards took off the fire, and threw water on it, and then went up-stairs. I went to his door and just opened it. I went in about a yard, and asked him which room I should sleep in. He said, "In here." Immediately afterwards he said, "No, no." When he said that, he came towards me and said, "Go into your own." He added, "You want your dress unfastened." Since I have been at Potash Farm, Mr. Rush and I have always slept in the same bed. I went into my own room by Mr. Rush's directions. I observed, when I went into his room, that there was a fire burning bright. I had not lighted any fire before he came home. After I had been in my own room some time, I heard him go down-stairs. He returned very shortly to his own room. He locked himself in when I went into my own room. I got into bed, then. After thinking a great deal about Mr. Rush, I fell asleep. About three o'clock in the morning, Mr. Rush came and knocked at my door. I asked who was there, and he said, "It's only me; I want to wish you good night—undo your door." I undid the door, and he came into the bedroom. He said, "You must be firm; if any one asks you how long I was out, say, only ten minutes." He added, "You may hear something in the morning." I was trembling; he said, "You appear as though you had the ague." He said he would fetch his great coat and put over me.

There was a great deal said that night. I asked several times what had happened. Once, I said, "For God's sake what have you done?" I took him by the hand, and I found he was trembling very much. He said something about his poor mother, and he hoped God would bless me, for I had done nothing wrong. As he went out of the room he said something about a hat and lining, but I do not know what it was about. I remember a peculiar pair of boots that Mr. Rush was in the habit of wearing; they were raised behind, and open at the sides. I have seen them repeatedly; saw them drying the next morning, as though they had been worn the night before. On the Saturday or Sunday, I saw the boots in the house. Since that time, I have never seen them. Some days previously, Mr. Rush took me to a closet in the parlour. There are two closets there, and one in his bedroom. He showed me where he kept his papers that were valuable, and said no one but his poor mother knew of the place. He showed me one of the planks which had to be taken up, and showed me how to raise it by a chisel, in case of fire. He always kept the closet in the parlour and that in the bedroom locked. On the Wednesday morning, at breakfast, he said, "Do you know that I had my slippers on?" I said, "I don't know." The cloak now produced, belonged to Mr. Rush. I had it made up in London. It was kept in the closet in his room.

Cross-examined by the PRISONER: Who did you see to speak to after you left the box for refreshment?—WITNESS: No one.

PRISONER: Have you been told any evidence that has been taken against me in this court?—WITNESS: No.

PRISONER: When did you come to Norwich first, for the Assizes?—WITNESS: The day before yesterday.

PRISONER: When were you examined last, as to the evidence you were to give here?—WITNESS: When before you last time; never since.

PRISONER: Have you been told about anything Savory says about what took place on the night of the murder?—WITNESS: No; I have read it in the papers.

PRISONER: Have you been questioned by the police within the last fortnight or three weeks?—WITNESS: I have not seen any of them for nearly six weeks.

PRISONER: When did you last see Mr. Cann or Mr. Harcourt?—WITNESS: About ten days ago, I saw Mr. Cann and Mr. Harcourt.

PRISONER: Did they take any examination at that time, or ask you any questions about what evidence you were to give?—WITNESS: No; I gave it to Mr. Cann. He simply asked me if I had lived in King's Cross, and I said no.

PRISONER: What account did you give Mr. Cann about ten days ago? and was it a written account?—WITNESS: I wrote down about the hat and lining, and the anecdote, about ten days ago.

PRISONER: Did he ask you any other questions?—WITNESS: Only about the reports circulated about me, and they were not right.

PRISONER: Did you ever before give Mr. Cann any written statement of what you were about to give evidence on here, about ten days ago?—WITNESS: Yes; before my confinement.

PRISONER: Who was with him when you gave him that?—WITNESS: I had written it out; it was in my portfolio, and I told Mrs. Bryant to give it to him.

PRISONER: Who gave them to Mr. Cann?—WITNESS: I do not know who gave it to him. I was ill at the time, and could not see Mr. Cann.

PRISONER: Have you not heard me say why I knew of poachers going on to Potash at night?—WITNESS: Yes; you thought it was the men on your own farm, and that's why you went out yourself.

PRISONER: Have you not heard me give you other reasons why I knew they had been on, certainly, after game?—WITNESS: You said that you had seen several snares laid.

PRISONER: Did you ever hear me give any other reason why, and how, they caught the game?—WITNESS: You said they caught them in a noose by the gate.

PRISONER: Have you not known that the game has been fed in plantations opposite the house?—WITNESS: Yes; pheasants have been in the orchard in front of the house.

PRISONER: Do you not know that there is a stake in the plantations where the pheasants are fed—a small stake?—WITNESS: I have seen the stake where the pheasants are fed.

PRISONER: Do you recollect the last time I had any shooting at Potash—the time you were there—that we could not find any game worth going after?—WITNESS: You had one pheasant and that is all; at least, so you told me.

PRISONER: You never heard any guns going off?—WITNESS: I saw you shooting; but that is all the guns I heard.

PRISONER: Did you hear at that time of Savory's having seen Sir John Boileau's keepers sending a dog into the plantation, opposite the house, to drive the game out?—WITNESS: No; I cannot recollect I ever heard of it.

PRISONER: Did I not tell you of stakes being found in the plantation for taking the game?—WITNESS: Yes, in your own fields.

PRISONER: Was it not usual for me, when I came home of an evening, to go up-stairs before coming into the room that you are in?—WITNESS: You never did go out of an evening before those nights.

PRISONER: I mean after I had been on my farm, do I not go up-stairs to wash?—WITNESS: I do not know that you do.

PRISONER: I do not wish you to say anything you do not know, but I understood that you had said so. Was not your watch, and the one I was wearing on the 28th of November last, and for some time previous, three-quarters of an hour faster than the train time? Recollect, before you give an answer?—WITNESS: I know the Potash clock was considered much faster.

PRISONER: What observation was made with respect to our watches being faster than the train time, on the 28th; when we talked of going to the concert?—WITNESS: I think you said you were not in a very great hurry, and that our clock was faster.

PRISONER: Were there any watches produced at the time?—WITNESS: Yes; I looked at mine at the time.

PRISONER: When I offered to go, did I not say that our watches were so fast that we should be in time? I wish to bring her to recollection about the watches—we looked at the watches then.

HIS LORDSHIP: Were the watches the same as the train time or as the clock?—WITNESS: My watch was the same as the Potash clock.

PRISONER: At the time we were talking about the concert, did I not express I was very vexed that I should disappoint you going?—WITNESS: Yes; you said it was a shame I should be disappointed.

PRISONER: Do you recollect where you were sitting at the time of the first conversation about the concert before tea?—WITNESS: We had no conversation before tea.

PRISONER: Now, recollect when I came in where I was sitting. Recollect! take time! Where was I sitting before tea? Was I not sitting on the easy chair some time before tea, and were you not sitting with me without your outside dress on?—WITNESS: I had not my outside dress on.

PRISONER: Were we not sitting in a certain position a very long time before we made preparation for tea?—WITNESS: You said, "Come and kiss me," and I came and sat on your knee.

PRISONER: Was not that before tea?—WITNESS: No; it was after tea. I never went over to you till after tea.

PRISONER: I will bring other things to your recollection, that will make you remember it. I now ask you, at that time I was sitting there, if you thought there was any possibility of my having the least appearance of being guilty of such a horrid charge as this? WITNESS: No; certainly not. I never dreamed of such a thing.

PRISONER: Has Mr. William Cann, the magistrate, read a note to you from me, since you have been in the Bridewell?—WITNESS: Directly I returned, Mr. Cann, the magistrate, called and told me the purport of your note, but I did not see it; I have never seen him since.

PRISONER: He did not read it to you?—WITNESS: No; he told me the contents of it.

PRISONER: How did he say he came by it?—WITNESS: I think he said it was brought from the Castle; he said I could not see it.

PRISONER: Did you see the note at all?—WITNESS: No, I did not.

PRISONER (to the Judge): I should like to know, my Lord, if I am allowed to have it read, to hear if he gave the contents properly?—THE JUDGE: It has nothing in it to the point, but as there is no objection made, it shall be done.—The prisoner then read it himself. (It was the letter alluded to by the learned counsel, in his opening address.) He then asked if Mr. Cann said all that?—WITNESS: Mr. Cann's words were, that you had apologised for what you had said.

PRISONER: Did he say nothing about the unjust accusation against me?—WITNESS: No.

PRISONER: He wrote me word, my Lord, that he had communicated the contents. I will now tell you what I wrote to Mr. Cann. This is the letter:—

"I think it my duty and what is right, considering the state Miss Sandford is in, to send

the enclosed half sheet to her; and under all circumstances, I hope you will communicate the contents to her, or send it, so as I may have a line or two as an acknowledgment of the receipt of it. She has enough to suffer, for all having to think that I wish her any harm. Upon my soul I do not, however unjustly I may be accused. I hope you will agree with me in the propriety of her having my note."

HIS LORDSHIP: Mr. Cann saw the witness, and told her that you had written a letter, in which you had apologized to her for the rash language you had used. These are the whole of the facts. I cannot here give observations upon them.

PRISONER (to Witness:): How has my conduct been, as far as you have seen of me, since you had known me, up to that time, as regards my insensibility to feeling, and my disposition and attention to religious duties, up to the time these transactions happened?—WITNESS: You have always been of amiable temper towards me, and I never knew you to be anything contrary towards others. You had prayers read on a morning since I came to Potash. That was done before I left Potash. They were read generally, but not always.

PRISONER: Have you not invariably, before coming to bed to me, knelt down, and to all appearance to me, have said your prayers?—WITNESS: Sometimes I have done so.

PRISONER: I do not recollect your ever missing.—WITNESS: I cannot be positive I always did.

PRISONER. That was your habit.—WITNESS: I was sometimes behind the curtain.

PRISONER: My Lord, I wish to show what her conduct has been.

PRISONER: Have you any reason to suppose that your conduct has not been consistent with your offering up such prayers?—WITNESS: Do you think my conduct was bad, then?

PRISONER: No, no! my dear, not at all: I only ask you whether you had any reason to suppose that you acted consistently with your saying those prayers?—WITNESS: I hope I did; I did all I could to make you comfortable.

PRISONER: Have I not repeatedly told you when you have complained of the expense you have been to me that the expense we were living at was less than when I was in London by myself?—WITNESS: I thought I was an expense to you, and when I said so, you said the expenses were not so great as you had before incurred. I taught music to ease the expense.

PRISONER: My Lord, I served a notice on this witness to produce an account-book of our expenses.—WITNESS: You took it from me. You said I should not want it any longer. The notice I had was that I should produce all the papers that I had relative to Mylne-street. I have some in my pocket.

HIS LORDSHIP: Do you produce the account-book?—WITNESS: I cannot.

HIS LORDSHIP: Why?—WITNESS: Mr. Rush took it from me.

PRISONER: Mr. Cann, have you seen it?—MR. CANN: I have not seen it.

HIS LORDSHIP: It is for some purpose, I suppose, that you wish her to produce it. You may ask her about the contents of the book although she has not got it, and although it is not strictly regular.

PRISONER: All I wish to have the book for is to shew the little expense we were at. I wish her also to produce some receipts for furniture and other things, taken to the lodgings in Mylne-street. It is for her own good, as well as mine.

MR. CANN. They will be produced by-and-by.

WITNESS: I have some receipts here for trifling things.

PRISONER: But have you the others?—WITNESS: I gave them to Mr. Cann.

MR. CANN: I have them, and will produce them.

PRISONER: Have I not promised you that, so long as you continued to show such kindness and consistency of conduct, you should never want a home while I had one?—WITNESS: You said you should never forsake me, on account of breaking your promise.

PRISONER: Was it not on that condition that it was agreed between us, that, after the second child was born, we should cease all connexion with each other, except that I should be a good father to the child, and you should live with me as my housekeeper.—WITNESS. Yes.

PRISONER: At the time this conversation took place, was it not agreed that one of my daughters should always sleep in the same room that you did?—WITNESS: You said, when your family removed, I should occupy your room with the baby, and that the governess should occupy the next.

PRISONER: That's right. Had you the least doubt that I was sincere, and that it was done for the real respect I had for you, for your good, and for the welfare of my other children?—WITNESS: I was obliged to believe that. You had broken your promise of marriage; what other promise could I expect?

PRISONER: Do you recollect the reason I gave for pursuing that course?—WITNESS. What course?

PRISONER: That you should live with me as housekeeper, and that we should cease our connexion. Do you not recollect the reason that I gave?—WITNESS: No!

PRISONER: Do you not recollect that it was that we might not have the house full of children?—WITNESS (indignantly): I do not know why you wish to insult me. (Witness here burst afresh into tears, but soon again recovered.)

HIS LORDSHIP (to the Prisoner): I cannot allow you to wound the feelings of any one in this way, unnecessarily. It has no bearing on the case.

PRISONER: It is not out of disrespect to her. All I say is this, that I gave as a reason for the course I pursued, the respect I had for her.

HIS LORDSHIP: She said as much as she could, that you conducted yourself in a manner amiable to her as far as possible, and as far as is consistent with what transpired, she never saw you conduct yourself otherwise.

WITNESS (weeping) to the Prisoner: Did you not tell mamma that I was gone to France?

PRISONER: No, my dear! I never thought of such a thing, if it was the last word I had to speak.—WITNESS: You told mamma I was either going or gone.

PRISONER: Who told you?—WITNESS: It is all false what you told me when you returned from London the last time.

PRISONER: I went to see your mother.—WITNESS: You told my mother I was going to France, and was going to be possessed of a great sum of money.

PRISONER: Good God! I hope (addressing himself to the Judge) you will allow me to ask her one question?

HIS LORDSHIP: There are many questions which you have asked that I should not have allowed counsel to put; but, feeling that you are conducting your own case, without understanding exactly what the rules of these Courts are, I am very loth to interfere to prevent your doing what you think is for your interest; but I cannot allow you to wound the feelings of another person.

PRISONER: I do not do it with that intention; quite the reverse, my Lord.

HIS LORDSHIP: Unless you confine yourself within bounds that shall render it perfectly plain that you are not hurting the feelings of any person, I shall confine you to the strict path you are justified in pursuing. You must only ask relevant questions.

PRISONER: I am sorry I have done so: I know her feelings have been worked upon. Addressing himself to the witness, he said: Was not that one of the reasons you took the name of James, and pretended to be a widow, that it might be respectable, your—living as my housekeeper?—WITNESS: No; you did it to hide the promise you made to me, or being known to have any connexion with me. That is why you did it.

PRISONER: I say nothing about the promise I made to you; I am quite willing to admit that. I ask you, was not that one of the reasons why you took the name of James, that it might be respectable for you to live with me as a housekeeper? Have I not given you passages of Scripture that I said would sanction the way in which we lived together? (Sensation.) Did I not say, also, that God Almighty would forgive us that sin, if we committed no other?—WITNESS: Yes.

PRISONER: Now I ask you whether you do not recollect my sitting on the easy chair after I came in that night, and your sitting on my lap?—WITNESS: I did sit on your knee. I asked you why you stared so strangely at me, and you said, "Come and kiss me." I then went over to you.

PRISONER: That's quite right. Where was the easy chair standing at that time?—WITNESS: At the corner of the table.

PRISONER: How far off the table was it?—WITNESS: It was close to the table, so that you could have reached your cup off.

PRISONER: Had you your outside dress on?—WITNESS: You know I had not.

The PRISONER here cautioned the witness to tell the truth on such a case of life or death. He called on her before God to remember the importance of her speaking the truth. Throughout the whole cross-examination, he very frequently repeated his injunctions on this head, declaring that he had nothing to fear from the truth, that God Almighty was his only friend, and that his love for the witness was undiminished. After examining her at some length as to the dress which she had on on the evening of Tuesday, he proceeded: How long was it from the time we were talking about the concert, when I came home, to the time when we began our tea?—WITNESS: I set about making the tea as soon as you came in.

PRISONER: Do you recollect my talking about the kettle boiling?—WITNESS: I am sure I cannot recollect these things.

PRISONER: Did I not tell you I was unwell when I first came in on Tuesday?—WITNESS: Yes; I asked you what was the matter, and you said you were not well.

PRISONER: Now try and answer my next question; I have a large family of children, and that sort of thing, and I ask you where I was sitting when you say I was crying? That was before tea, you know.—WITNESS: That was during tea.

PRISONER: Did we hurry tea?—WITNESS: No; not by any means.

PRISONER: How long did we sit talking together?—WITNESS: Some time.

PRISONER: An hour?—WITNESS: It might be more.

PRISONER: Where did we sit after tea?—WITNESS: In the same place where we were sitting during tea.

PRISONER: Did I not, after I got up, stand by the fire talking for some time?—WITNESS: I am sure I do not know.

PRISONER: Do you recollect my asking you to read what was to be the morning performance at the concert?—WITNESS: We certainly never read about the morning performance.

PRISONER: Was there not a paper or a bill got to show what it was?—WITNESS: No; but you said the concert was quite as good as the evening one.

PRISONER: Do you recollect my standing by the fire at all?—WITNESS: No, you were sitting down, I think.

PRISONER: When was it that you advised me not to go out, because I was unwell?—WITNESS: It was while we were at tea.

PRISONER: Did I not have the easy chair before the fire after tea, and sit there a long time. Recollect, for God Almighty's sake?—WITNESS: You did not have the chair before the fire after tea at all, that I can recollect.

PRISONER: Don't you recollect we had some conversation when I came down, and just before I was going out?—WITNESS: No, you did not; you had after you came home.

PRISONER: Did you not expect from what I said to you that I should not be gone long—not so long as those nights when I said I was going out after poachers?—WITNESS: Yes, you said you should not be gone long.

PRISONER: Were you reading that night after I went out?—WITNESS: Yes I was.

PRISONER: Could I have been out more than half an hour?—WITNESS: You appeared to return soon, but I was reading a very interesting work.

PRISONER: What were you reading?—WITNESS: "Whitefriars."

PRISONER: How much did you read of it while I was out?—WITNESS: About half a volume.

PRISONER: Your own words were, "He came home to tea on Tuesday at six o'clock." Was it not so?—WITNESS: It was.

PRISONER: Did you hear me go up-stairs?—WITNESS: Yes.

PRISONER: How long was I there?—WITNESS: About a quarter of an hour.

PRISONER: Did I not bar the door while I stood by it?—WITNESS: I don't know.

PRISONER: Now tell me on your oath was I out an hour after tea when I left?—WITNESS: You were.

(Rush insisted on having the witness's depositions before the magistrates read. They did not differ from the examination in chief.)

PRISONER: Did you not look at your watch before I went out on Tuesday night?—WITNESS: No.

PRISONER: At what time did you get into your room?—WITNESS: About nine.

PRISONER: What did you do with your watch that night?—WITNESS: It was in my room.

PRISONER: When did you wind it up?—WITNESS: I don't recollect winding it up at all.

PRISONER: Was there a large fire in my bedroom on that evening?—WITNESS: There was. I put the water on it myself.

PRISONER: How long was it from the time I came in that you came up-stairs and saw the fire. Was it half an hour?—WITNESS: I dare say it was; but I don't exactly recollect.

PRISONER: When you came up did I not open the door for you to come in?—WITNESS: No; I opened the door myself. I could see there was a fire before I got up to the door.

PRISONER: How far did you come into the room?—WITNESS: About a yard. I was about sitting in a chair.

PRISONER: If you only speak the truth, you can do me no harm. I hope you will take great care, and not hurry yourself in any of your answers. I wish you to speak the truth, so that you may have peace of mind hereafter, and that you will not swear away my life faster than you are able. Did the fire have the appearance of having been lighted some time?—WITNESS: It was lighted some time.

PRISONER: Did I not request you not to take a light into your room?—WITNESS: Yes, you did.

PRISONER: After I had given you instructions not to take the light into your room, did I not tell you, before you went into the room, to do all such little things as you might want a light to do?—WITNESS: You hurried me out of the room.

PRISONER: Where did you get the candle from?—WITNESS: I brought it up stairs.

PRISONER: At the time you went away from my room, what things did you do—little things, for instance, necessary before going to bed?—WITNESS: Nothing. You put your hands out, and thrust me out of the room.

PRISONER: Do you recollect your watch being down the next morning?—WITNESS: No; I don't recollect it at all.

PRISONER: Try and recollect what things you took off. Was the light out before you left my room?—WITNESS: No.

JUDGE: Where was the prisoner?—WITNESS: In his room.

PRISONER: Did you not ask, when I was unfastening your dress in my room, what was the matter?—WITNESS: Yes; I was continually asking you.

PRISONER: Did I not tell you that I was coming into your room when you left mine?—WITNESS: No.

PRISONER: Did I say anything which could lead you to expect that I was fearful of some one coming, and that therefore I did not wish to be in your room at night?—WITNESS: I don't recollect.

PRISONER: At the time I was unfastening your dress in my room do you remember me complaining of being cold?—WITNESS: No, I do not.

PRISONER: Are you sure that you made no observation of the sort about my hands being cold when I unfastened your dress?—WITNESS: No, I do not.

PRISONER: Don't you know that the front door won't keep shut unless it is fastened?—WITNESS: I do not know that.

PRISONER: Where were you when I was going up-stairs?—WITNESS: In the parlour.

PRISONER: Have you not stated that you heard me go up-stairs when you were elsewhere?—WITNESS: No, I have not stated anything of the kind.

PRISONER: I must once more caution you against saying anything particularly. This is a matter of life and death, and therefore say whether, after you left me that night, I did not come in and get into your bed, saying at the time that you must have got the ague. Don't let false delicacy interfere with you. Did I not get into the bed?—WITNESS: No; you rested yourself on the bed.

PRISONER: Did I not get into bed?—WITNESS: No.

PRISONER: This is a matter of the greatest importance. I have great love and fidelity towards you, and I pray to God that you speak the truth. What was the first time I came into your room?—WITNESS: It was towards morning. It was quite dark.

PRISONER: Had you been asleep the first time I came in?—WITNESS: Yes, I had; and you woke me up by knocking at the door.

PRISONER: Did I get into bed at all when I came home?—Yes; you got into bed on the second occasion. PRISONER: Thank you; that is right.

JUDGE: Did he get into bed on both occasions?—WITNESS: No, only the last time.

PRISONER: Was it not then that I complained of you as having the ague?—No, it was not. It was the first time, when you were lying on the bed, that you complained of my skaking.

JUDGE: You had your hand in his?—WITNESS: Yes, I had.

JUDGE: Did he get into bed after getting the coat?—WITNESS: No; it was not on that occasion that he got into bed.

PRISONER: Provided you had not given the evidence you had before, you would not have said differently now.

JUDGE: That is a metaphysical question she cannot answer. You may ask her whether she is answering the questions with reference to the facts of the case, or with reference to her previous evidence. Are you (to the witness) answering the questions according to your best recollections of the truth?—WITNESS: I am, my Lord.

PRISONER: Can you say how long you had been asleep?—WITNESS: I had been lying awake thinking, and then dropped off to sleep. The knocking at the door awoke me.

JUDGE: Were you able, when you awoke, to form any opinion as to the time you had been asleep?—WITNESS: I cannot say how long.

PRISONER: Did I not complain when I got into bed that I was almost as cold as you?—WITNESS: No; I don't recollect.

PRISONER: Did I not say I got into bed in consequence of being so cold?—WITNESS: I don't recollect.

PRISONER: But you complained of cold, did you not?—WITNESS: Yes.

PRISONER: Was there anything said about my having stood at the window, or about my having been down-stairs?—WITNESS: No.

PRISONER: I ask you to recollect whether it was at the time I got into bed that you asked me whether I had been drinking anything?—WITNESS: I don't recollect.

PRISONER: Do you recollect whether it was when I was in the bed you said, "For God's sake, what is the matter?"—WITNESS: I asked you repeatedly what was the matter.

PRISONER: Which time was it when I said, "You will hear something before morning?"—WITNESS: The second time.

PRISONER: Did I not say to you on the first occasion, "You will most likely soon hear of something wrong at Stanfield Hall?"—WITNESS: You said so the second time.

PRISONER: Did I not give you any reason to expect that I was going to tell you what mistaken place on the first time?—WITNESS: No, not at all.

PRISONER: Did you not say, "I would rather not hear it?"—WITNESS: No.

PRISONER: Parties who hear me may think I am saying a great deal against myself; but it will all come out afterwards.

PRISONER: After I had been in bed for some time, did not the trembling go off?—WITNESS: No; it continued all the time.

PRISONER: And you trembled all the time, too, I suppose?—WITNESS: Yes; I was afraid something was the matter.

PRISONER: Did you not come up to the door, undo it, and stand by it, and have some conversation about what we were doing that evening?

JUDGE: Upon what occasion?—RUSH: Upon the third occasion.

JUDGE (to witness): Was there a third occasion upon which he came to your room?—

WITNESS: No, my Lord, there was not.

PRISONER: Did I not have some conversation with you about playing at draughts?—WITNESS: None whatever.

PRISONER: Do you know where the draught-board was on Tuesday?—WITNESS: No.

PRISONER: Was not the last time of our playing at draughts, in my room, or in the parlour?—WITNESS: I don't know; we played at draughts very often.

PRISONER: Was there nothing said about prayers that night?—WITNESS: There were many things said that I cannot recollect.

PRISONER: Was I in the closet when I mentioned the secret place in the closet, or in the parlour?—WITNESS: You were not in the closet, but you had to go to the closet for some thing.

PRISONER: That's right. (To the Judge) You may put that down. (To Witness) Did I ever deny you going into my closet?—WITNESS: I have been in it.

PRISONER: It has been left undone?—WITNESS: Yes; once or twice the key has been left in the door.

PRISONER: Have I ever denied you going into that closet when you wanted?—WITNESS: I never was denied, because I never asked. I have seen the keys in the doors twice.

PRISONER: Did I not eat a hearty breakfast on the morning I was apprehended?—WITNESS: Yes.

PRISONER: Have you read the reports in the papers to see the evidence against me?—WITNESS: Yes.

PRISONER: By whose directions were they given to you?—WITNESS: By no one's directions.

PRISONER: What papers were they? You read them in the London as well as the Norwich?—WITNESS: No; I did not see the London papers.

PRISONER: Do you recollect when I came up to the landing between your bedroom and mine, and when the police were with me, that I told you what had taken place?—WITNESS: No, I do not.

PRISONER: Did I tell you nothing?—WITNESS: Yes; you said there was something up at Stanfield Hall.

PRISONER: Did you not know what had happened?—WITNESS: No.

PRISONER: What did I tell you at last?—WITNESS: You told me that the two Jermys were shot dead.

PRISONER: How many police were in the room when you looked into my room that morning?—WITNESS: There might be a dozen of them.

THE JUDGE: You have occupied the Court some hours with questions totally irrelevant, which do not apply to the case.

PRISONER: You have no right to say that, my Lord; you are prejudicing the case.

JUDGE: Well, I mean to conduct this case with all possible patience, and perhaps I ought not to have made the remark. You are quite right in making the remark. Go on.

PRISONER: Were you examined on the 14th December at the Castle?—WITNESS: Yes; I think I was.

PRISONER: Where were you next examined?—WITNESS: I don't recollect where it was. I

PRISONER: I think, my Lord, you had better now adjourn the case. I have a great deal to ask of the witness about the papers, which it is very important I should set right. The witness is not in a fit state to submit to be examined any longer. Look; poor thing, she is almost ready to drop off her seat now.

JUDGE: Directly the witness feels incapable of sitting here any longer, I will adjourn, as far as her evidence is concerned. Do you (addressing the witness) feel indisposed to remain any longer?—WITNESS: I can go on, my Lord.

The PRISONER then went on with a lengthened cross-examination of the witness, relative to the dates of subsequent depositions which she had given, and as to which of those she signed or did not sign.—She said: I remember signing those taken before the coroner. Since you cross-examined me at the Castle, I have had all the depositions read over to me at my own request. It was a few days ago. Mrs. Bryant and Mr. John Cann read them. Mr. Cann then said if there was anything in the depositions which was incorrect, he would scratch them out; but I told Mr. Cann of nothing but the hat and the lining. I did not then tell him that anything was incorrect. That was after I gave Mr. Cann what I wrote out. He was with me while he read all my depositions over. The first depositions about your being out only ten minutes, were not read, I think. He did not read those taken before the coroner. I have never had them read over to me, except when Mr. Cann read them, and at the Castle. I have had nothing told me about them to refresh my memory. I knew previous to my examination, at the time of the funeral, that the funeral was to take place on that day. Have given parties reasons to suspect what you had on those nights you went out. I caught a glimpse of you once when I first came to Potash, in the house, when you had just returned home in the evening, going into your room with a hat and something like a cloak on. I told Mr. Cann about this, when he called to speak to me about a false rumour about myself. I have often described the different wigs you have in your possession. I don't think I mentioned them at the Hall the day after the murder. I was not told that day at the Hall, that the man that had been seen had something over his face.

Sergeant BYLES here remonstrated, for the first time, against the questions put; in reply to which his Lordship intimated, that some bounds must be observed.

Cross-examination continued: I heard nothing in Stanfield Hall about the man having a

cloak on. I overheard the servants there talking about the man's walking through the passages. I heard nothing else. I was sitting in the cold pantry from three in the afternoon till twelve at night. There was no fire, but the servants were very attentive.

PRISONER: I *must* know what more she heard at Stanfield Hall that night.—His LORDSHIP: Why, she says she heard nothing.—PRISONER: She says no such thing. I have asked her questions enough all ready about what took place there, to see that there was something more. It is most important for me. The fact is, she cannot recollect to-night.—WITNESS: I can; I remember it well.—PRISONER then went on to complain of her being too fatigued to-night to remember, and attributed her negative reply to several of his questions to that cause. When I was examined at the Castle the first time, you were hurried out of the room. I was in the room several hours, I think, before you left. You did not cross-examine me the first day.

PRISONER: My Lord, you see she can't remember.

Whatever I said was read over to me, and I signed my name to it. You were not in the room at the time I signed it. You were asked to ask me questions, but you declined it.

Witness repeatedly said that she was not cross-examined by the prisoner, on the first day, at the Castle.

The PRISONER: This is a most extraordinary thing. It is a cruel thing, this examination. This witness is not in a fit state to go on. She says I did not cross-examine her at the Castle; which shews she is not in a fit state to remember.

His LORDSHIP: A few questions only were asked her about where she had been examined before, and I can well understand that she could not think that a cross-examination.

PRISONER: Do you think, my Lord, she is not capable of judging what a cross-examination is?—The prisoner continually referred to the weakness of the witness as a reason why the Court should adjourn. Cross-examination resumed. You put no questions to me the first day of my examination at the Castle.

(A long and tedious series of interrogations were again put by the prisoner, relative to the question of whether he did or did not cross-examine witness on the first day her depositions were taken at the Castle. He continually expressed his conviction, that she was not now in a fit state to continue in court, under examination, and his Lordship again replied, that he would adjourn her evidence the moment she stated her desire to do so.)

On the day after the murder I went to Stanfield Hall. I recognised Mr. Cann and Mr. Mr. Thomas Cann there. I saw them in the kitchen. I did not stay there more than an hour. I went afterwards into the pantry. I was there by myself, and the door was shut. It was more than three o'clock when I was there. I sat in the pantry about two hours before I saw any one. While I was in the kitchen I heard nothing of the transactions of the previous night. The first person I saw in the pantry was a policeman. The servants afterwards came in and out several times. Later in the evening, I heard something about the murder; I heard that a man had walked up the passage after Mrs. Jermy. I did not go into the other rooms; I asked to go up-stairs, but I could not go. I asked for a cushion, but they could not give me one. I asked one of the female servants if I might go up-stairs; it was after dark, and I was very tired. I do not remember ever hearing anything of the dress of the man who followed Mrs. Jermy, nor anything about his having pistols.—The prisoner was about to cross-examine the witness respecting the papers relating to the Stanfield Hall property, when his Lordship suggested that the Court should adjourn till the following morning.

The Witness (Emily Sandford) was under examination from ten o'clock until nearly half-past eight o'clock. The cross-examination was resumed at nine o'clock on Saturday morning. It is a remarkable fact, that the prisoner appeared even less exhausted at the close of the proceedings to-day than he was yesterday. It will be observed, that in his cross-examination of Emily Sandford he used alternately persuasion and remonstrance, with a view to obtain admissions calculated to improve his case, but all in vain; and, as the evening drew on, it was thought something like a feeling of despair appeared in the manner of the accused. He continually appealed to the Almighty in addressing the witness, and once declared that his heart beat for her more warmly than ever man's heart did for woman. His appeals appeared, however, to have little effect on the witness.

The following letter was addressed by Rush, on Saturday last, to Mr. Leggatt, the landlord of the Bell Inn, near the Castle.—

“Norwich, March 24, 1849.

“Sir,—You will oblige me by sending my breakfast this morning, and my dinner about the time your family have theirs: send anything you like, *except beef*; and I shall like cold meat as well as hot, and meal bread: and the tea in a pint mug—if with a cover on, the better. I will trouble you to provide for me now, if you please, until after my trial; and if you could get a small sucking-pig in the market to-day, and roast for me on Monday, I should like that cold as well as hot after Monday, and it would always be in readiness for me, as it will be so uncertain what time I shall have for my meals after Monday.

“Have the pig cooked as you usually have, and send plenty of plum-sauce with it. By complying with the above, you will very much oblige

“Your obedient servant,

J. B. RUSH.”

THIRD DAY.—SATURDAY.

The trial of the prisoner was resumed at nine o'clock. Long before the proceedings commenced, every available part of the court was crowded to suffocation, and it was with the greatest difficulty that ingress or egress could be accomplished, owing to the vast multitudes of persons who had assembled at the several entrances to the court, anxious, if possible, to get a sight of the prisoner. So great is the interest excited by the proceedings that the offices of the local papers were completely besieged by persons from the country (being market-day) to obtain an account of the proceedings.

The Jury, on entering the court this morning, presented a most dismal and melancholy appearance. At the close of the protracted sittings of the first day, they seemed tolerably exhausted, and on the second morning had evidently lost much of that joyous feeling which was excited by the circumstance of having been connected with a trial which is destined to figure so largely in the annals of the county, if not of the country at large.

The prisoner seemed to have lost little or none of his self-possession, but coolly bowed to one or two of his acquaintances whom he recognised in the body of the court. He drew out and arranged his ponderous papers and brief on the front of the dock with his accustomed *sang froid*, and then quietly took his seat.

EMILY SANDFORD'S EVIDENCE.

Miss EMILY SANDFORD (alias the Widow James), whose evidence and cross-examination occupied the whole of yesterday, was again placed in the witness-box, where she was accommodated with a seat. She seemed much exhausted. She was deadly pale, the result of the excitement to which she has been subjected, combined with the effect of her recent confinement. She was attended by Mrs. Bryant, the matron of the Wymondham Bridewell, who sat beside her during the whole of the proceedings.

As soon as she took her seat, the prisoner darted a half-dying, half-affectionate glance at her. He appeared somewhat moved at first; but, having recovered himself, he fixed his gaze upon the poor girl, who immediately burst into tears. The prisoner then prepared for the continuance of his cross-examination, remarking, however, to the Judge, "My lord, I saw a witness named Stanley in court yesterday; I hope he may be ordered out."

The JUDGE: Certainly; when he comes in you may mention it to me, and I will order him to withdraw.

After some conversation as to the order of procedure,

PRISONER (addressing the witness, Emily Sandford): Do you recollect my coming to the door of your bedroom on the night of the murder, and talking to you without going to bed. Witness: No; not after the second time of which I spoke.

PRISONER: Now, recollect yourself. Upon your solemn oath, you know. This is a most important thing. Did I not say something to you there?—Witness: No, you did not.

PRISONER: Did I not come up that night and give you a box of lucifer matches?—Witness: I do not recollect your giving them to me at all.

PRISONER: Do you remember me saying anything about draughts that evening?—Witness: No, I do not.

PRISONER: Have you seen a draught-board in the parlour since the night of the murder? Witness: No.

PRISONER: At the time I was talking about my poor mother and children, what other conversation passed?—Witness: I don't recollect.

PRISONER: Did you hear any other names mentioned?—Witness: No; I don't remember that.

PRISONER: Now, I will ask you to recollect what took place in the room when we were sitting so long together? I will ask you where your watch was when you were at Stanfield Hall?—I had my watch with me then.

PRISONER: Did you not look at it all the time?—Witness: No.

PRISONER: Do you recollect whether it was going at that time?—Witness: No.

PRISONER: Do you recollect seeing two letters at Potash returned from the dead letter office, addressed to Mrs. Jermy and Mrs. Clarke, a solicitor's wife?—Witness: Yes, I do; and I made copies of them at the time.

PRISONER: Are those the copies you made (handing them to the witness)?—Witness: Yes, they are the copies.

PRISONER: Do you think I was out half the time on the Tuesday night (the night of the murder), as I was on the previous night?—Witness: You were out a much shorter time on Monday. You returned home about the same time.

JUDGE: About the same hour, you mean?—Witness: Yes.

JUDGE: Therefore he went out rather later on Monday than on the Tuesday. Is that what you mean?—Witness: Yes, exactly, my Lord. On Monday I asked him not to be out long, as it was my birth-day.

PRISONER: Whereabouts in the room was the easy chair where you sat on my knee, and kissed you?—Witness: At the corner of the table.

PRISONER: When we were in Mylne-street, London, did you not have a great deal of game brought up after I had been out shooting?—Witness: Yes, a good deal; you used to bring it up yourself.

On Saturday, the 25th of November, Mr. Rush went to Felmingham. On his return, he said the servant there had set fire to a closet. Some papers of his, he said, were wet, and he had brought them back to dry. On Sunday I helped Mr. Rush to arrange his papers, some of which he burned. On the Saturday, he brought me a ticket for a concert, to be given by Madame Dulcken at Norwich. The ticket was to admit five. He said I was to go with him; and we were to meet a governess and two of his daughters at Norwich. On Monday, after dinner, he told me that he had given the ticket to his son James and his wife. I asked how he and I were to go, and he said we could go separately. Monday was my birth-day. Young Mr. Rush and his wife had remained at Potash up to that time. Mr. Rush and I had during this time lived in his bedroom, except on the day I have before mentioned, and on the 27th we went down in the parlour. In the afternoon, young Mr. Rush and his wife went away. They had occupied the other side of the house. Young Mr. Rush brought me some loaves and butter, and asked if it would be enough till he returned. They then left. I found also that the servant had left. I was going to ring the bell, when Mr. Rush said I need not do so, for the servant had gone home. There were two servants, but the other had left a week previous.

Mr. Rush and I dined together as usual, on Monday. In the evening I did not see him go out or return. He was not out so long as on the Friday, not more than about an hour and a half. On the Tuesday nothing particular happened till dinner. We had tea about six o'clock. I had been preparing for the concert during the day. [The prisoner again complained that the counsel were talking so loudly that the witness could hear them.] Mr. Rush came in a few minutes before dinner, and asked how long it would be before dinner would be ready. I said, "In about five minutes." He said, "There will be just time for me to fire my gun." He then went up-stairs and fetched his gun and fired it off. He went out shortly before tea-time. At tea I observed he appeared very low; he said he was not well. We had a great deal of conversation. During the tea, he said he thought he would not go to the concert that evening, as he was unwell. He asked me if I should be much disappointed. I said, "No, not in the least, if you are unwell." We made arrangements for going the next morning to the morning concert instead.

During the conversation, he said he should go out again in the evening.

MR. PRENDERGAST: What did you say to him about that?—Witness: I objected to it.

MR. PRENDERGAST: Why did you object?—Witness: I said I thought there was something more than poachers (Sensation).

MR. PRENDERGAST: What did he say?—Witness: Yes, there was something more; and he wished me not to ask him then; but said I should know another time. He asked how many times he had been out. I said five or six times.

MR. PRENDERGAST: Anything more?—Witness: Yes; he said he should only have two or three more times to go out, and then he should succeed.

MR. PRENDERGAST: You had been reading together, had you not?—Witness: Yes.

MR. PRENDERGAST: How did you read?—Witness: Sometimes he read, and sometimes I.

MR. PRENDERGAST: What did he say about the success?—Witness: He asked me if I recollected an anecdote of Bruce.

JUDGE: What were the words?—Witness: They were, "Do you recollect the anecdote of Bruce? He succeeded the seventh time."

MR. PRENDERGAST: Did he say anything about the story?—Witness:—He spoke of the anecdote of the spider—that it had made several attempts to spring on a wall—that it had tried six times and failed, and that the seventh time it succeeded.

JUDGE: What did he say about himself?—Witness: He said he would try the seventh time, and he would succeed. He had failed six times; but he would not fail now. He said that the chieftain succeeded, and he also would succeed. We conversed for some time. I asked him why he looked at me so, for he was looking very much at me, and crying. He left the house about half-past seven. In the course of the afternoon of that day, I saw the remains of a fire in his bedroom. It was nearly three o'clock when I observed it. The fire was nearly out. I went up-stairs twice; the first time, the bedroom door was locked; Mr. Rush was then shaving. The fire was quite out in the evening when Mr. Rush went out.

PRISONER: Recollect what was said about poachers at the time I talked about the story of Bruce?—Witness: I told you I thought there was something else than poachers.

PRISONER: Was that on the night of the murders, or on the Friday previous?—Witness: On the night of the murders.

PRISONER: Who told you I said you were going to France?—Witness: (to his Lordship) Am I allowed to bring my family in question, my Lord?

PRISONER: I want to know where she gained her information about my saying she was going to France.—Witness: A brother of mine came and told me.

PRISONER: In Bridewell?—Witness: Yes; he said you sat by the fire and told it in the coolest possible manner, and very much surprised mamma.

HIS LORDSHIP: This has nothing to do with the matter. I wish to explain to you, prisoner, for you are not familiar with these things, that whatever comes out in your favour (and I do not say that you have not brought out many things), the effect of it is very much weakened by your asking all these questions, which at present one cannot see have any bearing on the matter. I will endeavour to remove any improper effect which may be produced on the Jury; but you cannot think what harm you are doing by asking these questions.

PRISONER: I should not have the least fear, if I can have out the truth. Unless I am allowed to examine the witness, how can I tell how to frame my defence?

HIS LORDSHIP: These questions about who told her that you had said something about going to France, are not legitimate evidence.

PRISONER: They are evidence so far as this—to shew that her mind has been prejudiced against me wrongfully, because if it was the last word I uttered, if I were now going into eternity, I never had such a thought.

HIS LORDSHIP: You cannot discuss that any more.

PRISONER: When did you see the Rev. Mr. Postle last?—Witness: Two or three days before the trial.

PRISONER: Was that at the Bridewell?—Witness: Yes, it was.

The PRISONER requested that Mrs. Bryant (matron of the Bridewell) might retire; and that request having been complied with, proceeded to examine the witness as to what had passed in the Bridewell.

PRISONER: Did Mrs. Bryant ever ask you what was to become of you after this, or as to what was to become of you after this affair was over?—Witness: Mrs. Bryant merely told me to keep up my spirits.

PRISONER: Did Mr. Wilson ever say anything as to where he would take you after the trial?—Witness: No.

PRISONER: Have you not frequently, during the last year, written copies of letters for me to Mr. Jermy?—Witness: Yes, I have written letters.

JUDGE: You have made a copy of all the prisoner's letters to Mr. Jermy and other people?—Witness: Yes, of almost all.

PRISONER: Have you not known of my receiving letters from Mr. Jermy?—Witness: Some time before the murder I have seen letters from Mr. Jermy to you. I was given to understand they were from Mr. Jermy. I did not read them, and did not know his hand-writing.

PRISONER: Have you not seen a letter from the Rev. George Preston to me? Mr. Preston was Mr. Jermy's father?—Witness: Yes, I have seen such a letter.

PRISONER: Do you recollect seeing this part of it (handing it to her)?—Witness: Yes; and this is my hand-writing upon it.

PRISONER: Do you recollect me writing to Mr. Jermy to tell him what I had done?—Witness: Yes, I remember your writing.

PRISONER: Where was the last place you saw any of my papers?—Witness: About the Thursday after the murder, I think.

PRISONER: Was there any one in the room at the time?—Witness: Yes, Colone Oakes, your son, and several other persons.

PRISONER: Did you see them again on Friday?—Witness: Yes.

PRISONER: Who was there at that time?—Witness: Several policemen.

PRISONER: Did you look at the papers to see what they were about?—Witness: I saw a letter from your daughter.

PRISONER: Did you see any letters relating to the estate, or anything of that sort?—Witness: No.

PRISONER: Did you not see me with a book a few days before I left Potash, covered with parchment, having on it "Isaac Jermy, executor's account"?—Witness: I saw it the day before the murder.

PRISONER: Did it look like an account book?—Witness: Yes.

PRISONER: What was in it?—Witness: I don't remember.

PRISONER: Did you see me take some leaves from that book and make a parcel of them?—Witness: No.

PRISONER: Who came to Potash for you on the morning after the murder?—Witness: The superintendent of police.

PRISONER: How long after I left?—Witness: Two or three hours.

PRISONER: Who said anything about the murder after I left?—Witness: No one had spoken to me on the subject, except Savory.

PRISONER: Was anything said by him to you by the police, that you would be kept in charge till you had given evidence?—Witness: No; nothing of the kind.

PRISONER: Was Savory with you in the gig when you went over to the Hall with Witherford?—Witness: Yes; Savory was behind.

PRISONER: Was anything said to you when you were going to the Hall?—Witness: Nothing further than some general observations.

- PRISONER: Did you see Hubbersty, the police-officer, then?—Witness: Yes, I did.
- PRISONER: Was there any conversation about what had passed the night before?—Witness: Not the least.
- PRISONER: I think you said you did not get back to Potash till twelve o'clock the night after the murder?—Witness: Yes.
- PRISONER: Did you see Mr. Cann at all that night?—Witness: I do not recollect.
- PRISONER: Did you see anybody else?—Witness: I saw a policeman.
- PRISONER: What was his name?—Witness: I don't know.
- PRISONER: Was the door of my bedroom open as you passed?—Witness: I did not observe.
- PRISONER: On the next morning, at Potash, how many policemen do you think you saw while you were at breakfast?—Witness: I don't know exactly how many.
- PRISONER: Were there three or four?—Witness: Yes, I dare say there were.
- PRISONER: Did you see Hubbersty that morning?—Witness: No.
- PRISONER: Had you any tea when you got back to Potash after going to the Bridewell on Thursday?—Witness: Yes.
- PRISONER: Was any one in the room? Was Mr. Oakley there?—Witness: I am not sure. I don't recollect.
- PRISONER: What took place?—Witness: I don't recollect anything that took place. I don't know anything more about it than you do.
- PRISONER: When I cross-examined you at the Bridewell, did not the magistrates refuse to allow me to go on, but determined on putting the questions themselves?—Witness: You put the questions, and the magistrates repeated them.
- PRISONER: When I did put any questions, I put them through the magistrates?—Witness: The first time, you did not put any questions.
- PRISONER: Did I not complain of it?—Witness: I believe you did.
- PRISONER: Did I not put the questions over and over again to the magistrates, before they allowed you to answer them?—Witness: I was told to answer the magistrates, not you.
- PRISONER: Do you recollect what Mr. John Cann said to you?—Witness: He did not speak to me.
- PRISONER: Do you not recollect, when I asked Mr. John Cann whether he took down your cross-examination on oath in December, he turned round and spoke to you?—Witness: Mr. John Cann never did turn round and speak to me.
- PRISONER: Do you recollect me calling out quite loud to Mr. John Cann at that time?—Witness: Yes, I think you did call out.
- PRISONER: Did not Mrs. Bryant begin to talk to you, and did I not call out to her?—Witness: I don't recollect.
- PRISONER: Did she not speak to you?—Witness: No, she did not.
- PRISONER: Did I not thump upon the table, and tell Mrs. Bryant, if she had anything to say, that she must speak out?—Witness: Mrs. Bryant was about to say something, but she was stopped by Sir John Boileau, who said, "You are under a mistake, Mrs. Bryant," doing nothing but handing her some water.
- PRISONER: Do you not recollect that Mr. Thomas Jermy refused to sign the agreement which was drawn up for him and Larnier in Mylne-street?—Witness: I think he expressed great reluctance to the inquiry.
- PRISONER: And would not do so until I had talked to him for a long time?—Witness: You had to persuade him, and I believe succeeded.
- PRISONER: Did not you and I have more conversation about the matter?—Witness: You told me to take another copy.
- PRISONER: Did anything else transpire?—Witness: I recollect asking you if Mr. Jermy and Mr. Larnier were going to occupy your mother's farm, or the one you had occupied, and you said the latter.
- PRISONER: How long do you think I was at breakfast the morning after the murder?—Witness: I can't say.
- PRISONER: Do you recollect me asking you if any one had inquired of you about being out the night before?—Witness: Yes, you did. You put a good many questions. I said, "Yes; they had made those inquiries," and you said they had no right.
- PRISONER: Do you recollect me asking you what you had told them?—Witness: I do remember. I told you.
- PRISONER: Did I not say I do not wonder they suspect me, from the manner in which we have been living for the last eighteen months?—Witness: Yes, I said you would be suspected.
- PRISONER: Do you recollect me saying that no one else appeared to be suspected but me, and what was the reason of it?—Witness: No, I do not recollect it.
- PRISONER: Do you recollect my mentioning Mr. Cann's name?—Witness: Yes, you did mention it.
- PRISONER: Did I not ask you for my cloak, and give you some reason for wishing for it?—Witness: Yes, and I told you the police had it.
- PRISONER: Do you not recollect me saying to the policeman that Mr. Cann was my enemy?—Witness: I do not remember it.

PRISONER: Do you recollect Mr. Salter coming to Potash on the 1st of December, 1848, when my poor mother was there?—Witness: Yes.

PRISONER: Were you there when he passed the room where my mother was?—Witness: Yes.

PRISONER: Do you recollect taking 99 sovereigns and 6d. off the table?—Witness: Yes, I believe I did.

JUDGE: What passed?—Witness: Rush said, "I have tendered these sovereigns to Mr. Salter."

PRISONER: Did I not tell you to keep that money, as I wanted to prove that I had tendered it to Mr. Salter?—Witness: Yes, you did; and I took it, and made a little memorandum of it.

PRISONER: Have you, since your examination, had any conversation with Mr. Wilson as to what was to become of you after this trial?—Witness: Yes, I have.

PRISONER: Have you applied to Mr. Cann?—Witness: Yes, I have.

PRISONER: To any other solicitor?—Witness: No.

PRISONER: Have you received any money since I left you?—Witness: No.

PRISONER: Have you been promised any?—Witness: No, I have not.

PRISONER: Did either of the Mr. Canns ever tell you that I had any objection to your having your clothes?—Witness: Yes.

PRISONER: Which Mr. Cann was that?—Witness: Mr. James Cann.

PRISONER: At what time did you go to the Bridewell on the Friday?—Witness: About tea-time.

PRISONER: What was the time at which you went into the room to be examined.—Witness: I do not remember.

PRISONER:—Did you give Mr. Cann a written statement, or did you answer questions? Had he given you a written statement at that time?—Witness: No, he had not.

PRISONER: Did Mr. Cann put down what you said?—Witness: Yes, I thought he did. I saw a paper in his hand.

PRISONER: Did you see Mr. Hubbersty that night after you got back?—Witness: Yes, I think I did; but I am not sure.

PRISONER: Do you know who was in the room when I was examined at Bridewell?—Witness: No; I do not recollect all of them.

PRISONER: What did the coroner ask you when he examined you? Did he look to any paper for his questions?—Witness: No; I saw none.

PRISONER: Were the Mr. Canns there?—Witness: Yes.

JUDGE: It's very difficult for me to do justice to what you draw from the witness, for you are backwards and forwards to such an extent that I can hardly follow you.

PRISONER: On the night of the 5th of October, when I went from Potash, did I not tell you that I was going to see Mr. Jermy, and what it was for?—Witness: No; you did not.

PRISONER: What were we talking about on that occasion?—Witness: I do not recollect.

PRISONER: Did we not come to an understanding that all letters between us were to be burnt?—Witness: You used to say that if I would burn your letters, you would burn mine. When you wrote to me in London, you always persisted in having the letters burned.

JUDGE: If you press these things, which are immaterial, I shall confine you to the strict line of examination. Not one third of the questions you have put have been relevant.

PRISONER: Did you not prefer burning the letters to the suspicion you had kept them?—Witness: You insisted on the letters being destroyed.

PRISONER: Do you recollect what I said on leaving you at Mrs. Stacey's, when I went to the White Hart?—Witness: You said you would bring some wine and nuts.

PRISONER: Did I not bring a pint of port and some nuts?—Witness: No; you brought brandy.

PRISONER: Did I never bring port wine?—Witness: You did one Sunday.

PRISONER: Did I come to Mrs. Stacey's more than one Sunday?—Witness: Yes.

PRISONER: Can you swear to that?—Witness: Yes, I think I can.

PRISONER: Did I ever sit down with you and drink anything but port wine after dinner?—Witness: Generally you did, but on that day you brought brandy.

PRISONER: Did you hear anything about my being married?—Witness: Mrs. Stacey told me that you had said that you were going to be married to a rich widow near Norwich.

PRISONER: Did you say anything to me about it?—Witness: I told you when you broke your promise that you would repent before you died of not making me your lawful wife, before our first child was born.

PRISONER: Have you not told me that I should never marry any one else if I did not marry you?—Witness: You told me that, and I charged you with being unfaithful.

PRISONER: Had you not an idea that I was going to marry you?—Witness: Yes, certainly I had.

PRISONER: Did you not tell Mrs. Stacey that I was going to get married to an aunt of yours at Maidenhead?—Witness: Yes; I did so by your direction. Between ourselves, I always treated the matter as a joke.

PRISONER: On the Tuesday after the Sunda did I not say to you what a little fool you

are to write to me on such a subject?—Witness: We had a great deal of quarrelling upon that subject.

PRISONER: Did I not say that I would not like that letter to fall into the hands of any of my children?—Witness: Yes.

PRISONER: Did you not cry very much about it?—Witness: Yes.

PRISONER: Did I not say, "Come to me and kiss me, and I will forget all about it?"—Witness: I went up to my room, and presently you came up and said, "We must make it up, and think no more about it."

PRISONER: Did you not give me the copy you had kept, and give me a kiss?—Witness: I think I did.

PRISONER: Did I not tell you, on the 7th or 8th of October, that I understood that Mr. Jermy was not at home?—Witness: I don't recollect that.

PRISONER: Did I not tell you, when we were going to the Hall together with Savory, that you could not go into the Hall?—Witness: Yes.

PRISONER: A paper marked "C," dated October 10, has been produced. What did you copy that from?—Witness: I copied it from another paper.

PRISONER: Have you not said that a piece of paper you copied from was a copy of certain of my writings?—Witness: I copied them from a rough copy of yours.

PRISONER: Was there anything said before the coroner about this paper marked "C," which you said you copied at Potash, and as to your signing it?—Witness: I think I was asked something about it by the coroner. I think I remember telling the coroner that they were copies.

PRISONER: Will you swear that you did sign that paper at Potash in my presence?—Witness: I am sure it is one of the two signed by your side on the Tuesday at Potash.

PRISONER: Did you say before the magistrates that I told you I had more work for you to do—more copies to be made?—Witness: Yes.

JUDGE: When did he say that to you?—Witness: Shortly after I went to Potash.

PRISONER: Did I not give you anything when I said so?—Witness: I don't think you gave me anything then; but I am not sure you gave me two letters to copy very soon afterwards.

PRISONER: Was anything said about half-crown stamps?—Witness: Yes; I drew some agreements upon half-crown stamps.

PRISONER: Were you engaged long in copying the papers?—Witness: Yes, for about two hours before dinner.

PRISONER: You had said before the coroner the following morning there was one paper; what was that paper?—Witness: I don't recollect what it was.

(The witness here exhibited signs of faintness, and a medical gentleman, who had been in court from the commencement of her evidence, spoke to her on the subject.)

PRISONER (to the Witness): Did the medical gentleman say anything to you, except as to the state of your health?—Witness: No, nothing.

PRISONER: When I handed you the papers, did I ask you to put your name to them?—Witness: You did.

PRISONER: Did you put your name to them?—Witness: Yes, I signed them at once; I signed two of them.

PRISONER: After you had been at Mrs. Stacey's eight or ten days, what did I bring you there?—Witness: Some writing-paper.

PRISONER: Where did I take it from?—Witness: Your coat pocket.

PRISONER: On your solemn oath, did you copy any paper for me at Mrs. Stacey's, and read it afterwards?—Witness: Certainly I did; I remember it distinctly.

PRISONER: What paper was that? (Three documents were handed to the witness.)

JUDGE: Which of these papers was it that you wrote at Mrs. Stacey's?—Witness: That was the one (handing it up to the Judge).

PRISONER: You solemnly swear that is the document you wrote at Mrs. Stacey's?—Witness: I do swear that.

PRISONER: Which of them did you write at Potash?—Witness: I wrote at Potash the paper about the Felmingham leases.

PRISONER: Where did you first see these papers after you wrote the paper at Mrs. Stacey's?—Witness: I don't recollect.

PRISONER: When you were before the magistrates, did you use the words, "When I put my name to the papers, I thought very little about it?"—Witness: It is very probable.

PRISONER (to the Judge): I should like the depositions read.—Judge: I do not see the necessity, unless you think there is anything contradictory in the witness's assertions.

PRISONER: Upon your oath, was not all you have stated about drawing out these papers prepared for you by Mr. Cann? In other words, is it not all false?—Witness: No.

PRISONER: Will you stand in that box and swear that I saw you sign your name to any of those papers?—Witness: Why, you pointed out the exact spot where my name was to go, opposite Mr. Jermy's.

(The witness here became faint and by order of the Judge was taken out of court for a short time)

The JUDGE said he had received two very improper letters on the subject of the trial; one is signed by a person named Durrant. The learned Judge handed the letter to Serjeant Byles.

MR. PINSON'S EVIDENCE.

Mr. PINSON, the governor of Norwich Castle, was then called and examined: I was present at the cross-examination of Emily Sandford on the 3rd of December. I heard the prisoner say, "If she signs that (her deposition), I hope her hand may rot off; and if she has a child by me, I hope it may be born with a brand on it." After I heard those expressions, I received this letter from him. I received one from him before.

Cross-examined by the PRISONER: I received a note from Mr. Cann, which I showed to the prisoner. I produce a carpet bag which the prisoner handed to me. The lock was removed. It is in the same state as when the prisoner gave it to me. That is all I know of it. I know the magistrates to some extent prevented communication between the prisoner and Emily Sandford, but still the prisoner saw her.

The next witness called was

HONOR HOLMES'S EVIDENCE.

HONOR HOLMES, examined by Mr. Evans: In November last, I resided at Stanfield Hall. On the evening of the 28th of November, in consequence of something said to me, I went to the bridge over the road. That was about half-past eight o'clock. Near the bridge I found three young men, Harvey and Todd, and also Clark and Leach, two of the maid servants at the Hall. We all went through the gate at the end of the bridge, towards Ketteringham-gate. Just after I got through the gate, I heard the report of a gun or pistol. I was looking from the house at that time. I did not see anything. We all went towards Ketteringham-gate. Just after we got through the gate, I heard the bell ring. I immediately turned back. I went into the house by the back way and the stables. In doing so, I should not cross the bridge. I went in by the stable-yard. On going in, I left the shrubbery on the left hand. I heard Chestney call when I got in. I found her at the bottom of the staircase. Some time afterwards, about twenty minutes, I picked up the paper produced. It is as follows:—

"There are seven of us here, three of us inside, and four outside the Hall, all armed as you see us two. If any of you servants offer to leave the premises, or follow, you'll be shot dead. Therefore, all of you keep in the servants' hall, and you, nor any one else, will take any harm, for we are only come to take possession of the Stanfield Hall property.

(Signed)

"THOMAS JERMY, the Owner."

The document was written on the cover of an account book. I picked it up by Eliza Chestney's feet, in the passage leading from the kitchen to the staircase-hall. Some few weeks previous to the murder I heard a noise in the front of the house. It was like a person walking past. It was about eight o'clock in the evening. The kitchen window looks out towards the front of the house. I have heard this noise three or four times. When I heard it, I looked out to endeavour to see any one. I observed a person going across the lawn. It appeared like a man in a cloak. The man was going towards the Wymondham Lodge. It was about 200 yards from the house. About a week before, I saw a man on the lawn. Eliza Chestney was with me at the time.

Cross-examined by PRISONER: Before I met the parties on the night of November, the cook (Read) was with me, and I left her in the servants' hall. When I went to the bridge, I had no bonnet or shawl on. No one went back for the bonnet and shawl. Mary Clarke told me there were people at the gate who wanted to speak to me.

PRISONER: When you went out, where were you standing?—Witness: I was outside the gate.

Cross-examination continued: Clark said she would go back for her shawl and bonnet; but I told her not to do so. At that time Clark was outside the gate, with three young men. We all left the gate when we heard the reports of a gun. I recollect Thomas being there when we heard the report of the first gun. I was standing next to him. When the gun went off the first time, I heard a groan. Harvey said he saw a man near the door, and that he heard somebody. I heard the door bang very loud. I knew it was the banging of the door. It was not like the noise of a gun. Two or three minutes afterwards I heard two more reports. Before I heard the bell, I was about 150 yards from the Hall. We all stopped when we heard the bell. I afterwards went back. Eliza Chestney was at the foot of the stairs when I went in. At that time I did not see Watson. I knew her. I first heard of the papers being picked up when Mrs. Stanley came in. I heard the two reports quite plain. The paper which I picked up I gave to Mr. Clark. From the time I left the bridge to the time I reached the Hall, on the night of the 28th of November, I did not see the Hall. There was a light in the butler's pantry when I returned.

PRISONER: If any one, after the report, had passed along to the right side of the pore would you not have seen it?—Witness: I don't know; I was not thinking of it at the time.

PRISONER: Did you see Miss Sandford, or the "Widow James," as she is called, the day after the murder?—Witness: Yes, I saw her in the cook's pantry, at Stanfield Hall.

PRISONER: Did you see her anywhere else?—Witness: Yes, in the servants' hall.

PRISONER: What was she there for?—Witness: To be examined.

Cross-examination continued: Emily Sandford told me she felt very faint, and I got her some water. She asked how Mrs. Jermy was. She did not ask me any questions as to how it happened. She said it was a dreadful thing. She did not mention your (the prisoner's) name. I have not seen Emily Sandford between the time of her leaving the Hall and the trial. We have the newspapers to read at the Hall.

Re-examined by Mr. EVANS. We all turned round when we heard the reports, and then ran on.

PRISONER objected to some questions put by the learned counsel.

The JUDGE: When you heard the two reports, how far had you got from the bridge?—

Witness: About 150 yards.

Mr. EVANS: Which did you hear first, the two reports, or the bell ring?—Witness: The two reports.

JUDGE: Where were you when you heard the first report?—Witness: Near the gate.

JUDGE: When you heard the bell ring, how far had you got from the bridge?—Witness: About 140 yards.

JOHN STANDLEY'S EVIDENCE.

JOHN STANDLEY was then called. When sworn, he said: I was at Stanfield Hall on the evening of the 28th of November, about nine o'clock. The paper produced was given me by Watson, the butler.

By the PRISONER: I was at my brother's, at Wymondham, when I first heard that anything had happened at the Hall. My servant was the first who told me of it. No one went with me to the Hall. I passed Mr. Samuel Cann on the road, standing by his fence. When I got to the lodge, I went into the gate directly. I did not meet any one from the lodge to the Hall. If any one had been on the drive, I don't know whether I could have seen them or not. I saw nothing of Mr. Colman. In going from the bridge to the stable yard, I did not see any one. I did not look in the direction of the porch. I was the first at the Hall from Wymondham, except Mr. Waugh. I saw Mr. Jermy lying in the porch about five minutes after I got to the Hall. I had not heard of it before. I did not see Pont then. Watson had not then given me the paper. When he gave it me, he said he had picked it up in the passage leading to the servants' hall. After I heard of what had happened, I left Wymondham in about seven or eight minutes. I was with Mr. Candell Clark, at his office, at half-past eight, and in about a quarter of an hour, or twenty minutes, I heard of what had happened; I heard it at my brother's. I then ran home, and got my horse, which I had to saddle myself. I rode to Stanfield as quickly as I could. I did not hear Watson examined in the brown parlour that night. I heard him say that the man who fired the gun was a low, stout man. I did not pick up any pieces of lead in the Hall.

PRISONER: Now let me ask you (and I hope you will answer me with the importance which the matter deserves), from what you have heard that night, with the exception of some one's being seen at the Hall—supposing the parties who had shot old Mr. Jermy had gone into the Hall door, and shot the young man; and had gone out without any one seeing him—from the law-suit which I had with Mr. Jermy, and the way in which you have heard of his opposing me in my certificate, and my settlement with his creditors, and being turned out of the farm (for you had the valuations and so on), would you not have suspected that?

His LORDSHIP: Really, we must keep within some bounds.

PRISONER (to Witness): Has not that, in some measure, influenced your opinion, that it—

His LORDSHIP: Really, you must not ask such questions at all. I know that a pamphlet has been circulated respecting your disagreements with Mr. Jermy.

PRISONER: I do not know, as an agent of Mr. Jermy's, that you were not paid for some turnips.

(The Judge here again remonstrated with the prisoner, for asking such irrelevant questions, and Rush at once declined to say anything further.)

JESSE WHITE'S EVIDENCE.

JESSE WHITE, examined by Mr. Sergeant BYLES: I am an accountant, residing at Wymondham. I have known the prisoner ten or twelve years. At one time he was an auctioneer and valuer. I acted as his clerk part of the time—about four years, perhaps. He made inventories and other keepers in his business. I have copied some that he has made. I have seen him write a good many times. I have seen his writing since he left off being an auctioneer, but not very frequently. I have written for him since I left him.

Sergeant BYLES: Is this his hand-writing (handing a letter, addressed by the prisoner to Mr. Cann)?—Witness: It is.

Sergeant BYLES: Is that his hand-writing (handing two letters, dated April 28, 1848, and October, 2, 1848)?—Witness: It is.

The following documents were then shown to the witness, and the signatures proved to be in the prisoner's hand-writing:—

"An agreement, made the 10th day of October, 1848, between James Blomfield Rush, on the one part, and Isaac Jermy, Esq., Recorder of Norwich, on the other part. The said Isaac Jermy agrees to let the said James Blomfield Rush have the £5000 on the Potash Farm estate, three years over and above the time mentioned in the mortgage, at four per cent. computing the three years from the expiration of the ten years, as mentioned in the said mortgage deeds, to Isaac Jermy; and the said J. B. Rush agrees to pay the interest the same as heretofore, and observe all the stipulations and covenants mentioned in the aforesaid mortgage deeds, and the said Isaac Jermy agrees to do the same; as witness our hands the day and year above written.

(Signed)

"ISAAC JERMY.

"Witness, Emily Sandford."

"JAMES B. RUSH.

"It is this day agreed to by me, Isaac Jermy, of Stanfield Hall, that if James Blomfield Rush gives up all what papers and documents he holds relating to the Stanfield Hall and Felmingham estates, and do all that lays in his power in maintaining me and my heirs, and assigns, in possession of the said estates, that I will give up all claim I have on him, the said James B. Rush, on the Potash estate, and will burn the mortgage deeds I hold on the said estates, and give up the writings of the same to the said J. B. Rush within twelve months from the date hereof; and give him a lease of the Felmingham Farms for twenty-one years, on the same terms and conditions as he holds an agreement from the present claimant, Thomas Jermy. In witness hereunto, the undersigned have set their hands, this 21st day of November, 1848.

(Signed)

"ISAAC JERMY."

"I, James Blomfield Rush, do, in consideration of the above, herewith give up all papers relating to the above estates that can in any way affect the title of the aforesaid Isaac Jermy, and agree to do all I can to assist in maintaining and keeping possession of the said estates for the aforesaid Isaac Jermy, his heirs, or assigns.

(Signed)

"JAMES BLOMFIELD RUSH.

"Witness, Emily Sandford."

"Agreement, made this 10th day of October, 1848, by me, Isaac Jermy, Esq., Recorder of the city of Norwich; that is to say, I agree for myself, my heirs and administrators, or assigns, to let to James Blomfield Rush, of Felmingham, his heirs, administrators, or assigns, all those two farms lately occupied by Mr. John Rush and the said J. B. Rush, for the term of twelve years, from Michaelmas, 1848, at the annual rent of £300 per annum, and that his lease and counterpart be prepared at the expense of the said James Blomfield Rush, his heirs, administrators, or assigns, with the same covenants as are now contained in the leases to the aforesaid John Rush and James Blomfield Rush; and that a clause in the said lease is to be inserted that my son, Jermy Jermy, is to have the right of shooting over the said farms; that he is to have a sitting-room and bedroom provided for him when he requires the same in the shooting season; and to be boarded in the farm-house, and to pay what is reasonable for the same. In witness thereto, I have this day set my hand.

(Signed)

"I. JERMY.

"Witness, Emily Sandford."

"London, 2d October, 1848.

"Memorandum of an agreement made this third day of October, one thousand eight hundred and forty-eight, between Thomas Jermy, of the parish of Upper Tooting, in Surrey, John Tarver, sen., No. 9, James-street, Featherstone-street, City-road, London, and Charles Larner, jun., in Wiltshire, on the one part, and James Blomfield Rush, of No. 2, Mylne-street, Pentonville, London, on the other part; that is to say, Thomas Jermy, John Larner, and Charles Larner, jun., agree for themselves, their heirs, administrators, or assigns, to let to the said James Blomfield Rush, his heirs, administrators, or assigns, and he agrees to hire all those two farms in Felmingham, Skepton, and North Walsham, in the county of Norfolk (now in the occupation of the executor of the late Mrs. Mary Rush, and previously to that in the occupation of Mr. John Rush and the said James Blomfield Rush), for the term of twenty-one years, commencing from the eleventh day of October, one thousand eight hundred and forty-eight, and ending the eleventh day of October, one thousand eight hundred and sixty-nine, at the annual rental of two hundred and thirty pounds, payable in two equal and half-yearly instalments, on the 6th of April, Lady Day, and the 11th of October, Michaelmas Day, after deducting landlord's taxes and tradesmen's bills, for what the aforesaid James Blomfield Rush may think are necessary for the repairs of the dwelling houses and farm buildings on the said estates, the aforesaid rent, after making the aforesaid deductions, to be paid to the aforesaid Thomas Jermy, John Larner, sen., and Charles Larner, jun., their heirs, administrators, or assigns, as they respectively come into possession of the aforesaid property; that the aforesaid James Blomfield Rush agrees, as soon as he conveniently can, after the signing of this agreement, to put Thomas Jermy into

possession of the said estates, and to do all he can legally to assist him in maintaining possession; and that if he succeeds, that he, the said James Blomfield Rush, is to be allowed from the aforesaid rent, as it comes due, to reimburse himself all reasonable expenses he may incur in helping him, the aforesaid Thomas Jermy, his heirs, and assigns in possession, and also all reasonable expenses he, the said James Blomfield Rush, may incur in obtaining possession of the Stanfield Hall estate for the aforesaid parties; as witness, we the undersigned have hereunto set our hands, the day and year above written.

(Signed)

"THOMAS JERMY, his X mark.

"JOHN LARNER, SEN., his X mark.

"Richard Read, witness, 2, Red-Bull-yard, Thames-street, City of London.

"Emily Sandford, witness.

"And it is further agreed, that the aforesaid Thomas Jermy and John Larnier, sen., do sign another agreement, worded in every respect like the above, except as to the date at Felmingham, on Thursday, the 12th day of October; and, here-in witness our hands as above.

(Signed)

"THOMAS JERMY, his X mark.

"JOHN LARNER, his X mark.

"Richard Read, witness, 2, Red Bell-yard, Thames street, City of London.

"Emily Sandford, witness."

Mr. Sergeant BYLES here handed to the witness the paper picked up by the female servant, Honor Holmes, in the hall just after the murder, and said, "Have you looked at the notice before you?—Witness: I have.

Sergeant BYLES: Have you examined it carefully?—Witness: Yes.

Sergeant BYLES: Have you any believe as to whose hand-writing it is in, and, if so, whose do you believe it to be?—Witness: It is my firm opinion that it is in the hand-writing of Mr. Rush.

Mr. Baron ROLFE: What makes you think it is his hand-writing?—Witness: There are many of the letters formed in a peculiar way, in which I have often seen Mr. Rush write.

Cross-examined: I believe those papers (the papers found in the hall) to be in your hand from certain letters—the "J" in one, and the "F" in both. They are made in the way you usually form your characters. [Prisoner here asked for Counsel to allow him one of his letters, in order to institute a comparison. He then handed it over to witness, and asked him to show were there was a J that was similar to the one in the paper.—Witness marked two J's in the letter, which he thought similar to that in the paper.] Witness: There are none so striking in that letter as I have seen in others. The capital "P's" are also like your's.

(Some other letters were here produced, and several characters were marked by the witness.)

Sergeant BYLES said that both papers and letters would be put into the hands of the Jury.

PRISONER (after examining the letters and papers): Well, if he can swear to that, it's more than I could. (He here laughed contemptuously.) If he swear to that, God Almighty forgive him: that's all I can say.

PRISONER (to the Witness): What are your reasons for thinking that my hand-writing in those documents?—Witness: Certain letters in the words, particularly the letters G, F, and P.

PRISONER: How long is it since you did any writing for me?—Witness: Last Lent Assizes.

PRISONER: How long were you writing for me then?—Witness: One whole day, besides copying some manuscripts. I had not done anything for you for three or four years, before that.

PRISONER: Will you swear that is my hand-writing?—Witness: I will swear I believe it to be.

Mr. Serg. BYLES re-examined the witness at considerable length on the subject of the hand-writing, the formation of the letters, and directed his attention to several figures in the document. From the general character of the writing, and from the peculiar formation of certain letters, the witness fully believed the hand-writing was that of the prisoner at the bar. (Sensation.)

THOMAS JARROLD'S EVIDENCE.

Mr. THOMAS JARROLD, bookseller and stationer, of Norwich, deposed that the prisoner had occasionally dealt at his shop. In 1844, he made up sets of mercantile account books, of five books, three large and two small. (Produced a set of those books.) The three were ledger, post-ledger, and day-book. The day-book has no fly-leaf. The marble covers were of different colours. The covers consisted of three sheets of paper pasted together. Two sheets is more common with such covers.

The marble covers were generally of the same description of paper in two of those books. In the day-books, the sheets next the covers were ruled; and the paper being damp, and the pressure great, the consequence was that the lines on the leaves left a faint tracing in the covers. (A day-book was handed to his Lordship, who said he observed some impressions on the cover corresponding with the lines of the first leaf.) In some of the other two books, the

impressions are slightly perceptible. The books found in Potash Farm (produced) were of a similar description to those of which he had just spoken, though covered with a different pattern of marble paper. The covers produced (those on which the notices left in the hall were written) were also of the same kind as the covers of the books of which he spoke. On examining the covers, he found there was a space on which there might have been a label similar to that on the books he sold. It had been rubbed off; but on measuring the space, he found it was of the same size as the label on the books found at Potash. In one of the papers found at Stanfield, I can see impressions of lines the same width as those of the day-book, which is an unusual width. Being for schoolboys, the lines are wider than for ordinary accounts. I have examined these covers (those found at Stanfield), and have no doubt that they form part of the same cover. I believe them to be the cover of one of the sets of books made by us. I should think that it was a day book, by the lines. (Mr. Evans having stated to the Court that the book which had been missed from the set in Rush's house was the day-book, handed the cover on which the notice was written to witness, and asked him if he could make out on it any faint traces of lines, such as he had discovered on the covers of his day-books, but he professed his inability to do so. (The learned Judge, however, on a close scrutiny, seemed to detect them.)

Examination continued: Had no doubt the two covers found in the hall formed part of the same book. Believed them to have formed the covers of one of the set of books made by him, and believed that to have been the day-book. His reason was the existence of those marks.

Cross-examined by the PRISONER: Had made 100 sets of these books in 1844. Some years before that, had made another set, with the labels of a larger size, but similar in other respects. Had only 12 sets of the 100 remaining; had found the lines alluded to in all the day-books he had examined. Did not know whether prisoner always had invoices of goods at his shop; he had an account extending over several years; but there is no entry of the sales of these sets of books to you. All the labels are of the same size; I have not measured them.

PRISONER: Pass me one of those books over.

JUDGE: Of your own books?

PRISONER: Don't say "my books," if you please, my Lord.

PRISONER (having one of the books in his hands):—How did you find out that the size of the labels and of the space on the cover corresponded?—Witness: By bending down one of the covers of my own books over the space, and comparing the label with the space.

PRISONER: Cut a piece of paper the size of the label.

JUDGE: Really you cannot take the time up in this way.

PRISONER: Time! It is a perfectly easy thing to do.

JUDGE: But you and the Jury can have the two books, and will be able to compare them.

PRISONER: I think I have a right to have this done.

The JUDGE.—I don't think you have; but you shall have it done, nevertheless.

(One of the books, a piece of paper, and a knife were handed to the witness, who set about his task accordingly.)

PRISONER: See how his hand is shaking!

The JUDGE: That is the very reason why it is desirable he should not be asked to do it.

PRISONER: My hand is shaking (as indeed it was very much), and yet I can do it.

The JUDGE: Well, why don't you do so?

PRISONER: Because I want to have it done by himself.

(The Witness having cut out a piece of paper the size of the label, it was handed to the prisoner.)

The JUDGE: That piece is as near the size of the label as he can cut it. See, now, if it applies perfectly to the vacant space on the cover in your hands.

The PRISONER did so, and said; it seems to correspond with the label on this book I have, but not with the space on the cover. I say, then, he cannot take a piece of paper, and cut it to the size of the mark on the cover. How can he tell the size of the piece of paper?

The JUDGE: That is a very fair observation for the Jury, but not now.

PRISONER: Well, then, it is a thing I wish should go to the Jury.

Mr. S. BIGNOLD (Mayor of Norwich): Knew the late Mr. Jermy, and was well acquainted with his hand-writing. The documents produced (the pretended agreements between Mr. Jermy and the prisoner as to the Potash Farm) were not in Mr. Jermy's hand-writing.

Cross-examined by the PRISONER: Had not seen the papers produced, before he saw them at the Castle. Had never at any time said they were written by Mr. Jermy. Thought so because of the characters of the writing. In one particularly, the "J" was not the "J" used by Mr. Jermy.

To the COURT: There is the appearance of tracing under some of the writing in one of the agreements.

Mr. CANDLE CLARKE produced a deed executed by the late Mr. Jermy reciting two former mortgages on Potash Farm, and setting forth the advance of another sum of money up to the 30th of November, 1848, on Potash, at 4 per cent.

MARGARET DOE proved her signature, as attesting witness, to the deed, as well as the signature of the prisoner and the late Mr. Jermy.

(The Prisoner was allowed to examine the deed, and compare the signatures.)

MARY ANN DOE deposed that that was her hand-writing to the mortgage deed produced. She saw Mr. Rush and Mr. Jermy execute it. Rush compared the signature of Mr. Jermy appended to this deed with that containing the "J" referred to by Mr. Bignold, and stated that he should like the Jury by-and-by to examine them. (By this deed the principal was payable in November last.)

EMILY SANDFORD'S EVIDENCE.

EMILY SANDFORD was then re-called, and Rush proceeded to examine her at great length upon her depositions taken before the magistrates. The learned Judge had frequent occasion to call him to order for the irrelevancy of several of his questions, and for the improper manner in which he put others to the witness.

PRISONER (to the Witness): Do you recollect me ever putting my name to any paper with Mr. Jermy's signature to it?—Witness: No.

PRISONER (to the Judge): Have you put that down?—The Judge: Not yet.

PRISONER: Then put it down. (Laughter.)

The JUDGE: Did you ever see him sign a paper in which the name of Jermy appeared?—

Witness: I can't recollect whether or not I did, my Lord.

PRISONER (to the Judge): Put that down.

The JUDGE: Could you see whether Mr. Jermy's name was attached to the documents when they were folded up?—Witness: Not always, my Lord.

PRISONER (to the Witness): Have you sent some of your letters to me written in different hands?—Witness: Possibly.

PRISONER: Can you write different hands?—Witness: I can, if I please.

PRISONER: Have you not committed some material errors in the particulars of your going to Stanfield Hall on the 10th of October?—Witness: Not that I am aware of.

PRISONER: Have you never told any one that you went to the Hall that night?—Witness: No.

PRISONER: Why did you so much want to go to Stanfield Hall that night, when I told you you could not go?—Witness: Why, you know very well, it was to accompany you.

PRISONER: I can't understand it. It is quite mysterious to me altogether. You know I had a square wooden box, with George Preston on it?—Witness: Yes.

PRISONER: Was there not a cash-box fastened to it on each side, fastened in the inside?—Witness: Yes.

PRISONER: Have you not a gold watch in your possession that I gave you to take care of?—Witness: Yes, I have it in my possession.

PRISONER: Did I not give you five sovereigns some time ago?—Witness: Yes.

PRISONER: Did you consider that it was for yourself, or for you to keep?—Witness: For myself.

PRISONER: Did you buy any household furniture yourself?—Witness: Yes, I bought a bed in London.

PRISONER: Out of your own money?—Witness: No; out of your money, which you gave me.

(Several receipts for beds, household furniture, and other things were handed in. It appeared that the witness had paid for them out of the money given to her for that purpose by the prisoner.)

PRISONER: Did you not know that I had no money at the time, and that what I spent came from my mother?—Witness: No.

PRISONER: Have you not put an "s" to the "Mr.," so as to make the bills made out to Mrs. James?—Witness: Never.

(Witness looked at the bill and said, If the "s" had been added, it was not done by her.)

His LORDSHIP: You cannot ask such questions until you show me how they can be relevant; *prima facie* they are not relevant at all.

PRISONER: Do you not know that the sofa, bed, and other things were paid for out of the 99 sovereigns and the sixpence which my mother left for Salter?—Witness: You gave me the money, but I did not know where it came from. You did say you were going to get money and set up business in London.

PRISONER: I won't ask her any more questions—it is of no use. I shall resume my seat.

Witness accordingly retired, at twenty minutes after five o'clock. Her cross-examination yesterday and to-day having occupied upwards of fourteen hours. During the whole time of this tedious interrogation, witness gave her evidence very calmly and clearly, without the slightest appearance of equivocation. The prisoner also preserved his temper, and, with some few exceptions, put his questions with comparative coolness and deliberation.

The next witness examined was WILLIAM BOWEN. He said: I was at Stanfield Hall on the night of the 28th of November. I found a ramrod there, which I produce. I found it

in the hall, near to the place where Mrs. Jermy was lying. I noticed the wall was notched by a shot. It was near the doorway of the staircase hall.

Cross-examined by the PRISONER: I knew the hour, because a gentleman pulled out his watch, and said it was just nine.

PRISONER: Was there a light?—Witness: I did not see one.

PRISONER: When you were in the garden, could you see a light?—Witness: No.

PRISONER: Did you see Mr. Jermy lying in the hall?—Witness: I did.

PRISONER: When you got out of the fly did you know Mr. Jermy was lying in the place?

Witness: No; I only heard he was shot.

PRISONER: Was it a dark night?—Witness: Yes, very dark and windy.

JUDGE: Was the ramrod broken when you picked it up?—Witness: No.

Cross-examined: I do not know the difference between Stanfield Hall time and the railway time. I know the time I arrived at the Hall from a gentleman's having pulled his watch out just before I left Wymondham in a fly. I saw Mr. Jermy, but do not know if any one else had seen him. Pont, Kemp, and Secker were with me. When I got out of the fly, I had not heard that Mr. Jermy was lying in the porch. There was a light in the ante-room. It was a very dark, windy night. Watson gave me no description of how the person was dressed. The ramrod was just in the passage.

By the JUDGE: The ramrod has been a little bent since I have had it.

PRISONER: I should just like to look at it. I have seen an account of it in the papers.

(It was accordingly handed to the prisoner, who inspected it for a minute or two, and then returned it.)

It looked like the ramrod of a large pistol.

WILLIAM BAILEY SWORN: I live at the Ketteringham Lodge, Stanfield Hall. In November last I was in the service of Mr. Jermy; in the afternoon of Friday, the 24th November, I came home and found Mr. Rush there. I had some conversation about some corn that I dressed for him, for which he has not paid me; and the money is due now. He asked me how much corn I dressed for him; I told him how much, and he said it was quite right, and that he would settle. He asked me if Mr. Jermy and young Mr. Jermy were at home. I told him they were both at home, when I left off work. He said nothing more about the corn.

By the PRISONER: Nothing more was said about the corn than what I have stated. You have paid me for some corn I have dressed; you paid me for 60 coombs and three bushels. Solomon Savory went with me to dress the corn. Before I left, you did not tell me what I was to dress for you. After I came home, you said 114 quarters of the corn were for another man. Nothing was said about it when I was dressing it. The 60 coombs and three bushels was put by itself, and that I was paid for. You told me you would settle with me for the whole of the corn. You did not tell me, when you called, that you were going up to London in a few days. On Tuesday, the 28th of November, I was planting shrubs. I left off work about four or five o'clock, when I went home. I stayed at home all night; no one was at home when I got there. The cook Read told me what had happened. She came down to our house and told me. I saw Clark, but she did not know what was amiss. I saw no stranger about the lodge.

ELIZABETH COOPER, living at East Carlton, said: I remember the day of the murder at Stanfield Hall, and was at the lodge entrance on that day. I was leaving, but I had not got out of the grounds when I met Mr. Rush. He was going towards the Hall. He asked me if I belonged to the Hall, and I said, "No, I have only come from it." He then asked if the Messrs. Jermy were at home, and I told him I saw them both about half an hour before with the men planting. He then turned back and followed me for a short time. I had got through the gate, and to the right, towards home, about 100 yards, when he asked again if I belonged to the Hall. I repeated my former answer. This was in the dusk, between four and five o'clock on the night of the murder.

Cross-examined by the PRISONER: When I saw you, I saw Mrs. Bailey at the same time. You were not with her, nor did I see you speak to her. I did not look back till you called me again. I never saw Mrs. Bailey move away from the spot where she first stood.

CHARLES B. COLSON, keeper of the toll-gate at Cringleford, between Wymondham and Potash Farm, said: Mr. Rush came to me a week or ten days before the murders, and asked if the Messrs. Jermy had gone home. He made only one inquiry that day, but he made another inquiry of the same kind about a week after, on both occasions calling between three and five, in the dusk of the evening.

Cross-examined by the PRISONER: The first inquiry might have been ten or twelve days before the murders; the second was on a Saturday evening.

JOHN CHAPLIN, the gatekeeper on the railroad at the Wymondham crossing, which is on the road from Stanfield to Norwich, said: I saw Mr. Rush on the Saturday before the murders, and he asked me if old Mr. Jermy had been through that morning. I said I had not seen him.

WILLIAM FREDERICK HOWE'S EVIDENCE.

WILLIAM FREDERICK HOWE, living in London, said, I was a clerk to Mr. Waugh, Bedford-row, in 1847.

The PRISONER here looked over his papers, and looked somewhat confused. He said: this is a fresh witness, my Lord; I never heard of his name before the other day. I should esteem it a favour, as there are plenty of other witnesses, if this witness could be put off till Monday morning. I never heard of his being brought forward, till the learned Counsel mentioned it in the opening of the case. He mentioned a most important thing he was going to speak to, and in consequence of that, I have received a letter on the subject.

His LORDSHIP: If you like, the cross-examination shall not come on till Monday morning.

PRISONER: Thank you, my Lord.

WITNESS: In 1847, I was in Catherine-street, Strand, at Jessop's wine and refreshment rooms, with the prisoner, and a fighting man came in. Mr. Rush asked who he was, and his name was mentioned as Samuel Simmonds. Mr. Rush then took up a glass of claret which was before him, and said, "If I could strike like him, I would knock down Jermy like a bullock." Very early in 1848, at Mr. Waugh's office, there was an action of ejectment going on for Mr. Rush; and the prisoner and I were walking down James-street, when he said, with reference to the action and Mr. Jermy, "It will not be long before I serve him with an ejectment, or he has an ejectment for the other world." When Mr. Waugh was out, I used to see Mr. Rush; and though his expressions in respect to Mr. Jermy on these occasions were unfriendly, they were not violent.

The JUDGE: Do you wish the cross-examination to be put off?—Witness: Certainly, my Lord.

The JUDGE: I should have thought there would be no cross-examination at all.

ALFRED B. ATKINS: I am assistant-clerk at the Wymondham Railway-Station. Some two or three months before the murder, I saw Rush at the station. He was on the way to town. He took some pamphlets out of his portmanteau and gave to me. They were all the same. I gave one the same evening to James Skipper, of Wymondham. They related to some trial at the March Assizes.

JAMES SKIPPER: I live at Wymondham. I produce a pamphlet I received from Alfred B. Atkins.

ROBERT SMITH: I was in the employment of Mr. Rush. I remember Mr. Jermy being killed. I laid down some straw on Mr. Rush's farm, by Mr. Rush's desire. I know the way across the fields from Potash Farm to Stanfield Hall. When you get through the loke, you go into the field. I scattered straw along the loke on the path, on the bank, half-way in the Fifteen Acres, and in the worst of the places where it was dirty. I laid the straw down on the Tuesday, the day of the murder, at noon time. I had not laid straw down there on the Friday, but there was some there before.

Cross-examined: I remember the workmen being in the turnip field that day; and besides them I know there were some who were carting straw to cover the turnips and beet-roots up. You were then with the men, and as the carts came past, you ordered some to be pulled off for the worst places. I was keeping crows in the Twenty Acres, which comes down to that place. I laid down thirteen or fourteen forkfuls in the worst places. I remember it was very bad walking just into the Fifteen Acres; for 100 or 120 yards, it was quite impassable. I afterwards went into the twenty acres after the crows again. There had been straw littered on the path ever since the pigs went backwards and forward to "shack" the beans, just after harvest. I have driven the pigs there, and found the headland and road by the side of the bank so bad, that nobody could walk there. You walked on the bank when you went to the people, and then walked to them across the headland. I never received orders from you, except on that one occasion; it was your son that employed me, and he was out then.

Mr. PRENDERGAST: Was there any use for that path then?—Witness: No; not that I know of.

Mr. PRENDERGAST: Where did it lead to?—Witness: To Mr. Jermy's Hall. It was a path there for no one else but those who lived at Potash.

By the PRISONER: There was a great deal of straw from the Twenty Acres up to the loke, and it had been there ever since harvest. No one could go out of the Twenty Acres into the loke without seeing that it was well littered.

WILLIAM FUTTER'S EVIDENCE.

WILLIAM FUTTER: I am one of the county police. On the Friday morning after the murder, I was at the Potash Farm. I took the time of the clock there, and on the same day I took the time of the clock at Stanfield Hall. Mr. Rush's clock was a quarter of an hour faster than the other. I went from the Hall to the Farm across the fields. On leaving the Hall, I went across the lawn, and over two bridges. After crossing the second bridge, I went through a gate at the left, and turned to the right along the pasture. I then came to another gate leading into a ploughed field. I got along the field on a bank with grass on it. On coming to the end of the bank, I went across a ditch by means of a tree. I got into a turnip field. The straw was laid over the dyke. For thirty yards I walked on some ploughed land, when I came to a bank, with straw on the top of it. At the end of the bank I came to a gateway, and from thence I went along the road.

By the COURT: There was a small interval between the bank and the gap, uncovered with straw.

By the PRISONER: It was on the first of December when I compared the two clocks. Oakley was at Potash Farm with me, but I do not think he compared the time. I saw King at Stanfield Hall. I do not know how the clocks were as compared with the railway time, I have not heard my depositions since my examinations. I do not know that I gave evidence on my second examination different from the first. To the best of my knowledge, I spoke the truth. I could not tell whether the straw was laid on the ground more than a fortnight. I did not see that the muck was six or seven inches thick. The straw might have been laid on a fortnight. To the best of my knowledge, there was no straw in the first field I came to. [Witness's depositions were here read, the prisoner observing that he (witness) swore most falsely. He urged that he said what he did only to show that the straw was laid down for people to walk on from Potash to the Hall.] I could not see any bean stubble in the field where the turnips were. I should know a bean stubble from a ploughed field. I did not observe the corner of the field as I got over. It was five minutes to nine when I was at Stanfield, comparing the clocks; and it was ten minutes after when I was at Potash. I was a quarter of an hour going. I compared my watch with the Stanfield Hall clock before I left; it agreed exactly with it. When I got to Potash, my clock was ten minutes past nine and the Potash clock a quarter-past. There was a quarter of an hour difference between the two.

The JUDGE: What do you mean by stating there was a quarter of an hour between the clocks?—Witness: There was just a quarter of an hour between them. (A laugh.)

The JUDGE: You say when you arrived at Potash your watch was ten minutes past nine, and that the Potash clock was a quarter past nine. You also say there was a quarter of an hour between the clocks. What time was it by the Potash clock when you arrived there?—Witness: It was half-past nine. (Laughter.)

The JUDGE: Go down, sir. It is not possible to rely on your evidence. I don't think you mean to deceive, but you are so confused you don't know what you say.

Mr. COLMAN: I am a farmer, and hold the Potash Farm. I know the fields lying between the Potash Farm and the Stanfield Hall Farm. I have seen the prisoner crossing them. I once met the prisoner in the Seven Acres, going to Potash. He told me he had come from Stanfield Hall. I saw him pass over into the Fifteen Acres. I think it was in September last year, when I saw him. There was a boy of mine he had stopped from his work in the fields, with whom he was talking. He said to me, when he got up to me, "You must not be angry with the boy for stopping, for it is my fault; he is an old servant of mine." I have measured the distance, that way, from Stanfield Hall door to the Potash door; the distance is seven furlongs.

By the PRISONER: In measuring the distance, I went over the gap into the old Seven Acres. I went down the Fifteen Acres, on the bank where the straw was littered. The field was ploughed. I do not know whether there was bean stubble there. There is a little corner in the field, where there was a bundle of straw. I do not remember seeing pigs "shacking" there. It was during the day that I saw you walking. Unless I knew the road, I should think it would be dangerous for me to walk it at night.

The cross-examination did not elicit any fact of the least importance.

The Court adjourned shortly after half-past seven o'clock.

Before the Prisoner left the dock,

The learned JUDGE said: As it is probable the case for the prosecution may close early on Monday, it would be desirable that you should be prepared for your defence.

The PRISONER said he would be quite ready, and was removed to gaol.

FIFTH DAY,—TUESDAY.

The Court sat again to-day at nine o'clock, and the trial of the prisoner Rush, was resumed.

The court-room was not quite so crowded as on previous occasions, and the numbers of people collected at the entrance was not so great, grossing interest.

Rush looked somewhat paler and more fatigued to-day, and his head appears to have acquired a very slight paralytic tremour; but his manner throughout betrayed no abatement in the confidence and resolution with which he has conducted his defence throughout.

The names of the Jury having been called over,

The JUDGE intimated that he had received a letter with respect to the witness. It was a very improper thing to write letters to a Judge. He had laid the letter before the counsel for the prosecution, and he now ordered that it should be shown to the prisoner, who, from a reference made therein, had probably received another letter on the same subject.

The PRISONER, having read the letter, said: I hope, my Lord, you will postpone my cross-examination of Howe for a short time. I have had another important letter put into my hands with regard to him.

George PONT, county policeman, said: On Tuesday, 28th of November, I was sent for to Stanfield Hall, and saw the bodies of both the Mes-rs. Jermy before they were removed. I picked up on the hall side of the lobby five slugs, which I now produce.

Sergeant BYLES: They are very irregular pieces of lead?—Witness: Yes. About nine or ten more policemen arrived at the Hall during the night; and by the magistrates' order we went to the Potash Farm, and stood at intervals near the house. While there, about three o'clock, I heard a dog bark faintly, and I then saw Savory going from the back premises with a light to the kitchen.

[The prisoner here applied for a seat, as allowed to him on former days. After so long a trial, he felt the necessity of sitting down when not examining a witness.]

The JUDGE: There is no objection to that; and I asked you to stand the other day merely because it was courteous to the Court to do so. (The seat was then granted.)

He shortly afterwards returned and came into the yard, still carrying the lantern with him. I sent him with a message to the prisoner, and he came back with a reply. The prisoner came down after the message to the kitchen, and I went in.

Sergeant BYLES: What passed?—Witness: I said, "You must consider yourself my prisoner, on suspicion of having murdered the two Mr. Jermys last night." I handcuffed him at the same time.

Sergeant BYLES: What did he say?—Witness: He said, "The two Mr. Jermy's murdered! I don't like these handcuffs. God knows, I'm clear of that." I searched him, and found three small keys, which are now produced. I also found half a sovereign, 13s. 6d. in silver, 14 keys of different sizes, a pocket-book, containing a cheque, dated 25th of November, 1848, by a man named Cambler, in favour of the prisoner, for £49 10s.

Mr. Sergeant BYLES read the following extracts from the pocket-book:—

"20 Sept., 1848.—Potash interest due." "Principal due 30 Nov., 1838." "Friday, October 27.—Called on Jermy. He has found out I am in earnest, at last." "Nov. 21st, Tuesday.—With the Recorder in the morning; agreed to see him in the afternoon."

There was also, the learned Serjeant stated, a memorandum in pencil of the 30th of November, which he would hand up to his Lordship, as he himself was not able plainly to decipher it.

The JUDGE, after closely examining it, said he was unable to make it out.—Witness: I also found a white pocket-handkerchief.

PRISONER: My Lord, there are several points, which it was most important for me to bring forward, and the dates of which I could only find by reference to my pocket-book. I have applied to see it, in order to find out where I was at certain times.

Serg. BYLES: You may see it now. (The pocket-book was handed up.)

WITNESS: I afterwards went up-stairs with him; his door was locked, but I unlocked it with one of the fourteen keys I had taken from him, and entered, he pointing out the key. I went to a closet in his room, which was also locked. He pointed out the key of the closet also, and I went in and found two double-barelled guns. I gave them over to the officer Thompson.

George Thompson, police-constable, identified the guns as having been in his possession. He said: I unloaded the guns, which contained mixed shot, and had caps on the nipples. They are now loaded with the same charges as were in them before. The barrels are respectively thirty-one and twenty-six inches in length. I also produce a box found on the mantel-piece, containing bullets and caps.

The JUDGE: Do you want to examine this witness, prisoner?

PRISONER: Yes, my Lord; I shall have to subject him to rather a long examination. There is another point which is of great importance; I should wish one of the shots to be drawn.

The operation of unloading was here performed by the policeman under examination assisted by a gentleman on the magistrates' bench.

The JUDGE: I don't see how this bears upon the case; the shot is of different sizes.

GEORGE PONT, re-called: I saw one powder-flask in the closet, and another in a drawer of the bedroom table. I also saw a shot belt. They were taken possession of by some of the other constables. I said to the prisoner, "You used to have pistols." He replied, "I used to have, but I have none now." I went with the prisoner to the Wymondham Bridewell, starting about 7 o'clock in the morning. As we went along, the prisoner said, "Is there any one suspected besides me?" and I answered, "I don't know."

Mr. PRENDERGAST: What more did he say?

WITNESS: "I have been on much better terms of late with the old gentleman than I used to be. The young one and I could not get on."

Mr. PRENDERGAST: Did he say anything about being at the Hall?—Witness: He said, "I think it was the last time I was at the Hall I told the old gentleman I would not sign while the young man was in the room. The old gentleman then told the young one to leave; and he answered, 'I think I have a right to remain.'"

Mr. PRENDERGAST: What more?—Witness: He said he had called at the lodge—but did not mention when—to ascertain if the young Mr. Jermy was at home, as he thought he was at Norwich at the concert; finding him at home, he did not go. Had he gone, he would have gone there by eight o'clock, as that was his usual time to get there. If he had, probably this occurrence would not have taken place. He repeated that he was sorry for them. On Wednesday evening, I examined the clocks at Potash and Stanfield Hall by my own

watch; that at Potash was aster by a quarter of an hour. From the time that I apprehended the prisoner till he was committed to Bridewell, I was present with him, except while at breakfast at Potash, when Osborne was in charge of him.

Mr. PRENDERGAST: Did you hear him say anything at the time?—Witness: I heard him say in his bedroom, "It was about eight o'clock when the affair happened, some of you say?" whereupon one of the constables, named Mortar, replied, "No one said it but yourself." (Sensation.)

Mr. PRENDERGAST: Did you ask Savory for his master's boots?—Witness: Yes, he shewed me a pair in the back kitchen, which I now produce. They were half-boots, and were wet at the time. There was also found under the bed a pair which was dry, and a heavy pair in the washhouse, also dry. There was a pair of polished leather boots, too, under the bed. I walked the distance from Stanfield Hall to Potash yesterday across the fields, and it took me fourteen minutes.

Cross-examined by the PRISONER: There was a light when I picked up the pieces of lead in the staircase-hall at Stanfield. I was not in the brown parlour on that night when Watson was examined. I arrived there about twenty minutes or half-past nine at night. I don't recollect seeing a carpet bag in the bedroom at Potash.

PRISONER: I hope, my Lord, none of the other witnesses are present in court.

The JUDGE repeated his instructions that they should withdraw, if they were.

Witness: I did not examine the large trunk which I found in the closet at Potash, but handed it to one of the other policemen.

PRISONER.—Did not I tell you there were two guns there?—Witness: Yes; and that they were loaded and capped. I handed them to Thompson, and took off the caps.

PRISONER: Do you recollect my pointing out three small keys to you?—Witness: No.

PRISONER.—On your solemn oath, as you hope to stir out of that box, did not I show you three keys in my purse, and say that one of the keys opened a carpet bag in the closet?—Witness: No such thing.

When I pulled the purse out of your pocket, I saw the three keys at one end, and the money at the other. I did not examine minutely the papers in the closet. Some of them were tied up in bundles. I am not positive what you said about the papers, but I think you remarked that you wished them to be taken care of. I might promise that they should be taken care of. I do not remember locking the carpet bag, with a brass lock, with one of the three keys. I was first applied to for the keys on the Thursday or Friday you were at the Bridewell. I had not then made use of them, and they had never been out of my possession. I do not remember seeing either a carpet bag at Potash, or a small brass lock that the keys would fit. I handed both guns to Thompson. Amis and Mortar, and, I believe, another officer, were present. I believe there had been only myself and three others up-stairs. I had been in the room half an hour before the conversation took place about the time. You were standing next the door at the time, and I was outside the closet. You said, "It was eight o'clock, was it, that the murder took place?" The other man was in the room then; he said, "There's no other had mentioned it but you yourself." You were both towards the door. There were two boxes of caps in the closet; I recollect picking up some loose caps. I picked up, also, some leaden bullets, but I did not put them in the box with the caps. One of the police, whose name I don't know, reached in and picked the boxes up. The man was tall, and of a dark complexion. I knew all the others in the room. I gave the fourteen keys to Futter, on the Thursday morning, I believe. They had been in my possession up to that time. No one had been in your room up to the time I found them. Futter was at the Bridewell when I gave them to him. I gave them him about eleven o'clock. I had been at Potash from the time I found the keys till the Thursday. I believe that Col. Oakes knew that I had the keys; I don't know when he knew it. Futter said he was authorized to take the keys. I saw Col. Oakes on the Wednesday at Potash, in the afternoon. Col. Oakes looked round, but did not go into the bedroom. He did not go up-stairs. I do not know whether he knew that I had the keys. I took Futter's word that he was authorized to take the keys. I did not hear that any locks had been broken. I was at Potash on Wednesday, with the keys, about four o'clock. I did not go up-stairs then, and do not know whether any locks had been broken. I do not remember any papers lying about in the parlour or keeping-room. Howe and Oakley were not there, I believe. Mr. John Cann never gave me orders about the locks, to see that they were not broken. He asked me for the three small keys on the Thursday or Friday. Superintendent Hubbersty had asked me for them a few minutes before. I went to Potash with Emily Sandford, on Friday, after she had been examined. Several police were there. I left Hubbersty and Witherford at the Bridewell. Superintendent Andrew's, I believe, was also at the Bridewell. I believe Oakley was at Potash, besides eight or ten other police. It was about nine o'clock when I got there; I went into the kitchen and the parlour. I do not remember seeing any papers about in the parlour. I do not know who was in charge of Miss Sandford after I took her there. I took her into the parlour. Roberts was there at the time. He has been staying at Stanfield Hall lately. I left her in charge of Oakley and Roberts. Roberts belongs to the county constabulary. I do not know where his residence is. I think

it is a Bawburgh. Mrs. Payne was at Potash; but I do not think she was in the parlour. I did not stay at Potash more than about five minutes. I believe I saw Andrews, and Jones, and Hubbersty at Wymondham when I returned. I was not in the room when Miss Sandford was examined. Nothing was said when we were going from Wymondham to Potash about the conversation respecting the hour when the murder took place. Something was said when we came back. You then asked me to try to recollect if I did not hear one of the police say that it was about eight o'clock when the two Mr. Jermys were murdered. I said at the time you spoke, I had a distant recollection that it was mentioned; but I was not positive.

PRISONER: Now, are you sure that what you have said is anything like the conversation we had?—Witness: Yes, I am.

PRISONER: Do you swear that I did not say "Who did mention it?"—Witness: You said you were positive that some one did mention it, and asked who it was.

PRISONER: What did you say? Did you not say—not that you had a *distant* impression, but that it certainly *was* mentioned?—Witness: Two of the policemen answered at the time, but I did not, as I was not quite positive. I had an impression at the time that it was mentioned.

PRISONER: Did you not say something about a slip of the tongue, and that the other men should not have spoken?—Witness: No. I did *not* find two powder flasks in the drawer in your bedroom.

(The PRISONER here requested that the witness's depositions might be read.)

HIS LORDSHIP: I wish to point out to you, that suppose you do in some minute particular contradict him, in ten thousand more important ones you do but confirm him.

PRISONER: I cannot help it, my Lord; this man has so completely perjured himself, that—

HIS LORDSHIP: I cannot hear you make a speech now.

(The depositions were read, and it appeared that two powder flasks were found in the drawer.)

PRISONER: Will you swear that two powder flasks were found in the drawer?—Witness: I was wrong in my depositions—one was found in the drawer, and another in the closet. I take notes as soon as possible of anything I shall have to give as evidence. I did so in this case, a few days after the occurrence. I saw Mortar go to you and say, "You are my prisoner." You said, "Your prisoner!" I then went to you and said, "You must consider yourself my prisoner." You were looking towards the fire-place, and when I went to you, you turned round towards the door. No one else took you into custody. Mortar touched you on the right shoulder. I did not see any one touch you on the left shoulder. I have some notes by me which I took at the time. Your boots were wet—the pair that Savory gave me; they were not very wet. The side away from the fire was wetter than the other. Savory handed them to me. I do not know that any remark was made at the time about their being wet. I believe I have said they were light ones. It was about half an hour before we started for Wymondham that I went up-stairs for the bluchers. That was after you had your breakfast. You had on your slip shoes at the time. You went up-stairs to get a pair of boots to put on. The boots were under the bed. I had not seen them examined before. I remember your taking the boots from under the bed to put on. I have not said that I searched and found them. I did not hear any one make any remark about the boots when the room was searched. I said there was fresh dirt on the boots, and I say so still. I made some memorandums of what took place on the Wednesday. [Prisoner complained that there were some discrepancies between the witness's statements before the coroner and his present evidence, which his Lordship said would be a matter for observation to the Jury.] I do not know how the Potash clock was by the railway time.

By Sergeant BYLES: I showed two pair of boots to Emily Sandford—the pair found in the kitchen and the pair found under the bed. There was a heavy pair of high boots in the kitchen, drying; they were not open at the side; they were higher than wellington boots. They were not taken from the house, and I believe they are there now. (Witness produced some bullets which he had picked up.)

ROBERT THOMPSON was here re-called and cross-examined by the PRISONER: I have been examined twice before now on this matter, and was only a yard or two behind Pont when he arrested you.

PRISONER: Did you search the closet?—Witness: No; I stood outside.

PRISONER: I want his depositions read, my Lord, on that subject, to see whether or not they are consistent.

(The depositions were read, and it was there stated that witness had searched the closet.)

WITNESS explained that he was prevented searching the closet by the box it contained, but that he assisted in searching the box. He could not say what passed when the wigs were discovered, as he had not seen them. The charges were first drawn from the guns at the Coroner's Inquest.

(The prisoner subjected this witness, like the preceding one, to a long examination on minute and trifling points, evidently for the purpose of picking out some discrepancy between his evidence and the depositions made by him before the coroner and magistrates.)

PRISONER: Have you not sworn that the closet door was broken open?—Witness: No, have not.

(The prisoner read from the depositions of the witness a passage in which he mentions incidentally that the door had been broken open.)

The JUDGE said that the prisoner should have the benefit of the contradiction, such as it was.

JOHN MORTAR: I am one of the Norwich police. About one o'clock on the morning of the 29th of November, I went, with other officers, to the Potash Farm-house, and watched. A little after six, I observed a light moving in the house; and I saw Rush pass a window with a candle in his hand. He unbolted the kitchen door, and I then opened it and took him into custody. I saw the handcuffs put upon him, and heard Pont tell him he was suspected of shooting the two Mr. Jermys. He said, "Good God! I hope they don't suspect me." I went up-stairs into the prisoner's bedroom, and he went with me. Amis and Pont accompanied us. I found a cloak on the prisoner's bed.

The PRISONER requested that Mr. Cann would not make any communication with the witnesses about what was transpiring.

His LORDSHIP: Mr. Cann, I hope understands his duty too well to communicate anything to the witnesses out of court, about what passes here.

PRISONER: I hope so; but it is not at all unlikely.

WITNESS: While the search was going on, the prisoner asked me what time the affair took place. Neither I nor any one else in my hearing told him the time the murders happened. Some little time after that, he said, "he understood it was a little after eight o'clock." I said, "From whom did you understand that, as you are the first person I have heard name any time in this house." He then said, that "he had heard one of the policemen state the time." None of them had done so in my hearing, and he was not out of my presence up to that time. He said, "he should have been there about that time last night, had he not understood that young Mr. Jermy was at home." "The young man," he observed, "was a great enemy of his, but the old gentleman and he had been better friends than formerly."

Cross-examined: I saw Pont come out of court. He said nothing to me about what had taken place in court. I cannot say what passed. Pont said to me, I took him by the right shoulder.

His LORDSHIP: It is very wrong of him.

PRISONER: My Lord, there are so many things wrong; this is not the only thing I complain of.

WITNESS: I made memorandums of what I have just given in evidence. I cannot swear that when you were taken, there was nothing said except by myself and Pont. There might be things said which I cannot recollect. When I entered the door, I took you by the arm and said, "You are my prisoner."

PRISONER: The right arm, I suppose, now Mr. Pont has spoken to you?—Witness: No; the left. One or two of the others took you by the right arm. Pont, Amis, and myself were the first that went up-stairs to search the bedroom. Pont, Amis, and Thompson (whether any others I can't say) were present when the closet was searched. Pont, Amis, and Thompson assisted. The room was searched at the same time. I did not see the things handed out of the closet. I saw a carpet bag, but did not see it examined. You were this side of the bed, by the passage, when you talked about the time of the murder. When Pont left this court, I will swear he said nothing to me about what I was to say, if you asked where I stood at the time.

PRISONER: I don't believe you.—Witness: He said nothing more than I have told you. I searched the bed. I looked under the mattress, and found a dagger there. The bedstead had a splined bottom. I did not see the carpet bag unlocked. I might have been in the room about half an hour, when you talked about the time the murders happened.

STEPHEN AMIS: I am a policeman of this city. I went to the Potash Farm-house on the morning of the 29th of November. I remained outside the house till a quarter past six. I went in with Pont and saw him handcuff Rush. I afterwards went up with Rush, Pont, and Mortar into the bedroom. I heard the prisoner ask Mortar what time the affair happened. Mortar made him no answer. The prisoner in a few seconds afterward said that one of the policeman had told him. The time had not been mentioned by any one. After speaking of the time, prisoner said he should have gone to the Hall last night, if young Mr. Jermy had not been at home, he being an enemy of his. I found a shot bag and two powder flasks, and a dark lantern in the closet. The shot bag was in the drawer.

By the PRISONER: Mortar and Rudram were the first to go into the house. Pont and myself immediately followed; Pont told you to consider yourself his prisoner. I was standing by Savory's door at the time. Pont was standing with me. I saw a light pass by the window before we went in. I did not see you till I went in with Pont. I saw Pont take out a bunch of keys from your pocket, and three small keys. I saw you point out the key of the door. The carpet bag was found in the room, but not in the closet. It was about twenty minutes after we were in the room, when we found the bag. There were two carpet bags. One was full of what appeared to be deeds tied up in bundles. I saw nothing in but papers; I was looking for fire-arms. The bag was left under the bed where it was taken from. I do not

remember seeing it unlocked; I saw it opened; I believe it was not locked; I turned the bag on one side and saw there were no fire-arms there. I was assisted, but I don't know by whom. I did not see your purse after I saw it in the kitchen. I did not hear anything said about your papers being of importance. Pont handed both guns to Mr. Thompson. I lent my knife to Thompson, and I saw him take off one cap. I saw a pair of Spanish leather boots under the bed, but no other. You put on the pair that was under the bed, before breakfast, I believe. I do not remember seeing any others. You were standing between the foot of the bed and the fire-place when the closet was being searched. You were standing by the side of the bed nearest the door when the conversation about the hour of the murder took place. I have not spoken to Pont since he left the room. We were together in the witness's room before we were examined. I saw Pont when he left this room, but I will swear I did not hear him say anything about what evidence he gave. I do not know how long you were standing by the window. They were about a quarter of an hour or twenty minutes examining the closet. Mortar was standing by the side of you when the conversation about the hour of the murder took place. You asked the time of the murder, before mentioning about Mr. Jermy being your enemy.

By the COURT: We went up into the bedroom about five or six minutes after we entered the house. We examined the bed first, then the chest of drawers, after that the table-drawer by the window, and then the closet. The conversation about the time of the murder was after the examination of the closet.

THOMAS OSBORNE, on being sworn, said. I am a policeman. I went to Potash on the 29th November. I was present when the prisoner was apprehended. When he was first taken, he said, "Good God! I hope they don't think it is me; it is rather a serious charge." Pont told him what he was charged with. I did not go up-stairs. I was present with him at breakfast in the parlour. He said, "Which is the man who told me the time the affair happened?" I said, "Not a word of that sort was spoken below stairs." Inspector Amis told me to take charge of Rush during breakfast. There was a woman in the room dressed as a widow; it was Emily Sandford. The prisoner said to her, "I am accused of murdering Jermy and his son, but that fellow Clarke has done this; it is he that has caused me to be suspected; but you and Savory can clear me, for he washed my boots at half-past five, and you know I didn't go." After a pause, he said, "Have you been asked any questions?" The woman said, "Yes." He said, "It is unfair—they have no right to ask questions." She said, "That stout man asked if you went out last evening, and I said you went out at eight o'clock for about a quarter of an hour." He then said, "I was not out more than ten minutes, and you know I had my slip shoes on." The woman said, "I don't know if you had or not; I did not see you put your boots on." He replied, "I have no doubt I shall be suspected, because we have lived on such bad terms, but lately the old one and I have been more friendly; but the young one was my greatest enemy." He again said he was sure some one had told him the time the affair happened. He several times asked for his cloak, as he wanted to put it on.

Cross-examined by the PRISONER: Mortar took hold of you by the left arm, and I by the right. Six or seven policemen were in the room. They came in directly. Mortar was one, Rudrum another. Mortar said you were his prisoner, before Pont told you the charge. I will not swear whether Pont was quite in-doors at the time, but I saw him directly afterwards. I heard one of them ask you to take him into the bedroom. Mortar's words were, "You are my prisoner." Pont told you that you were charged with murdering Mr. Jermy and his son. I don't know whether he said anything else. I heard all the conversation which took place. I do not remember anything being said about the time of the murder. I don't believe there was any conversation in addition to what I have stated. I don't know whether Savory was inside the house when you were taken. Pont, Mortar, and Amis went up-stairs with you. I saw them go with you. I saw you go out of the kitchen in the passage to go up-stairs. I was in the kitchen standing by the window when you went out. I have not sworn that I saw you go up-stairs. I saw you go away with the others for the purpose of going up-stairs. [Witness's depositions were read, at the prisoner's request. He (witness) was made to say that he saw the prisoner go up-stairs, and Pont and Mortar with him. Witness said he supposed they were going up-stairs, as they went in that direction.—Prisoner said he knew the witness was perjuring himself, and that was the reason he was so particular in the cross-examination.] I do not often make notes of what I have to give evidence about. In this case I made notes of what passed between you and Emily Sandford. The lady went out of the room once or twice when I was with you. She was in the room part of the time when the conversation took place. She seemed very much agitated. She was present when you spoke about washing the boots, and about the slip shoes. She was in the room also when Clarke's name and young Jermy's were mentioned. I think she was not there when the time of the murder was talked about. You mentioned the matter several times. You mentioned it first in the kitchen a little before eight o'clock, just when you went in to breakfast.

HENRY HUBBERTY said: I am one of the superintendents of the county police; I was at the Potash Farm-house, on Friday the 1st of December, from twelve to four o'clock; I went into Rush's bedroom, where I found a box in the closet; the door of the closet was shut, but not locked; Oakley was there, and no one else; the box was not locked; I searched it and

found a widow's cap, some loose papers, some female wearing apparel, and some things which I produce, consisting of a wig with a pair of whiskers attached, a woman's front, another wig, and a travelling cap. I was present when one of the wigs was put on the prisoner in Chestney's presence; I saw the prisoner put it on; he asked me to do so for him; he put it on in another room, and then went into Eliza Chestney's; he put a cloak on also.

Cross-examined: I went to Potash on Friday, December 1st; I had not been before. I did not hear what evidence Watson gave on the night of the murder; I was at the Hall on Wednesday, by three in the afternoon; I remained there till the time I took you to Wymondham Bridewell; I saw Watson at the Hall, but had no conversation with him about the man. I saw Emily Sandford there between five and six o'clock, but did not speak to her; an hour after I looked in, and she said she was cold; I then told the cook to bring her some tea; I had no conversation with her; I saw no one else speak to her that day; we went to the Bridewell about twelve o'clock at night. I got to Potash about twelve at noon on Friday; Mr. Witherford and Mr. Andrews were with me; Emily Sandford was in the parlour when we got there; there was no one with her; I saw Oakley in the entrance-hall, and several other police were about the premises; police-constable Howe was with Oakley, I think. I was at the Bridewell on the Thursday when Emily Sandford was examined; I heard part of the examination; Andrews and Witherford went with me into the room at Potash, on Friday. Shortly after we arrived, Mr. Waugh came; before he came, I asked her if she had spoken the truth on the day before. She burst into tears, and said no. I then sat down and wrote a statement for her. The statement is now in the possession of Mr. John Cann. It was lying in the room at the time of the examination the same evening. She did not sign her name to what I wrote. The first time fixed for her to go to the Bridewell that day was six o'clock; the arrangement was made in the afternoon, about three o'clock. I gave the statement to Colonel Oakes about two, or a little after, when he came down to Potash. I had not finished the examination when Mr. Waugh came; it had then occupied about an hour; we finished when he was gone. Colonel Oakes knew Mr. Waugh had been. I had a message sent down to me to say Emily Sandford was to be at the Bridewell at six; I next saw Miss Sandford at the King's Head, Wymondham, and afterwards at the Bridewell; these were both on the same evening. I think Savory drove her up; she was in the room at the examination about two hours before Mr. Cann. I believe it was old Mr. Cann who took it down. Mr. Cann, sen., had the statement in his possession, but he did not refer to it while asking the questions. I do not know whether she signed it; I do not think she did, but will not swear she did not; I heard her say something about some papers in a secret place.

(His Lordship here stopped some of Bush's questions, and reminded the prisoner that he had no right to ask one witness what another witness said.)

Emily Sandford was not sworn; the examination was finished, I should think, between eight and nine o'clock; when at Potash in the morning, I went into your bedroom, and into the room Miss Sandford was in; I left Oakley at Potash; it was he that had the keys; I saw some papers lying about on the table of the keeping-room; I believe Howe was looking at them; I was at Potash on Saturday (the next morning); Mr. Cann, Mr. John Cann, Mr. Witherford, and Andrews were there too; the Messrs. Cann were there just before us; Mr. John Cann was in the parlour. We went to the closet directly; the door was shut when we went in. Oakley was in the passage, and did not attempt to enter the parlour; he brought a bag to the parlour door soon after we were there, and I took it and handed it over the table to Mr. John Cann. I do not know whether this is the bag, or whether it was locked. Mr. Cann, jun., took the papers out; there had been some taken out of the closet as well, but they were not mixed. Miss Sandford was sitting by the side of the fire when we went in, and she made no observation. Am certain neither Witherford nor myself produced the closet keys. The closet door was undone directly we entered. Old Mr. Cann was not in the room, and the papers were taken out of the closet before he entered. A cash-box was the first thing that was taken out; I did not see it opened; some keys were tried to open it with—I think Mr. John Cann had them. The papers were taken out directly after the box, and some of them were put on the table. I saw no papers shown to Miss Sandford. I should think the Messrs. Cann were there about half an hour. They took the box away with them when they left. I did not see Mr. Cann, senior, in the room. I was not there when they left the room; I was in the closet when the cash-box was taken out of the hole; the secret place was found by Witherford; he got a fork and poked about on the floor, and found it so. Mr. John Cann was at the door. I heard no observation about the papers at all. The two Messrs. Cann were not at the house more than half an hour, I should think, that morning; during that time I was absent about ten minutes. Taking all the papers and box out of the hole occupied only about ten minutes. I saw no carpet bag, after I took the one I have mentioned into the parlour. The breakfast was brought while we were there, after the box was taken out. I do not think Emily Sandford had begun breakfast when the Messrs. Cann left. I heard of no particular papers being taken out of that hole similar to what she had described. I did not see Mr. Cann show them to Miss Sandford. There were one or two marble covered books, like copy books, taken out. Mr. Cann made no observation about them; they were laid on the floor, but I do not know what became of them. After we searched the place, I did see the

door locked. Miss Sandford left after Mr. Cann. We went to Wymondham together about ten in the morning; she rode in my cart; she had never been in the cart with me before. I do not know who drove her to Stanfield Hall on the Wednesday.

The Court here adjourned for a quarter of an hour. The first witness called, when the trial was resumed, was

SOLOMON SAVORY.—He said: I am a labourer, living at Wymondham. I have known the prisoner twelve years. I recollect the night of the murder. I saw the prisoner, on that day, between Mr. Colman's and the Wymondham Lodge; he was on the road going towards Wymondham; it was five o'clock in the afternoon, and getting dusk, when I saw him. I went to ask for a job; I first gave evidence in Mr. Cann's office; I was ordered to go there by Mr. Cann, who told my sister to send me; Mr. Cann first asked me where I saw you. I told him I saw you at five o'clock; he mentioned no time to me; I saw you on the day of the murder; you were walking towards Wymondham; I was going to Mr. Colman's; from there I went to Wymondham, I do not know whether you were out of sight when I left Mr. Colman's.

By Sergeant BYLES: I had not mentioned to Mr. Cann that I had seen Mr. Rush: I had told my sister that I had seen him; I did not kiss the book at Mr. Cann's.

WILLIAM BACON was then sworn.—He said: I am a sheriff's officer; I was, in the year 1847, employed by the late Mr. Jermy to distrain; I cannot find my distraining papers; I remember distraining in October, 1847, at Potash Farm; I remember the prisoner seeing me on the 18th, and asked me what I was going to do? He said, "Bacon, I have paid this money;" he told me, speaking of Mr. Jermy and Mr. Clarke, that he would do for them the first opportunity.

By the PRISONER: I do not know when you came to say you had paid Mr. Clark's money; I met Mr. Jermy in the street, who told me that the money was not paid: he told me to go to see Mr. Clark, and I did so: Mr. Clark told me it was not paid: I did not say anything about your threat till I was ordered to Wymondham, except once at Attleborough; a man named King was in the house at the time; I did not see Mrs. King till some time after I was examined at Wymondham; I do not know who the policeman was who came for me; King was with him when he came for me; they both told me what they came for: they said they had come for me on account of what I had stated at Attleborough; they told me nothing else but what I have now stated. [Prisoner requested that witness's depositions should be read over, to which the Court consented.] I do not recollect who was in the room besides Mr. King when I mentioned your threat; no one has spoken to me since about it; you told me, at the magistrates, that if the policeman or King came into the room without my seeing him, my evidence would be upset; and I said I should like him to come in at once.

ROBERT MARTIN: I am a bailiff, residing at Norwich. In Michaelmas, 1848, I was employed to distrain on the prisoner at Felmingham. I entered upon the 18th of October. I do not know how long I remained in possession.

RICHARD READ was then sworn.—He said: I am living in Thames street, London. I was once acquainted with John Larner. The prisoner was introduced to me by Mr. Larner in March, 1848. Some papers, relating to the claims of Mr. Larner upon the Stanfield Hall property, were given me, and I was asked if I could give them into the hands of a respectable solicitor. Mr. Rush shortly afterwards inquired of me if a solicitor had taken the case in hand, and if it was going on. I accompanied the prisoner, about that time, to a Mr. Waugh, a solicitor, in London. These papers were taken from Mr. Waugh, and brought to me, and then put into the hands of another solicitor (Mr. Wilson). That was about March. Some time afterwards, the papers were given to a third solicitor (Mr. Flower). I heard Mr. Rush say, he thought they had an honest lawyer to carry on the cause. I received, by post, this letter from Mr. Rush, dated 2nd May, 1848:—

"Angel Inn, Islington, May 2nd, 1848.

"Dear Sir,—I have not yet had any communication with Mr. Wilson. Since I saw you I received a letter from him, to say that he was unexpectedly called in the country the day you should have met him at his office, and saying, he expected to return on the Friday following, but did not fix any time for meeting; so, of course, I have not called since. I had, very unexpectedly, an old will of the late Rev. George Preston sent me by to-day's post, and, although not the one made in 1819, I think the parties who sent it will be disappointed when they find the use I shall make of it, which will be to have it published; and I am not at all aware how I am to act to do so. If Mr. Wilson intends to go on with Mr. Larner's business, no one could be so proper as he. Therefore, I will meet him at his office to-morrow, at twelve o'clock, to consult with him, and see what is best to be done, and if he thinks the will will be of any use in Mr. Larner's business.

"I am, Dear Sir, yours respectfully,

"JAMES B. RUSH."

I received also this letter, dated October the 2nd, 1848. [This letter was here read; it is the one referred to by Sergeant Byles in his opening address. As we have given it at length there, we need not repeat it here.] I met Mr. Rush at my house again the day after receiving this, and went to his house, at Mylne-street, in the evening; Thomas Jermy and

John Larner came in after I got there. Emily Sandford was there when I went in; but she left the room afterwards. An agreement was ready prepared, on the table. It was read over aloud, and Mr. Rush then said it was his plan. I signed the agreement. He said it was the only plan by which he could render the claimants any assistance whatever. Jermy hesitated about putting his mark to the paper, and appealed to me. I said there was nothing unreasonable about it, and both he and Larner signed it; I signed it after they had done so. Emily Sandford was called in as a witness; I do not know whether she put her name to it. He said she would find whatever means were required. He called her "that lady." She was present when that was stated. He alluded also to the Felmingham Farms, and said he should require Jermy and Larner to go down the same evening about them. He said that he would defray all expenses of any suit that might take place in reference to the Felmingham property. He stated that he held the leases of the Felmingham property. Either one or both of them, he said, would expire on the 11th of October, and he would put the claimant in quiet possession. He said he expected Mr. Isaac Jermy would serve him with an ejectment on the 12th; he said that he should want him, Thomas Jermy, down into Norfolk, and would pay his expenses; Jermy refused to go except Larner went with him. Rush was agreeable that he should go, but objected to pay his expenses, and I agreed to do that myself. It was settled that they were to go on the next day (the 4th). I went down on the 10th. I went first to Potash. I met Rush at the terminus at Wymondham and went to Potash with him. I did not see Jermy at Potash. I went to Felmingham on the 11th of October with Rush. When we got there, I saw Jermy at a farm-house. Larner was there as well. I was present when the prisoner proposed that another agreement should be made; it was similar to that signed in Mylne street. [This agreement was put in, but was not read.] I went (while in Norfolk) with the prisoner to Mr. Isaac Jermy, on the 11th of October, before we went to Felmingham, to tender him some money. While at Felmingham, the prisoner produced in my presence the draught of a notice, and I copied it off. This is the copy I made. It was signed by Thomas Jermy, and witnessed by me. I do not know anything about its being served. Mr. Rush took possession of it. This indorsement is in his hand-writing. It is as follows: "12th October, 1848—October 23rd, gave Jermy a copy of this notice." [This notice was then put in and read.] I afterwards went to London. On Saturday, October 14th, Mr. Rush called upon me there, and I went with him to Mr. Clowes, the printer. I did not hear Rush give any directions for the printing of any books or notices; but, while the clerk went to inquire whether the notices were done, to the best of my recollection, Rush gave me a sovereign, and said, "Do you pay for them." In consequence of that I paid the sovereign, and the prisoner directed the printer to send them to Norwich. He did not shew to me a draught of the notice to be printed.

Cross-examined: The papers were taken from Mr. Wilson's, in consequence of his delay; I do not know whether Mr. Waugh got on slow with them, and never said so. The papers were taken from Mr. Waugh before I knew you; it was my doing that they were taken to Mr. Wilson's; this was about March, to the best of my recollection. I did express myself dissatisfied with his being slow, and it was my doing that they were taken from him, and Mr. Larner's that they were taken to Mr. Flower. When we met at Mylne-street, you told me that Jermy must be allowed to bring an action of ejectment against the rightful owners, and you would defend the action and pay all the expenses. It was Mr. Flower's advice that a bill should be filed; and you recommended that it should be brought to trial at the Assizes; and I thought that the best plan. Emily Sandford was in the next room, when you told her to come in. I remember Mr. Thomas Jermy was very reluctant in signing at Mylne-street, and also at Felmingham. You told me that the rents and agreements mentioned were old ones. [His Lordship: This is not his admissible evidence.] I don't remember who was at Potash when I came down; I do not recollect your son being there; I understood he was at Norwich. We breakfasted in the parlour. I never heard you express any ill-feeling towards the Mr. Jermys, except that you intended to do all you could to oppose them in the legal transactions.

JOHN LARNER was next called. Mr. Evans, however, remarked that the prosecution had no question to ask him, and that he had only been called to afford the prisoner an opportunity of interrogating him.—The prisoner declined doing so, and Larner accordingly retired.

THOMAS JERMY was then sworn: The following brief examination of the witness took place:—

Sergeant BYLES: Can you write?—Witness: No.

Sergeant BYLES: That's all.

His LORDSHIP (to Prisoner): Do you wish to ask him any questions? PRISONER: No, my Lord.

His LORDSHIP (to Witness): You may stand down.

The witness then left the box.

MR. FREDERICK HOWE re-called, and re-sworn by the prisoner's request.

PRISONER: Before you give your evidence, I wish to caution you. My firm hope against all the evidence which may be brought against me, is in God. Recollect that God's eye is upon you. Speak, then, the truth, and nothing but the truth, to the best of your recollection.

Where are you staying at Norwich?—At the Bell hotel.

How often has your evidence been taken down in writing?—Never, but once.

When?—Within the last fortnight, at my own house.

Who brought you down here?—Mr. Cann.

Did you write letters to Mr. Cann as to your attending the trials?—Yes, I did.

How much are you to have for giving your evidence?—How much am I to have? I really don't understand the question.

Oh! has there ever been anything said to you about giving money to you?—Never.

Have you ever had any conversation about attending the trial?—Never, in reference to money.

Were money matters mentioned at those conversations?—Never.

Have you got no money?—I have received one guinea for my expenses coming down by railway.

When did you come down?—By the half-past two o'clock train on Monday.

Do you swear you have only received a guinea?—I do swear it. It was only a pound, properly speaking, my Lord.

Where do you live?—At Marlborough-street, Greenwich, in the county of Kent.

Have you lived there long? Oh dear, yes, for seven years.

In the same house?—Yes.

Are you a married man?—(Apparently offended.) No, Mr. Rush; I am only twenty-one (a titter).

Can you give any references as to your respectability?—I am not bound to give any, Mr. Rush; but I can. My uncle is chaplain to the Mercers' Company; and my father is mathematical master at Clapham Grammar School.

Were you ever suspected of any crime?

The JUDGE: You have no right to ask that question. You can ask if he were ever accused.

Have you ever been tried in any court?—Never.

Have you spoken to Mr. Cann much as to the transaction?—Not above half a dozen words on this or any transaction since I came to Nerwich; in fact, I have never seen him so long before as since I have come into court (Mr. Cann sat under the witness-box).

Whose employment are you in now?—No one's.

At whose place were you last employed?—Mr. Simpson's, Bedford-square. I was his clerk, and managed his business for him.

Were you ever accused of receiving money there, and not accounting for it?—Never.

Do you know anything about an indictment relating to Eliza Kingate?—Yes.

What do you know about it?—Do you wish me to detail it fully?

The JUDGE: Oh no; we cannot go into that.

Were you in any trouble about it?—I never was in any trouble about it; though I had some trouble about the case.

Did you make an affidavit at the time?—No.

Not about perjury?—No. I may as well explain. I went before Mr. Baron Alderson for a writ of *habeas corpus* on the behalf of a client whose daughter was improperly detained by Kingate; and in order to obtain it, I had to make affidavit of the improper detention. Kingate was tried at the Old Bailey; but, in consequence of the magistrate's clerk not producing the depositions in conformity with the *subpoena*, she was acquitted.

When did you become acquainted with Kingate?—I attended for her brother-in-law before Mr. Broderip, last August.

Do you know Charles Mathews?

The JUDGE: The actor, you mean?

Yes, my Lord. Do you know him?—Yes.

Was there ever a charge made against you for forging orders on him?—No; I must explain that matter, though not bound to answer the question. A friend of mine—a medical student of the College of Surgeons—had proposed to send a friend of his, a Mr. Morgan, with an order for himself and a lady. I wrote an order, accordingly, for the stage-box at the Lyceum. Mr. Morgan, on presenting it, was detained by the officer on duty. I went before Mr. Mathews, accompanied by my friend, and told him it was done merely for a joke; and I proved, by the evidence of my friends, before Mr. Jardine, the magistrate at Bow-street, that it was only a joke. He was quite satisfied that it was only done as a joke, and expressed his full conviction of it.

What did Mr. Simpson discharge you for?—He did not discharge me. I went away to attend to my business.

How long is it since you were clerk to Mr. Waugh?—In January or February, '48; I can't say which.

Have you performed the part of counsel at the Judge-and-Jury Club, or at any public-house in London? (Laughter.)—No; (after a short pause) I have occasionally been in such places, and have put on a wig and gown. (Laughter.)

Have you employed part of your time in teaching boxing?—Never.

Did you ever go by another name?—No.

Do you know anything about the name of Abraham Leasegrove?—No.

Did you not put it on your card?—No; I will explain; in a joke, a friend of mine requested me to get some cards printed with that name, and I did so.

Do you know Mr. Paul?—Yes.

How long is it since you saw Mr. Cann in London?—I cannot recollect exactly; it is not more than a month; to my belief, 'tis about three weeks.

Did you send letters to any one else in Norwich besides Mr. Cann?—I did; to the Mayor of Norwich.

Did you make the same statement to him as to Mr. Cann?—Yes.

Do you recollect the substance of your letter?—I stated the circumstances, and the expressions I recollected you to have used.

Where did you receive the parcel directed to you?—At the Wheatsheaf.

How much money was in it?—£1.

Were you ever indicted for perjury at the Old Bailey?—Never.

Do you recollect the day of the month you saw me at Mr. Waugh's?—No; but if the call book is produced, it will be found there that my name is placed opposite yours, as I saw you on the day in question.

Who was the fighting man at Jessop's?—Samuel Simmonds.

What wine did we drink at Jessop's?—Claret.

Were there many persons in the room?—About 200.

What time was it?—About two o'clock in the morning.

What date?—December 13, or, rather, the morning of December 14, 1847.

The PRISONER requested that his pocket-book for 1847 might be given to him, but it could not be found.

What time did I go there?—I cannot particularize.

But I went you to particularize.—Well, I think it was later than twelve o'clock.

What time did I leave?—About four o'clock in the morning. You left at the time with some girl, but who she was I don't know.

(Here Witness, in reply to questions from the prisoner, ran over the names of the waiters and other persons present on the night in question.)

The JUDGE: What place is this?—'Tis a wine and refreshment room, my Lord.

Did any one hear the expressions I used to you?—I should think several did. Simmonds, for instance, from his position close to you.

What did you leave Mr. Waugh for.—For breaking a window.

Was there not a serious charge made against you?—No.

Was there no reason assigned?—No; I heard none but the window-breaking. Several of the clerks were throwing stones at a back window.

ROBERT LEMON: I am a clerk in the Norwich Fire-Office, and know Mr. Jermy's handwriting well; I believe this is his signature. [The document alluded to was put in and read. It was a notice from Mr. Isaac Jermy to the prisoner, to pay the sum of £5000 still owing to him under three indentures, bearing date respectively 30th November, 1834, 27th October, 1841, and 20th September, 1844.]

MR. JAMES CALVER: I am a solicitor at Kenning Hall. My father's name is Daniel Calver; he was also a solicitor at Kenning Hall. I was acquainted, also, with Mr. J. D. Margetson, of Bungay; I believe these to be the signatures of my father.

MR. CANDLE CLARKE (solicitor, of Norwich) proved several documents in the writing of Mr. Jermy.

MR. W. P. NICHOLS (surgeon) deposed, that he was in attendance on Mrs. Jermy, and that she was in such a state that she could not appear.

[Here, as frequently occurred during the trial, some observations passed between the learned Judge and the prisoner, in so low a tone on both sides, that it was almost impossible to catch their purport, more particularly as the reporters were placed at the prisoner's back, and were at a considerable distance from the bench. It was understood, however, that the prisoner objected to the case proceeding, without an opportunity being given to him of coming at Mrs. Jermy's depositions, and also if it was not proved that Mrs. Jermy might not be able to attend hereafter.]

The JUDGE.—If the prisoner says there is most important evidence which can be, and is not, produced, we may be obliged to postpone the trial.

PRISONER: Let Mrs. Jermy's depositions be read. It is quite clear, according to the act, that I am right.

After some further remarks, it was decided that the matter should stand over till the next morning, in order that the prisoner might consult with his solicitor as to whether he would require Mrs. Jermy's depositions to be read or not.

A witness was then called to prove the hand-writing of Mr. Margetson, solicitor, of Bungay.

MR. EVANS put in three leases, one a lease of certain lands at Felmingham to the prisoner at a rent of £120 a year, for a term of 11 years, ending October 11th, 1848; another, a lease of other lands at Felmingham, at a rent of £150 a year, to the prisoner and his father jointly; and the other a lease of several farms in Wymondham, Hethel, Carlton, and Ketteringham for a term of 11 years, at a corn rent.

Mr. AUSTIN, an officer of the Bankruptcy Court in London, produced a fiat of bankruptcy, dated the 6th of May, 1848, against the prisoner, on his own petition. Mr. Jermy, it appeared, was examined before the assignees.

The PRISONER asked if the papers produced contained an affidavit of debt to the amount of £200 to his mother; to which the WITNESS replied that they did.

The following letters and documents were then put in:—A letter, dated April 28, 1848, addressed by the prisoner to his son; a letter, dated September 27, 1848, signed "R. Read," and addressed to the prisoner; the agreement signed by Jermy and Larnier in London, October 3, 1848; another agreement, dated October 10; an agreement, dated November 21, 1848; a letter addressed to the prisoner, signed "R. Read," and dated October 14, 1848; a notice of protest by the prisoner, dated October 23, 1848, against the legality of a distress; a similar document, dated October 26, 1848, and the pamphlet written by the prisoner.

The effect of these documents has already been given in the opening speech of Serjeant Byles.

Copy of letter, dated the 28th of April, 1848, from James Blomfield Rush to James Blomfield Rush, jun.

"MY DEAR JAMES,—I received your letter this morning, and thank you for it. I do not see what you could have done better than you have.

"I have at last got Jermy into a fix, and the rogue and villain knows it as well. How he will act now will soon be seen; at all events, he now knows if he ruins me, I can him, or you would not have seen him as you have, but I do not want you to let any one know this, except your wife and her aunt. After this kindness and faithfulness to you, you ought to have no secrets from them. Send the pony and gig up to Rockham's for me on Sunday morning, about nine o'clock,

"Yours faithfully, J. B. RUSH.

"Angel Inn, Islington, 28th April, 1848.

"Marked—Joseph Howe."

The pamphlet—Jermy v. Jermy—extracts from which were given by Serjeant Byles in the opening of his address, was also put in.

PRISONER: How long will it be before they have finished their case?—Serjeant Byles: Almost immediately.

PRISONER (to the Judge): I hope you won't press me to commence my defence to-night.

—His LORDSHIP: Certainly not, if you wish to begin to-morrow.

PRISONER: There are one or two witnesses who have been *subpœnaed* who are not now present, but who won't be very long in coming. There is the witness, Blanch Flower, too; I should like to have in the witness-box.—Serjeant Byles: We do not propose calling her for the prosecution, but she shall be in attendance here if you wish to call her.

PRISONER: Then there is Solomon Savory.—Serjeant Byles: I do not propose to call him, but I will have him here for you.

His LORDSHIP: With reference to the pamphlet reflecting on Mr. Jermy, to which the learned counsel alluded, but which did not seem to me to have much bearing on the case, you can have it proved now, if you wish.—Prisoner: I do not care about that, so as I can refer to it in my defence.

His LORDSHIP: You can refer to any part of the pamphlet you think fit.—Prisoner: And these other papers, which they have given me notice that they would produce, but which have not been brought forward, can I refer to them also?

His LORDSHIP: I have no power to say that. The giving you notice is a very unusual sort of proceeding; it is only an extra assistance to you, which prisoners generally have not; they have told you what papers they have, but that does not bind them to put them all in as evidence; they only mean that they will not give in any others which are not mentioned by them. You may refer to them, if they are legitimate evidence for you, but you cannot refer to them as already matters of evidence.

The PRISONER mentioned his letters, dated 26th April and 19th April, to which he wished to be permitted to refer. The Counsel for the prosecution not objecting, his Lordship acceded to his request, and the letters were considered as evidence.

Serjeant BYLES: My Lord, that will be the case.

His LORDSHIP intimated to the Prisoner that all the witnesses for the prosecution should be in attendance to-morrow—that any who had not been examined during the trial might be called by him for that purpose.

The Court then adjourned, at half-past five o'clock, till next morning.

FIFTH DAY—TUESDAY.

PRISONER'S DEFENCE.

Although this morning was generally believed to be the last which would dawn on the proceedings connected with this protracted trial, the anxiety of the public did not seem to be stimulated by the near approach to its termination of an event, the commencement of which created such an extraordinary and so general a sensation. The booths which have been erected on the space before the entrance to the Court-house did not seem to drive so busy a

trade as usual, and many of the mountebanks and mendicants, who had plied their avocations with considerable success during the last week, had decamped altogether. The crowd was considerably less within and without the Court-house than before, but many of the most distinguished visitors of the last week retained their places, and the proportion of ladies had considerably increased.

Before the reporters were admitted, the governor, Mr. Pinson, called them together, and expressed a hope that they would keep their pen-knives, or anything which might be made available as a weapon, out of the reach of Rush, stating that he did not ask this without reason. We understand that during the night the prisoner became exceedingly violent, and vowed revenge against the witnesses who had given evidence against him. It was, therefore, feared that he might lay violent hands upon his own life, if the means were placed within his own power, or attack any one within his reach. In consequence of the threats used, and the apparently ungovernable rage which had taken possession of the prisoner, the rows of small iron spikes at the rear of the dock and across the narrow passage between it and the body of the court were covered over with stout pieces of wood fastened down over the points, so as to render the spikes useless in any attempt which the prisoner might make on himself or others.

The conduct of Rush during the night was ferocious in the extreme, and more like that of a demon than a human being. The prisoner (with whom turnkeys have been in the habit of sitting up every night, and who have kept a strict watch over him), however, slept a good deal last night; his violence came on early in the morning.

These revelations caused the greatest excitement in the court, which was again crowded.

Mr. Baron ROLFE took his seat at a quarter to nine o'clock. The Jury assembled shortly before.

Mr. TAYLOR (deputy sub-sheriff) appeared in the witness-box, with a man in custody by his side; and, having been sworn, informed the Court, that, as he was conducting the Jury to their quarters at the Maid's Head Inn, the previous night, a man, upon their getting out of the omnibus, called out something which he did not distinctly understand, but in which the name of Rush was prominent. As he learned the man had been exceedingly violent, he inquired of the officers what he had said, and had him taken into custody. He (the man) asked whether he (Mr. Taylor) knew what he had said, and, on his refusing to answer him declared, "All I said was, 'Gentlemen, I hope you will be merciful to Mr. Rush.'"

ARCHIBALD MACDONALD (the man in question, who had the appearance of a farm labourer), said, "Yes, my Lord, that's what I said, and I repeat it. I had known Mr. Rush for seven years, and had lived with him for the same time, and I did not think it was any harm to say so." (He was understood to add that he begged pardon for it, and that he had been drinking a little.)

Mr. Baron ROLFE ordered him to be discharged, after a suitable admonition, as it did not appear that what he said could have had any influence on the Jury unfavourable to the prisoner.

Rush was then brought in in the custody of the governor of the gaol. He looked more pallid even than yesterday, but there was no very perceptible change in his demeanour. He did not appear to notice the alterations which had been made in the dock; and, taking his accustomed place in front of one of the turnkeys, proceeded to arrange his papers (with the aid of a legal assistant, who was separated from him by a temporary partition); and having occupied himself in this way for a few moments, said: There is one request I have to make to you, my Lord, if you will have the kindness to allow me. It is that I may be at liberty to put a few questions with respect to the cross-examination of Mr. Frederick Howe?

THE JUDGE: I really don't know that I ought to allow it.

PRISONER: If you don't find any doubt in the reasons I shall give, I think you ought to do so, my Lord.

THE JUDGE: Really, my impression is that this evidence is rather in your favour than otherwise; but—

PRISONER: Thank you, my Lord; I am glad to hear your Lordship say that.

THE JUDGE: Don't misunderstand me. What I ought to say is this, that the evidence of Howe has no bearing whatever with the question at issue. If you are innocent, of course his evidence cannot affect you; if you are guilty, it has no bearing whatever on the transaction before us. I really don't know that I ought to allow it; but, if he is in court, let him be called and examined.

WILLIAM FREDERICK HOWE was re-called, and re-examined by the Prisoner: In the month of September did you not very much frequent the Wheatsheaf tavern?—Witness: Yes, I used to go there.

PRISONER: Did you not meet there a Mr. Durrant and a Mr. Hyde?—Witness: I met a Mr. Durrant there.

PRISONER: You don't recollect Hyde?—Witness: No.

PRISONER: Did you not mention the subject of the Stanfield Hall murders on various occasions in the hearing of Durrant and Hyde?—Witness: Mr. Hyde may have been there; but I mentioned the subject in the presence of Mr. Durrant.

PRISONER: Did you not say you had written to the Mayor of Norwich on the subject?—Witness: I said I had done so.

PRISONER: Did you not say you had often had a spree with Mr. Rush, and that he was a jolly good fellow?—Witness: I said I often had had a spree with him, certainly.

PRISONER: It that fact true?—Witness: Yes.

PRISONER: Did you not say your object was to obtain your expenses, and to have a lark among your friends in Norwich?—Witness: Never. I never had friends in Norwich.

PRISONER: Did you not say that if you had a £20 note, you would give your evidence in favour of Mr. Rush?—Witness: Never.

The learned JUDGE: Have you any friends in Norwich?—Witness: No, my Lord; I don't know any one here.

The Witness then retired.

The PRISONER then proceeded to address the Jury, at times reading from the great mass of papers before him, and again speaking in a low, mumbling tone, so as to render his statement very incoherent. He said:—

My Lord and Gentlemen: I am now about to submit to you my defence on one of the most important and awful charges I ever heard brought against any one in this country; and in doing so I have to beg of you to assist and support me under so awful a responsibility. I have prepared my defence, and God is my counsel, to clear myself against the horrid charge which has been so unjustly brought against me.

I am quite aware that the observations I made to the principal witness against me in the course of her evidence, and the questions I put to her on her cross-examination, and to some of the other witnesses, may not be understood; but they were put on this account, that she having done a previous wrong by departing from the evidence she had given on her first examination, I made up my mind to abide the consequences and tell the truth till the time came when all should be clear. I have been advised by my solicitor not to go beyond what has been proved; but have made up my mind to do so, and to draw your attention to what I have done.

I hope and trust in God you will act so as to obtain the ends of justice, and that, as far as you find me concerned in any knowledge of something serious having happened at Stanfield Hall, you will, beyond that, acquit me of the crime, and say at once I am and must be innocent of such a horrid affair.

On the 18th of January I wrote a letter to my solicitor, giving him a strong intimation with respect to how I came to know something serious had taken place on the night of the murder at Stanfield Hall, and that I had every reason for thinking, from the way in which I and Mr. Jermy were living for the eighteen months previous, I should be suspected, and what were the means I took to avoid suspicion.

[The prisoner here began to look over his papers, and departed from the line of his defence into a long statement as to the manner in which he had been treated by the magistrates while employed in drawing up documents for his defence. He complained that he had not been permitted to communicate freely with his solicitor, and that the latter had sent a memorial to Sir G. Grey on the subject, who (the prisoner was understood to say) had sanctioned the course pursued by the authorities. He hoped his Lordship would assist him, as far as was consistent with the ends of justice, in giving him every indulgence on that account; that he (the Judge) would bear in mind the way in which the principal evidence had been given against him, without his being present, which was done with the object, he contended, of prejudicing public opinion against him; and that he would give him every latitude to make up for the injustice.]

The letter (continued he) I wrote to my solicitor, he never got. I was not allowed to give him my instructions, and the letter never reached his hands. It was in substance as follows:—(here the prisoner dropped his voice, and read at once so indistinctly and rapidly that it was scarcely possible to catch what he said. The substance of it ran thus).—

About two o'clock on Friday, the 24th of November, a man told me that he and a lawyer were coming to Potash to speak to me that night, about eight o'clock, concerning taking possession of Stanfield Hall, as they had done some years before, and that he would like to hear from me what I thought of the matter, and what help I could muster for them. I said, "Very well, they might do as they liked; but that they must not come to the house, for if they were seen at Potash, I would be sure to be suspected, from the way in which Mr. Jermy and I had been living for some time back." I said, "You should come into the garden at Potash, when I will see you and speak to you."

About eight o'clock I went out, and looked about the plantations to see if any one was standing about. The man was standing in the orchard, and the lawyer with him. I was on the outside of it. We went into the fields where the stacks were. I stood by the stacks. He asked me what I thought ought now to be done—that he intended to take possession at once. I told him I thought it (his plan) a very dangerous one, and that to take possession would require plenty of help; and even then I did not think it would succeed. He said he had seven or eight others with him; that they would remain there all night, and see what was to be done. I told him they would do something which would be spoken of, as they did before, and that then they would be sorry for it. He said, "I will try the same way you did." I told him he would be turned out. He said, "No, no; no sense. No one would have dared to break the doors open when we took possession before, if you had not gone down and broke them; and that he was sure the soldiers would not dare interfere."

The JUDGE: I wish you could raise your voice a little.

The PRISONER: My Lord, I have plenty of evidence.

The JUDGE: I do not mean to interrupt you. I only wish you to raise your voice.

The PRISONER: I hope you will excuse me, for I have had a great deal of talking.

I said, "You ought to know best; but I think different." He said, "I have not the least fear; there are one or two more of us who will be completely able to do this. We will use no violence; and if the servants should be kept from giving an alarm, everything will be right, and we will have plenty of help in the morning." He then said it was coming near the hour when the others should come, and asked me if I would come with him to show him the way to the Hall. I said I had no objection to do so, but thought he said he had been across the fields two or three times. I showed him the way, and I then left him.

The JUDGE: What day was this?

On the Friday, my Lord. He and the other went on, and I followed them at a distance, and heard them going towards Stanfield Hall. I went as near the Hall as possible, to see if they made any attempt. I wandered about for about two hours, but I heard nothing more of them, and I went back to Potash, where I got about eleven o'clock.

I never heard anything more of them till the 28th of November last. On that day the man called Joe and a lawyer came to me at Potash, and said, he called once more to ask me if I would aid them in getting possession of Stanfield Hall; that if I once got in I should have plenty of help; and that they would not want me to assist them for more than half an hour. I told them I would not, and that they ought not to expect me, after what I told them on Friday. (One reason of my being at Potash was to prevent my son getting into trouble, owing to the men going there.) They said if I would not help them, they had made up their minds to do it by themselves, either next evening or morning; but that some thought it would be best to make the attempt in the morning—that others, besides the lawyer, thought it would be better and safer to take possession in the evening; that he had six or seven more to aid him; and he thought there was more dependence to be placed on them, than seventy or eighty in the morning; and that there would not be half the hubbub in getting in. I said, "Very well, you know best; but I don't agree with you; I fear you will do something wrong."

They went away, and I went out towards Stanfield Hall that evening. They were then in the fields, walking about on the lawn. They did not seem to have fully made up their minds what to do. I went back, after waiting about three hours, and went through the wood, towards Potash. As I was going towards the Farm, I met Joe. I said to him, "Your coming in at night is not right, as you'll find out when too late." He said, "Before we do anything, I and the lawyer will call and let you know how we are going to proceed." I said, "I wish to know nothing about it; if you do anything, I shall hear of it in the morning." He then left me. I went on home. I had some prepossessions of fear at the time, though I did not think anything serious would happen.

I left Potash about eight, or a little after eight, as I shall prove very clearly to the satisfaction of your Lordship and of the Jury hereafter. I thought I would go as far as the Farm, and had some thoughts of going to the Hall; but in going along I made up my mind not to go near it. When I got round from the plantations, I went down by the side of the Farm; and when I got to the fence of Stanfield Hall Farm, I waited there about five minutes, and thought I would go back. Just then I distinctly heard the report of a gun or pistol in a direct line with the Hall. Immediately after, I heard two more shots, but not so loud. I was struck with amazement, as I thought that if they took fire-arms with them it would be to intimidate, and not to use them. I then heard the bell at the Hall ring, and I got back to Potash as quickly as I could, and went through the garden into the house.

This is the most important part of the letter, which I shall read before I am done. I had seen Joe pass Potash repeatedly, and in Norwich. He was a man having the appearance of a porter, and always having parcels with him. I have seen him, also, with a basket, and twice leading a horse, as if he had something to do about stables. I have also seen another of the men, whose name was Dick, once or twice, and once I saw Joe at the door of a public-house in Norwich. The lawyer I never saw only twice—the first time when he came to speak to me at Potash, the Friday before the murder, and the other when he and Joe passed from Potash to Stanfield Hall on the night of the murder. I never heard anything more of the matter except once, when I saw Joe and Dick at Norwich, when they told me the lawyer would come down to speak to me on Friday.

This is all I know, and how I came to know, of the proceedings on the night of the murder; and the want of my insisting on my wish to communicate the particulars of what I knew to Emily Sandford when I came home that night has been of such serious consequence to me, herself, and to my dear children—for I did not think that she, knowing me as she has done, could suppose that I could be guilty of such a horrid murder; but my not telling her, and insisting, as I should have done, and her being at the Hall the day after the murder, led them to believe I was the murderer, and led to all the consequences which have followed. (This statement must seem obscure, if not in some places contradictory, but is it probable that the obscurity and apparent contradictions may proceed from the loss of many words, and which, if they could have been reported, or even guessed at, might have cleared up portions of the narrative that now presents so bald an aspect.)

(The Prisoner then proceeded to call attention to the remarks made by the learned counsel for the prosecution in opening his case.) He hoped he would be able to satisfy them that

those remarks, as well as the prosecution, were wrong, for the sake of his family and his dear little children. The learned gentleman had alluded to what had passed between Mr. Jermy and him in former days, and the first thing he mentioned was an entry in his (prisoner's) pocket-book. Now, what was the history of that pocket-book? He could not help saying it was the greatest injustice that could be committed against him to bring that forward. There had been nothing whatever shown to be contained in that book which could bring him into such a position.

The next witness was Mr. Frederick Howe. His Lordship thought the evidence of that man of no consequence; but he (prisoner) thought it was most important, for on it the prosecution relied to prove he said he would serve Mr. Jermy with an ejectment for the other world. He did not mind, therefore, what his Lordship said, and he hoped the Jury would keep the effect of Howe's evidence clearly before them. He never had heard his name uttered till the learned counsel for the prosecution named it. They (the Jury) had heard him say at the time, "God protect me—I never had any such feelings against Mr. Jermy." He never had any feelings towards him, except trying all lawful means to oppose him in what he unjustly obtained possession of.

This fellow—this Howe—was to have proved this most important thing against him. Now, his Lordship said they were to place no dependence on his testimony. Since that time, he had received many letters respecting the fellow; and though the Judge might think his evidence of no consequence now, he contended that it would have been most important for the prosecution, if they could have proved such a thing against him.

Next came Bacon's evidence. He never mentioned a word of what he now said till twelve months after the occurrence took place. If Howe's evidence could be of no consequence, it was impossible for the evidence of Bacon to be of any consequence either. He had no hesitation in saying at once that he stood on that letter which he had written; and that he would show them everything he had done was open and straightforward, and that there was no ill feeling between Mr. Jermy and himself.

Why had not the prosecution called Glasscock? Because he was an honest man, and would not come forward to swear the notices were in his (prisoner's) hand-writing. He was not like Jesse White—a fellow who would swear anything. When Glasscock was examined, he said in his opinion the notices were not in his hand-writing. A witness had been called to prove the writing of the letters. Why had he not been called to prove the writings on the covers (the notices) as well? Glasscock had lived a year with him in the same house, and he could have told the Jury there never had existed any enmity between him and Mr. Jermy. He hoped every letter would be read at full length. There he stood, and God Almighty knew he was innocent. He had no fear on his mind, but that he should prove himself to be so. He defied the prosecution, the witnesses, or any of them, to prove by a true witness any attempt of his, or to bring forward anything against him. He trusted in God alone, and hoped He would assist him.

The next evidence was that of Emily Sandford; and before he concluded he would show them quite enough of her evidence to enable them to see in what light they ought to take it. Great stress, too, had been laid on the first of the two leases between him and Mr. Jermy expiring last Michaelmas; but there was a clause that, before possession was entered upon, valuers should be appointed, and notice given of their entry. He had given notice to send valuers, but they did not attend. He could prove that; and therefore he could have had no right to give up possession under the terms of the lease.

It would come out on reading the pamphlet that not only did Mr. Jermy take forcible possession of Stanfield Hall Farm, but that he (Rush) never got a farthing for it. If Emily Sandford had given her evidence in a proper way, it would have been plainly seen what was the effect of the two agreements—the one signed in Mylne-street, and that with respect to the Felmingham estate. The latter, in fact, completely did away with the agreement signed in Mylne-street, and the other was not of the least use. What was the consequence? After the one signed at Felmingham, on the 12th of October, it was put into the proper place for such papers—the iron box. As to the other lease, they must know very well it was of no importance, after the other had been executed. Much stress had been laid upon where it had been found, but God knows who put it there.

The counsel for the prosecution, also, had laid great stress on his having driven over to Stanfield Hall in a gig with Emily Sandford; but that was, like many other parts of the prosecution, got up in a most curious sort of a way; and any one looking at it in its true light would see at once there was something more behind the curtain than he was at first aware of.

He hoped they all recollected the evidence of Hubbersty. He had suspected something all along, and in every respect all his suspicions had turned out well founded, as he would prove before he had done. He hoped God Almighty would assist him. He had not the least fear, before he was done, to make it clear that the evidence had been got up against him for the foulest possible purpose. But then as to going out after dark. Well, God Almighty knew—He always had his eyes upon him—he hoped he would satisfactorily explain why he went out after dark; and he had not the slightest doubt he would do so by their witnesses, and without calling a single witness of his own. Next, they had heard of the servants being out the day of the occurrence. He would show them why they had gone away, though he knew nothing of it at the time, and had no control over them.

Then, a great deal was said of his having discharged his gun; one gun, as they had heard, was kept for his own use; another, for that of his son. He had not been in the habit of shooting much, but occasionally he went out; and as he was accustomed to shoot sparrows, whenever he saw them in the garden or about the place, he kept his gun loaded on purpose. There was one witness whom the counsel for the prosecution dared not to call to prove that he was guilty; no—they dared not to call him; but he was an honest fellow, if there was one in the world. The magistrates had had him under examination for twenty hours; they had him in prison, and tried in every way to make him change his evidence. He hoped the witness was still honest; and if he was he thought a great deal more would come out on his examination than they were aware of, and that they would see the whole of that affair in as different a light as possible.

But, next, about the straw that was said to have been laid down before Friday night. They all knew what stress had been laid on that circumstance. Never had there been such a thing heard of before. He knew nothing about it when it was first laid down. In fact, it was laid down after harvest, when the pigs were going backwards and forwards along the track instead of along the fields, and they had heard that the muck lay eight or ten inches deep.

HUBBERTY, the policeman—a very nice, respectable man, to be sure—swore there was no litter there; but it had been proved by other witnesses, over and over again, that there was. He was quite satisfied they would listen to all the witnesses; but one thing he was determined to do—he would have Mrs. Jermy's depositions read; and the counsel for the prosecution might twist and twine them as they liked.

Here, suddenly breaking off, the PRISONER, addressing the Court, said: I wish to ask you, my Lord, whether I should call any other witnesses now, before I say what I have to say, or call them last, and remark upon all?

The JUDGE: What do you mean by calling other witnesses?—The Prisoner: Those I want to call. There's Savory, Blanch Flower, and another.

The JUDGE: You must conclude all you have to say before you call any witnesses.

The PRISONER proceeded: In considering the bearing of the evidence they ought to compare the evidence given by the same witness in one place with his evidence given in another; and on hearing the depositions read he hoped they would compare them carefully. For instance, there was Watson the butler's evidence. Let them look to what he said before the magistrates, and afterwards. He was fairly forced to what he said, poor fellow. He believed there never had been a man so pressed as he had been. His impression was, that Watson was honest, and was willing to give his evidence right, but that he was forced to do otherwise; and he could prove his evidence was completely wrong.

The prisoner then proceeded to read the depositions of Watson before the magistrates and before the coroner. They would remark that he omitted many things before the latter which he had sworn to in the other depositions. He said, for instance, he saw a man coming up the passage with a mask on his face, and described how his arms were, &c. Before the coroner, he omitted all these particulars; and in court he said that as soon as he left the pantry he saw a man turn the corner. The time between the first and second shots, as stated by other witnesses, was not the same as that stated by Watson. In fact, it was clear there were two people in the hall from the description, and that what was called by some witnesses the hall-door banging was the second report.

With regard to Watson's evidence, that the man he saw was like him, such thoughts could never come into a man's mind without being put there. The man, he said, was walking fast when he passed him; and was it not quite clear that Watson could not observe what he was like? But he had not given the same evidence here that he gave before the magistrates. There, Blanch Flower's evidence was most important for him; and if his Lordship wished for justice he should have insisted on its being read.

He now came to the evidence of Margaret Read, the cook. He hoped the Jury will remember that evidence, for he stood there before God and his country, and he defied them to find anything against him if that evidence was attended to. He asked them to compare the evidence which Read gave before the coroner with what she had stated there. His firm belief was that she never saw any one in the passage at all. Before he was done, he would show that his cloak was placed on him at the Bridewell to see if she recognized him, but she failed to do so.

The JUDGE: I will have that done if you wish it, and you are warranted in asking it to be done. What I understand you to mean by your observation is, that, looking at the whole of the evidence, it is not sufficient for the Jury, so as to satisfy them that any one of the witnesses ever saw a man come out of the Hall in the way mentioned.

The PRISONER: Yes, my Lord.

The JUDGE: I think you are justified in asking that that should be done again.

The PRISONER would certainly like it. There was nothing sufficient in the evidence to satisfy a Jury that anybody saw a man coming along the passage at all. Here was a great cloak reaching down to his legs, and yet was it not extraordinary that Read should have given such evidence? She said the cloak might have been held up, but she admitted that his hand was down; and she swore before the coroner that the cloak which the man wore did not reach beyond his knee. He would produce the garment which he had on that night.

He would prove the reason why he went out at nights, and that Emily Sandford had seen him go out, and told the prosecution what his dress was; and they have concocted all this evidence and put it into the mouths of the witnesses. He would produce the dress he wore the night of the murders, and he was not ashamed to own that he wore it.

He had most important documents to show, and one particularly so, which Mr. Jermy handed him on the 21st, and which, if produced by the prosecution, would show that he was at the time in his (the prisoner's) power. It would be no great advantage to him, perhaps, to produce that paper, but it would show the confidential footing on which Mr. Jermy's father was with him; and that, being one of his best friends, he (the prisoner) could not do anything against his family beyond protecting himself. The Jury would bear well in mind what Read said about his wearing his head upon one side. He never heard of such a thing before.

He wanted nothing but the facts and truth of the thing, and that would come out before he had done. She said the man was walking quicker than he (the prisoner) usually did; but how could she see this with Miss Jermy between her and him? The prosecution had not produced that young lady. The poor boy who was put into the box yesterday spoke the truth; and why, therefore, should he not be brought forward?

He now came to the case of Honor Holmes, the kitchen maid, and it would be his duty to read the facts in her evidence which were in his favour. She went with the other parties in the direction in which this man must have come in going to or leaving the Hall. It was impossible for him to have gone in that direction without knowing they were there; and did the Jury think he could have had impudence enough to go through all these people on such an object? Holmes must have seen or heard something of the man described, if she returned when she stated. Harvey's evidence, the Jury would see, had been tampered with; he (the prisoner) knew how very well. The evidence had been twisted and twirled in every direction. Read used the word "intervened" in her examination, and yet she acknowledged that she did not understand the meaning.

He had no hesitation in saying that God Almighty would enable him to make his evidence appear clear to them. Another most important point was the time that Holmes was gone. He would prove that it was not as stated. She states that five or six days before the murder she observed a light on the lawn, and the appearance of a man with a cloak. Now, was it likely that a man there with an intention to commit murder should have a light? It was well known that he had had a dark lantern for years; and the Jury, as practical men, were quite aware that it was much better not to show a light if a person wanted to detect anything wrong among his servants. Where was the farmer that had not a dark lantern?

Then, he would ask, how had Harvey given his evidence? How could any man have got there and shot Mr. Jermy while these people were about the door? It was impossible, without being seen by these servants. Then, there was another thing—why should all these people have run away, if they thought there was anything serious going on? These servants were running about the Hall, and yet they had never been examined before the coroner. He would show that there never was a man who had been treated as he had. If the reporters had been admitted at previous inquiries, the public would have known what was going on. They would find that, please God Almighty, in spite of all that could be done against him, he would be able to look his enemies in the face. He hoped God Almighty would make it appear how this thing was working.

There was every excuse for Mrs. Jermy's deposition, considering the situation she was in, and the situation in which she thought he was.

Then, said he, there is the evidence of Emily Sandford. There is every excuse for her, poor girl, God Almighty knows! But I shall be able to produce further evidence on this point. I have a letter from Mr. Cann. Can anything be more unfair than the way in which her evidence was taken? When preparing for her examination in Bridewell, she was with the magistrates at the Hall at twelve o'clock in the morning, and did not leave until twelve at night. What do you think she was doing all that time? why, she was examined over and over again. If I had been able to examine her free from the influence of the magistrates I should have been able to have believed her, for I believe she is honest enough to tell the truth. But what can I do under the circumstances? What, you shall see by-and-by. What was said by Mr. Cann? He knew all about it, there can be no question. It was understood when Clarke was examined, that I was to have had an opportunity of cross-examining him.

The JUDGE said the prisoner could examine him; and inquired of the crier of the court if Mr. Clark was there. The crier told him he was not, but that he would be there in three-quarters of an hour; his Lordship said, "Very well, then you can examine him."

PRISONER: Then as to Fatter; they had heard how he had given his evidence as to the means of crossing the drain. It was a very dangerous place to walk over in the daytime even, and at night not one man in a hundred could pass. Then about laying down the straw. This was a piece of beans, and the pigs used to go back and forward, the straw being put there to keep them on that side of the field when their bellies were filled. This was the result of the fuss which had been made about the straw. His impression was that it was at that very time a bean stubble. As to time, Stanley's was the most direct evidence of any

His evidence, and Watson's taken with it, showed that the murder took place later than stated, and that it must have been very near nine o'clock.

Coming to the evidence of Pont, Mortar, Amos, and Osborne, he would show the purpose of the barefaced, impudent evidence they had given. He called their attention to this to show the way in which the evidence had been got up, for that must come out. There was no doubt that the fellow Pont had studied his first depositions in the papers, for he repeated the very words he used before the coroner; but let them compare what he said, with the evidence of the others, and then they would see the difference. They would find that these men concocted the point about time. At the time, he could observe their drift, and that was the reason he put certain questions. They had got up the story of his saying that young Jermy was his enemy; but was it likely that he would make such a statement if he were guilty? and the Jury would recollect, that though it was stated he said so in the presence of Miss Sandford, she had no recollection of it.

Then about the papers, that fellow Pont told the other men what they ought to say, as he went out of court, and they had done so. It showed the injustice to which he had been subjected. About the evidence Osborne gave as to seeing the parties go up-stairs at Potash, he wanted to explain away that statement. Thompson, however, said that no one went up-stairs with him (the prisoner) but Amos and Mortar, and it was clear, from the position in which Osborne stood, that he could not have seen them. The evidence of these parties, he hoped they would well consider in all its bearings. The words to which they spoke, differed; and the Jury heard what Pont swore yesterday, as to seeing Mortar take him by the arm. When a man would swear false in one way, then he would do so in another also.

Then as to the boots. The first description of them which Pont gave, was, that they were getting dry and had been washed; while before the coroner, he said they were wet. The contradictions on this subject were many, and the prosecution had not called the most important witness that could speak to the fact. Emily Sandford had no recollection of the boots having been washed. He would produce the very boots he had on that night. He did not want his servants to know that he was going out for game, which he must have done if he had had his boots there. His home was at Felmingham, and he would make that point clear to the Jury before he was done. As to a pair found below the bed, one of the fellows swore that there was fresh dirt upon them, which showed what such witnesses were prepared to say against him. He declared solemnly, that he never had them on that day.

Again, each of the police swore that he took the guns and uncapped them himself; and men who would not stop at small falsehoods, would not stop at large either. Thompson swore that the closet door was broken open, when he must have known that it was not. As he said before, he would call Savory to show the way in which he had been preserving the game, and the pains he had taken. He examined Emily Sandford about this, and the Jury heard what she said. He had also to bring forward Mr. Stokes, to show the feeling between him and the deceased Mr. Jermy. There was no ill feeling between them that was not expressed by him (the prisoner) in an open and manly way. He had said much more to Mr. Jermy himself than to any one else on the subject. He sent a copy of his pamphlet to him when it was first published, and he had no doubt it still existed to prove the fact. He had particularly wished to know who the witnesses were that were to be brought against him, and there was plenty of time to do so; but that information had been withheld.

The banks along the fields between Potash and the Hall were very much broken, and, with ditches to cross, and other impediments, it would be most dangerous, and he thought almost impossible to pass along them in a dark night; but particularly it would be impossible to do so in a quarter of an hour, the time taken by the police-constable to walk it during the day. They had heard what Mr. Cann said about the witness, Emily Sandford. Had she spoken the truth at first, there would not have been enough evidence to commit him; but finding that she was unduly tampered with, she was induced to say what has led her to the statements which she now made. Notwithstanding what had been said that Emily Sandford was left alone at the Hall, he was sure the Jury would not believe that all the time she was there was not often under examination.

Honor Holmes stated that she was examined at three o'clock. If she had said now what she said on her second examination, there would have been no evidence against him. This, Cann had been keeping off and on with him; but if he was going to die just now he would say that there was nothing wrong in the evidence which Emily Sandford gave on her second examination. If he had the truth of what took place in the brown parlour, he could clear up the whole mystery in five minutes. He believed Watson to be an honest fellow, and that he gave his evidence in the brown parlour correctly enough, and that it was subsequently the story of the mask and all that was got up. The Jury saw how Mrs. Bryant had been a go-between between Mr. Cann and Emily Sandford. They would find that Mr. Cann pressed the latter on the point that she was upon her oath when examined before the magistrates.

Did the Jury think that a sensible young person like that did not know that she was upon her oath, and that she spoke the truth accordingly? He was excluded from her examination; but he would not have cared for that if the reporters had been admitted, as they would have seen justice done. She was placed before Cann, Hubbersty, and Co., and they would remember what Hubbersty said last night. He hoped the reporters had given

that evidence correctly in the papers, as it was most important. Hubbersty stated that he was not aware her evidence was read over to Emily Sandford, or if she signed it, but the Jury would not believe that evidence, he was sure. He must have known it. Was it likely that when Emily Sandford was giving that most important evidence in the Castle to Mr. Cann's father, Mr. Cann himself was away? Mr. Cann said that he took his (the prisoner's) watch as a security for a previous debt, but he could prove that it was not so. They might say that that was not very material, but he would show that it was; that he had been prevented, in consequence, from getting up his defence as he ought, and that the evidence which had been got up against him in so extraordinary a manner ought to be rejected by the Jury.

When Emily Sandford was giving her evidence, some one said to her, "What you are now stating is not correct." Was it wonderful that he should become excited after hearing that? Had the reporters been in the room then, and his pocket-book been given him, the whole case would have been blown into the air; and he would not have been there now. He would show before it was done, that it was impossible to look at the agreements that had been spoken of, without coming to the conclusion that the whole evidence had been got up from beginning to end.

Mrs. Bryant talked to Emily Sandford at her examination constantly, and apologised to the magistrates for so doing; but why was that apology necessary, if she were doing, as she said, nothing but asking her if she wanted water? Again, Mr. Cann stated that he found but one letter between himself and him. He was employed by the prisoner's father's executors, and for his mother, in action of ejectment brought against her; and then to turn about in the way that he has done! He (the prisoner) denied that he owed Mr. Cann a single halfpenny, except in respect of this last ejectment against his mother.

It was well known that he was at Stanfield Hall on the 21st, and yet none of the servants saw him there—not even Watson. He used sometimes to see Mr. Jermy himself at the window, and would then go right in to him. He used to go there between eight and nine o'clock in the evening in this way, and did not believe he had seen these servants who talked so much about his appearance, more than three or four times in his life. To the best of his knowledge, he was never objected to at Stanfield Hall, except once, and that was when they were at issue about the Felmingham Farm. With regard to the agreements, there was no foundation for the statements Emily Sandford had made about them.

The concealed aperture in the closet at Potash he discovered accidentally: and as it struck him as a convenient place for shoving papers into, he used it for that purpose. The evidence of Hubbersty and Mr. Cann, as to the discovery of his papers there, was inconsistent. The former gave his evidence on that point very fairly; but Mr. Cann turned up the white of his eyes when he was answering his questions. As to the evidence of Emily Sandford, she has made, from time to time, so many statements that one would have fancied it was complete before she was placed in the witness-box; but, on comparing what she has said formerly, with her statements made in court, it was quite clear that she had said much more than she knew anything about. The prisoner was proceeding to another point, when

The JUDGE said: As you have concluded your observations about Mr. Cann's evidence, perhaps now, if you feel fatigued, this will be a proper time for your taking some refreshment.

The PRISONER said: He was not fatigued, but would let his Lordship know when he was. With reference to the wig, it was well known that some time ago he was losing his hair, and, in consequence, he ordered a wig from Norwich, which, upon trial, did not fit him. He, in consequence, returned it to the barber, who sent it back to him again, and brought an action in the County Court for the price. It might be remembered that he put the wig on in court to decide the question. That was a well-known fact, and he declared to God there was no secret about it.

The JURY here intimated a wish to retire for refreshment, and the Court adjourned for a quarter of an hour. On the resumption of the proceedings:—

The PRISONER said, that Eliza Chestney's evidence before the Court the Jury would compare with that given before the coroner and magistrates. She declared that the man who fired at her had neither hat nor cap on, but how could she, poor thing, have time to observe more than his general appearance, for there was the report of the gun, and the smoke, and all that sort of thing to prevent her? If such evidence as she had given as to the shape of his head and his hair was to be sufficient, he thought there was no evidence which might not be received. It was quite monstrous that such things should be taken against him—a man with a large family; and he told them to reject such evidence in spite of anything that his Lordship or Counsel might tell them. What could be more conspicuous than going out with a wig on one's head, and supposing he had used it, that it would be suffered to remain where it had been found afterwards? In this, as in everything else, God Almighty had been his guide, and he saw that in spite of all they had done they could not bring home such a charge against him.

Allow he had been a persecuted man, he had no ill feeling towards Mr. Jermy; indeed, he had far more ill feeling against his solicitors than him. All attempts that had been made to prove that ill will had failed. The putting on of his wig before Eliza Chestney, poor thing!

could only have been intended to work upon her feelings, and it showed how far the prosecution had gone in getting up the case against him.

He now came to the evidence of Emily Sandford, and he said now, as he had said before, that it was the only evidence against him. He must go on with her evidence, and show why the Jury ought to reject it from the evidence which she had given before. He would prove that her evidence from beginning to end was totally unworthy of credit, and he would do so from her own words. He would show that she was influenced by what she had heard at the Hall. A great deal had been said about his going out late at night. As it was well known people were in the habit of poaching over the farm—which was well stocked with game, particularly at that season of the year—he used to go out to watch the poachers; and, therefore, all the statements she made on this subject were quite true.

He must admit the connexion that had existed between him and Emily Sandford, but there was an understanding as to their future mode of living; for he felt it would be advisable for her family and for his children that she should cease to hold that position in his house, and should become his housekeeper. She could not help being aware of this arrangement; but from the manner in which she had given her evidence, the Jury would see that she was anything but friendly towards him, whatever she had been before. They had all heard her speak of the tears that had fallen from him—he had good reason to ask her about them. The fact was, she wanted to go to a concert at Norwich, and he had given her a promise to take her. He bought a ticket for five. His two eldest daughters, his son, and his son's wife, went with it. On consideration, he thought he could not let her go. When he refused her she bore it so good and kindly that he could not help being affected, knowing how he had treated her, and seeing her so patient.

(The prisoner's voice faltered very much here, and became almost choked with emotion.)

She agreed directly when he told her she could not go except by herself; for, recollecting the situation she was to hold in his house, he could not accompany her to the concert. He would have convinced her that the statement she made as to what took place was incorrect; but when she said there was not more than an hour and a half between the time he went out and came in, he thought it immaterial to press her. He thought the learned gentleman would try hard to bring in all about the watches in evidence; but he had evidence about the time, which would show clearly how the matter stood, and how long he was out that night. She says he went out about eight o'clock. Now, let them recollect what Harvey, Holmes, and the others said was the time when they were at the Hall, as well as the nature of the ground between Potash and it—that there were three ditches, two of them very deep—and they would see it was impossible for any one to go from Potash to Stanfield and back in double the time which appeared to have elapsed, comparing her statement of the time he went out and their account of the occurrence which took place.

Harvey deposed, that it was half-past seven o'clock when he left Wymondham. He went to the Hall, and stood there chatting for some time, with the servants, at the moat gate. Then he said he saw something near the porch like a figure of a man; and that after the report he saw something fly up like wadding, with a bright flame, about twelve yards high. That was a most extraordinary thing. It might show the man, whoever he was, did not intend the harm he had done. As to the statement, he had no doubt it was a mistake in some respects; but it showed, at all events, that the witness was at the Hall at the time. It would not be possible, if he saw the man at the left side of the porch, for the latter to have gone round to the passage in the time which the witnesses state to have elapsed between the first and second reports; in fact, as he suspected, the other man must have been in the passage at the time of the first shot. Chestney and Read were sitting up by the fire talking, and it is very likely that he went some way along the passage, before their attention was drawn to him by a rustling as he went along.

But why had not all the people who were at the gate that night been examined? No one but Harvey talked of seeing a light in the Hall before he heard the report; in fact, it could not be. It was not likely Mr. Jermy was shot the moment he opened the door; and as it remained open for the time, they should have seen the light there. Suppose there had been only one man, and that man himself, did they believe it possible he would have taken the course attributed to him? Why, he knew every chink and cranny in the Hall. Did they think, then, he would have gone round, after firing the gun, to the passage? How could he tell that the servants were not all there close by? The fact was, if it had been he, he would have gone in at the porch door.

It was a most awful and extraordinary thing for one man to think that another would run in among a lot of people to do such a deed as this; and he said, beside that, there was not sufficient time, even on the longest calculation given in evidence, for a man to have run round to the passage from the porch. Emily Sandford stated, that the evening they drove over to Stanfield she was very anxious to go with him. Well, so she was. The fact had never struck him before, and he never before knew of the rigmarole account of their proceedings. There was some mystery about all this that he could not clear up. Great stress had been laid on the papers and agreements relating to the Farm. If he could have Mrs. Jermy on the table, he could get a good deal out for them as to what she knew of the Rev. Mr. Preston's will. He would take his oath he never had heard of the papers before with the use which they had heard.

They had all heard of how she cried and sobbed when he asked her to copy these papers. So she had, poor thing; but not for the reason she had given. No! The fact was that she feared he was going to marry again, and the letter in question related to the subject of her fears. She had told them that he expressed great anxiety that it should not fall into the hands of his children. Lord of Heaven and earth! to be sure he had! Would it not be worse that a letter of such a kind should fall into the hands of young children than into those of a stranger almost? Though never man loved wife more truly and faithfully than he had loved Emily Sandford, she always thought he was going to get married, and to leave her. Well, but if her story were true, where were all her fine feelings and her sensibility at Potash Farm? They had no crying or sobbing there; and yet if her story was true, he had asked her to copy and sign papers which she must have known to be false: all her three depositions agreed on that point. Had she not the same feelings then as before? And she must have known the name of Isaac Jermy to those papers was a forgery, and yet she neither sobbed nor cried, nor expressed the least disinclination to sign them. It was not very likely, indeed, that he would ask her to do so, if she had exhibited all those fine feelings before.

Whichever way they looked at this story, they would find that it was totally false. "Murder will out;" and he had no hesitation in saying that the real facts of the case at Stanfield Hall would soon come to light. He hoped God Almighty would convince Mrs. Jermy of the truth, and that she would at last be brought to feel that what he stated about the interview with Mr. Jermy was correct. If he was going out on any bad intent, or on such a horrid deed that night, he would have taken care to have been seen by some of his men, who could prove where he was out, and that he said he was going out after poachers. The basest lie that ever was said on God's earth, was, that he ever drank anything out of a bottle. It was what he called a fifth or six edition, and her statement as to that fact varied in her evidence, but in every shape it was untrue. She would make the Jury believe that he was drunk. Most people who knew him could say that he suffered wonderfully from bilious headache at short intervals; and the reason why he told Emily Sandford to leave the room on the night in question very probably was that he was ill at the time. He had heard that a man who was in difficulties was taking away the game by wholesale, and that was one reason why he had gone out earlier than usual on Friday night. As to the pair of stockings that were "muddy," they all knew that it was quite ridiculous to talk of such a thing. They were introduced merely to give the learned gentlemen an opportunity of getting up their case. Then they make all this fuss about his going to Felmingham, and about the closet being burned. Why, it really was the case that the closet where the papers were kept was set on fire accidentally by the servant. But what had that to do with the case? Yes, they wanted to make it appear that papers had been burnt. If she believed him guilty of the charge, whom had Emily Sandford to look to? Her friends had not a farthing. They must consider, then, what a great temptation she was under, and how many motives she might have for all her story. She had said he was not well that night. He was, indeed, wonderfully hurt because he had refused her going to the concert, and she took it so gently, and that made him seem unwell. He would be on his oath, if he was dying, that it was an hour after tea before he went out.

At first Emily Sandford spoke the truth, but she deviated from it afterwards; and if she had adhered to what she told the magistrates (which was the fact), they would see it was impossible for him to have done so foul a deed in the time. What was the meaning of all the talk they had heard about fires at Potash, and fires at Felmingham? She distinctly contradicted her first statement when she said the fire at Potash was bright and good that night. Next, let them look to what she said took place when he came home. Emily Sandford could have seen him, if she pleased, when she opened the door, but she did not do so. As to the things which were found in the house, he never locked them up or made any secret of them. All her depositions agreed that she went to bed at nine o'clock, or half-past, and the time was impressed upon her, because she must have looked at the watch when she wound it up. The fact was, he told her to wind it up, and she had done so; but she denied it, as well as all the questions he had asked her about unfastening her dress, because, in her examination before the magistrates, she said she had only been in the room for a minute; when she asked what was amiss, he said something had happened, and that he would tell her as soon as she got into her own room. He had done so.

(The prisoner became confused for a moment.) No, he would not say that; but he would take his oath he told her something had happened at Stanfield Hall, but she said she did not want to hear it; and it was all owing to his not insisting on telling her, that so much trouble had followed. No one could possibly think that he had committed so foul a deed on such evidence as had been adduced: and he never for a moment imagined that she could have thought him guilty of it, or he would have insisted on telling her. He was sure that everything of importance to him had been rubbed out and destroyed in his pocket-book. Where, too, he asked, was the pocket-book of 1847? His firm impression was, that there were more people seen, and that the servants would not explain the reason why the fact was concealed. This was another proof that the evidence had been manufactured.

Watson, who had most time to observe the man, might have imagined that he looked as described, and all the rest have taken their story from him. With reference to the evidence produced to establish his hand-writing on the copy-book, by Jesse White, it was a terrible

thing for a man to screw up his courage to swear as that man had done. White had said that he would give up the figures, but he might as well give up the letters too, poor fellow. He contended, as to Garrold's evidence, that the fact of his hand shaking so that he could not cut a small slip of paper, proved clearly that he had sworn what he was not sure of. But this was the way in which the whole case had been got up. For example, that fellow Cann brought for examination against him a man like Howe, one of the worst characters in London.

The Prisoner was still proceeding with his defence at half-past seven o'clock, when

The JUDGE said, that, as the Jury appeared quite fatigued by their long sitting, he wished to know how long the prisoner's defence was likely to last?

The PRISONER said, some hours longer.

In consequence, the Court, at eight o'clock, adjourned. the prisoner having been about ten hours and a half on his legs.

SIXTH DAY.—WEDNESDAY.

The Court met again this day at nine o'clock, and the trial of the prisoner Rush was resumed. As he entered the dock his step appeared slow and languid, his eyes bloodshot, and his general appearance that of a person who suffered from great fatigue; but, during the proceedings, he resumed all his former confidence, and spoke with a stronger voice than previously.

The Jury having had their names called over,

The PRISONER resumed his defence by referring to the evidence of Emily Sandford as to the forged papers. She stated in her cross-examination that no material evidence had been omitted by her as to her going to the Hall on the 10th of November. But yet in her previous statements she said she heard that Mrs. Jermy had called her "a French doll." He would show the Jury that there was no possibility of such papers as she had spoken of being in existence on the 21st of November. The Jury would see the different tales she had told; and he declared her evidence to be the most incomprehensible that ever was told on the face of the earth, and a fabrication from beginning to end. It was most material for him that the Jury should understand the effect of her cross-examination about the concert. First, she said that it was agreed in the morning that they should go, and again she stated that they were to go by rail in the afternoon. He had no ill feeling against her, but she knew very well and would not admit his innocence, and that showed at once how she had been wrought upon. God would protect him, and enable him to prove his innocence; but, under all circumstances he could never have any ill feeling against her, poor thing. The Jury saw what extremities she was reduced to, poor thing, when she stated what she had about the money and the box which he had given her containing valuable articles. He had now to make some remarks about the witness Howe. He knew they would be told that that evidence was of no importance; but suppose he had had an opportunity of bringing forward evidence against that witness? The substance of his evidence was the most important that could be made out against him, if it had been proved. He had one letter yesterday on the subject, with five or six names annexed, stating that Howe had come down to Norwich for £20. The learned counsel for the prosecution, however, now said that it was of no consequence, as things had turned out. Coming to the evidence of Smith, the boy, as to the way in which the straw had been laid down, when that boy was under examination before the coroner, questions were drawn from him to show that his work, on the day of the murder, was in a different part of the Farm, and that he was kept on that occasion for the express purpose of laying down the straw. The question had been put to him on the Friday before, "Was not fresh straw laid down?" and why was that question put? Was it not to lead him to give an answer in the affirmative? but the boy answered, "No; not with his knowledge." He should not have noticed that point, had it not been for the unhandsome conduct of counsel, who tried to show that the straw had been laid down upon the field leading to Stanfield Hall. No one on earth could make a mistake as to the reason why the straw was laid down. Futter had stated, on examination, that the straw was lying there only a fortnight, yet the boy Smith had clearly proved that it was there since harvest. Again, one of the witnesses had stated that he walked from Stanfield Hall to Potash in a quarter of an hour, and he (the Prisoner) believed it might be so; but after the contradictions he had fallen into on the subject of time, how could the Jury believe him? The Jury would also recollect the different evidence which had been given about the carpet bag, and the consequences which must have resulted to him from the way in which it had been shown that his papers had been thrown about. The false swearing about the powder flask might be of no importance, but false swearing as to one point involved false swearing as to another. Then the Jury would recollect the contradictory statements made by Mortar and Pont as to the mode in which he had been arrested. As to the things that were found in the box, Hubbersty stated that they were not found till Friday, and he made a great work and secrecy about them; but might he never stir out of that spot if they were not seen and tossed about, and jokes made upon them, on Wednesday. Hubbersty denied driving Emily Sandford back to the Farm, though she said he did. She knew she came back in a square cart, and he thought Hubbersty was the man. She wanted to make it appear that she was a

shorter time at the Hall than was the case. Would the Jury believe that Hubbersty held no communication with her at Stanfield Hall? There was not a question on his mind but that the three superintendents went to the Hall on purpose to get up Emily Sandford's examination. The whole manner in which he had been treated as to the evidence was the most unfair and unhandsome thing that ever was known. Good God of Heaven! because the magistrates were great people, and he was a poor insignificant man, was he to be excluded from a fair trial of his case? He defied them to make the Jury believe the case which they had got up against him. After all these pretensions, the Jury would not be led away. He saw enough of them for that. He could see by that man Hubbersty's eye that he was telling a lie as to what passed at the Hall in the examination of Emily Sandford. With regard to the papers, he would produce most important, most particularly important, evidence on that point, in spite of what the Judge or any one else might say. Those papers were got up and put into that place in order to get up a case against him. Old Cann was at Potash before the police. Why was it so, but in order to get up this evidence? He said this was a fact, and they might talk for a month about it without changing the minds of the Jury. Oakley did not attempt to go into the room where the papers were found. He was kept out of it, and the whole affair was concealed by Witherford, Hubbersty, and Cann. Before they went into the room the keys were in the possession of Mr. John Cann, and after the perjury which the three had committed there could not be the slightest doubt about it. He would defy them to show that the box where the papers were found had been in his possession for months. Emily Sandford swore that she did not see these papers till the 12th of December, but did the Jury believe that? Then, as to the signature of Mr. Jermy, could any person who knew his signature, and its remarkable character, look at the assimilation of it attached to those papers, and not say this was taking a very unfair advantage of him, and exposing him to the most horrible injustice? To show the lengths they went to, in order to make a case dead against him, he quoted the evidence given by Hubbersty as to books found at Potash with marble covers. No doubt these were the two books which the clever Mr. Gerard had displayed his cleverness upon. Was it likely that, if he was contemplating such a horrid deed, he would have gone about inquiring if Mr. Jermy was from home? He could not make it out, and that was all about it. He defied anybody in England, after hearing the evidence, to say that he had had justice.

(A Juryman here asked for a glass of water, and the prisoner, who had a glass beside him immediately raised it, and, bowing, drank with him.)

The PRISONER returned to the different points of his defence again and again, going over the same ground, and interlarding his observations on the evidence of each witness with appeals to the Almighty in proof of his innocence. He continued: It was well known that some years ago some people came and took possession of the Hall. That had also been done with other estates; at least, he understood so on very good authority. It would take a long time to tell the whole tale, though it was necessary to do so in his defence. It was clear, from the anxiety of Mr. Jermy to sell under value the property, or a portion of it, that he felt it was held by him on an insecure title. It was his interest that Mr. Jermy should live, and he had reason to know that even if he had given up Potash Mr. Jermy never would have taken the Felmingham Farm away from him. Indeed, he had a letter to that effect among his papers, but what had become of it he could not say. The facts he had already stated showed that an attempt to take possession of the Hall was not unlikely. The parties who had tried it had had nothing done to them, and there was an idea that had they held possession they would have succeeded. He hoped the Jury would consider the whole bearing of the subject, and think of nothing that had appeared in newspaper reports, for they must see the difference between those reports and the evidence. And, first, as to time, they would bear in mind the conflicting evidence which had been given in that respect. A great fuss had been made about his not cross-examining Miss Sandford the second time she was brought forward as a witness. He asked the Jury to consider the situation she was in. She went to the Hall for twelve hours, and there she was made to believe all these things, and to turn round against him. Still, on the first deposition made by her he was willing to stand or fall. If it was the last word he had to speak, he would show that he went no further than he had already stated; that it was impossible for him to have gone farther than the boundary of his Farm; and that he stopped there for five minutes only. Emily Sandford stated that she went to bed always at nine o'clock, or half-past nine, and that would show that he was not out more than 20 or 25 minutes. But, supposing he was double that time, the Jury heard what time Pont took to walk the distance between the Hall and Potash in the open day. But Potash land was not like common walking land, and the time was night. He hoped the Jury would consider whether Emily Sandford's evidence given before them ought to weigh against his life. Had he contemplated such an act, did the Jury think that he would have had her there at all? She said that he trembled; but he was frightened by what he had told them about. However, when that was over, and he had got into bed and began to be warm, he became as calm and collected as he was at the present moment. (Sensation.) He knew that his conscience was clear; and did they think that he would have had God Almighty's protection in standing there as he had done if he were guilty? He could not have looked them in the face; he should have been mad before now. (Renewed

sensation.) His Lordship said that the questions he (the prisoner) put to Emily Sandford were not important; but he said they were. They showed she was the last person he would have thought of using for such a purpose as the forgery of these papers. As to those papers, they must bear in mind the different evidence which she had given with regard to them. He hoped that after that evidence, the Jury would not (indeed, they could not) think that such was the case. He had always been in the habit of going to the White Hart, at Norwich, and could always get a bottle of wine there to dinner when he wanted it; and as to the brandy, considering she was in the family way, it was necessary that she should have some when she was ill, and he told her so. (Sensation.) The effect, however, sought to be produced by the counsel for the Crown, was, that he gave Emily Sandford brandy in order to make her sign the papers.

The JUDGE: I don't think there was anything in that evidence. You may address the Jury on the point, but it has produced no impression on my mind.

The PRISONER: No one could read that evidence without thinking that what he had stated was the effect of it. That brandy evidence was introduced into the trial to make the forged papers of more consequence. He only wished to cheer her up, poor thing, when she did not feel well. (Sensation.)

The JUDGE: It seems to me most absurd that any inference such as you have stated should be drawn from this. But I am glad you mentioned it, because it strikes me that you would be more likely to cheer her up with wine than brandy. (Sensation.)

The PRISONER thought it would be material to show the dress which he really did wear upon the night of the murder. Some of the parties who had been produced as witnesses before them had seen it. It was held up before them in the yard at Potash, where, knowing the circumstances that were likely to fix suspicion on him, he had put it before the police arrived. Whether it was, that, after the evidence which had been given as to the appearance of a man seen at the Hall, they thought it useless to produce it, as not answering to the description, he could not say; but, at all events, they had seen it, and considered that it did not suit the case which they were getting up against him. Everything he had said were facts, and plain facts. He now wished to apply for Mrs. Jermy's deposition.

The JUDGE: If you read that deposition as part of your evidence, you read it as evidence of some true fact.

The PRISONER did not say that Mrs. Jermy had given truthful evidence. The Jury would have to say whether she had or not. He would have the evidence read, as he thought it would throw some light upon the value of the other evidence which had been given.

The JUDGE: Very well, I should like you to repeat what you stated about the dress worn by you on the night of the murder.

The PRISONER had no secret to make about it. It was a blue frock dress, which he used to slip on, after his knowledge of the transactions of parties who were about to take possession of Stanfield Hall. Having gone out with it, and hearing guns, and knowing he might be suspected by the police, he put the dress in a certain place in the yard. (Sensation.) Yesterday, he had sent for the dress, in order to show that it would contradict the evidence which had been given as to the dress which the man wore who was seen at the Hall. He also wished to show the place in the loose frock where he could put his hands, and the manner in which he put it on, by putting his neck through. That he had no doubt was the dress spoken to by some of the witnesses. It accounted in some measure for the evidence which had been given on the subject. That having been described, in some way accounted for the evidence as to the length given by the witnesses, who stated that the cloak did not come over the knee. They might have known, after seeing that cloak on him, that such evidence must have been given. The Judge stated that Mrs. Jermy's evidence was against him; but the Jury were men of sense and understanding, and he said that that evidence was not against him. They would compare her evidence with that of Watson and Chestney. She said, "I did not see his face at all, but it struck me immediately it was Rush." Now here it was again. Mr. Jermy's favourite time for seeing him was after dinner, and that might strike Mrs. Jermy, and give her the idea. On the cross-examination, if they thought that evidence against him, why then God Almighty knew it was the worse for him, and they would give a wrong verdict. He would prove that Mrs. Jermy was the person who had given the best description of that man, and particularly of his dress. He had no hesitation in stating that she had given a correct description of the man's dress; there was not a question of it. (Sensation.) They could not for a moment suppose that the person Mrs. Jermy saw at the Hall was the same as Watson saw. He said again to the Jury that they ought to take time, and for the sake of his children, whose hearts were breaking, and for the sake of themselves and families, to divest their minds of all prejudices which they might have contracted before they came into court. They would consider it was possible for him to be the man seen in the Hall that night. They would consider the discrepancies between the evidence of the different witnesses, and the remarks which he had made upon them. Let them consider the distance from the one place to the other, and what had been stated on that point, and he was sure God would lead them to decide in his favour. He trusted that God would guide them; and if there was a difference of opinion, they would think it the happiest day of their lives to stand him and give no verdict; but if they found him not guilty, they would be blessed for it in their dying moments, that they did not return a verdict of guilty

against an innocent man. He said again to them, let them trust in God and do their duty, and let them not be led away from the facts by the false evidence that had been given against him. Might God Almighty bless them and make them discern, and give them a wise and understanding heart. He desired and expected only justice at their hands; and he asked them this for the sake of his poor little children, who were destitute of a mother, and who were looking to them to return their father to their home. (Great sensation.)

(This was the Prisoner's defence; the concluding sentences being read by him from a brief, and delivered in a slow and even manner, amidst the breathless silence of the court. Once or twice his voice seemed choked with emotion, but, after a pause, he recovered, and throughout his long defence he appeared calm and self-possessed.)

The JUDGE: Will you repeat, Prisoner, what you said about Dick, Joe, and the lawyer?

The PRISONER produced in evidence a letter, stating how he came to know what had happened.

The JUDGE: It can be no evidence; it is a letter from you to your solicitor. That is no evidence at all.

The PRISONER here said: I want to ask Mr. Cann once more if he has any more letters to produce? There are letters of his written to me which I wish particularly to have in evidence—particularly two written in October. He was in the habit of sending letters to me very often, but I don't recollect the dates.

Letters from Mr. Jermy to the prisoner on various matters connected with the Farm, and a notice sent by the prisoner to Mr. Jermy, requesting valuers to be appointed for the Felmingham Farm, were next given in evidence.

GEORGE WAUGH (solicitor, of London) was then called, and examined by the PRISONER: On the 1st of December last, he went down to Wymondham, in consequence of a letter from the prisoner. He sent up his card to announce his arrival. He saw the prisoner immediately afterwards. Could not recollect what room it was in. The police were present at the time.

Several similar questions having been put to the witness,

The JUDGE at last said: I cannot allow you to proceed with those questions. They have nothing to do with the case before us. All you have to show is, whether you are or are not the person who murdered Mr. Jermy.

PRISONER: Yes, my Lord; but I wish to show the unfair way in which I was treated by the magistrates.

JUDGE.—I really cannot allow it. I have listened very patiently to all you have had to say, but really there must be some bounds to this discussion.

Examination continued: Returned from the Bridewell in about two hours. Mr. Cann, the solicitor, was with him; an inspector of police was sent to the Bridewell along with him. The inspector went to give directions that witness should not see the prisoner, without a policeman being present. Mr. John Cann went into the room where the prisoner was with witness. The police had retired into the passage. The prisoner made some observations to Mr. Cann.

PRISONER: What was said by you when I made those observations to Mr. Cann?

Mr. Sergeant BYLES: I really must interpose now, my Lord, for all this is quite foreign and irrelevant to this inquiry.

PRISONER: My Lord, I want to show the villany of Cann. He knew he was acting as my solicitor up to the time—

The JUDGE: You cannot ask the question. It is impossible for the prosecution to be prepared with evidence to refute such statements, and I really am at a loss to know what all this evidence is coming to.

PRISONER (to Witness): Did you not make use of words to the effect that I could not put my case into better hands than those of Mr. Cann?—Witness: I said you ought to put your case into the hands of some respectable solicitor, and that I knew of no one better than Mr. Cann. (The witness was not examined by the Crown, and he retired, but was called back by the prisoner.)

PRISONER: Who is William Frederick Howe? He says he has been a clerk of yours?—Witness: Yes, he has.

PRISONER: Is he a man you would believe on his oath?—Witness: Certainly not, if he was contradicted by respectable testimony.

PRISONER: What did he leave your employment for?

The JUDGE would not allow the question to be put, and the witness left the court.

ARTHUR HYDE called, and examined by the prisoner.

PRISONER: What is your profession?—Witness: I am an accountant and arbitrator.

PRISONER: Do you know William Frederick Howe?—Witness: I do.

PRISONER: When did you first see him?—Witness: On the 4th December, in the coffee-room of the Wheatshaf tavern, about eight o'clock in the evening.

PRISONER: Had you any conversation with him on the subject of the Stanfield Hall murders?—Witness: I had only one conversation with him; but I heard him make several remarks about it.

PRISONER: State the expressions he used.—The WITNESS was proceeding to do so, when

Mr. Sergeant BYLES objected, and called on the prisoner to put to the witness only such questions as would enable him to affirm any statement the witness Howe asserted he had denied.

The JUDGE: Those questions certainly are irregular. (To the prisoner) You have been without counsel during this trial. You had the means of having counsel if you thought fit, but you did not do so. An enormous latitude has been allowed to you all through, but there must be bounds to it. If you call one witness to contradict another, you must only call him to say that another witness said something which he says he did not say.

PRISONER: How could I do so? How could I know what the man would say? You tie my hands because I am not a lawyer, like these learned gentlemen below me.

The JUDGE: You should have asked Howe at the time.

PRISONER: But how should I know what Howe was going to state? How could I tell what he was going to say? It is most cruel and most unjust to treat me in this way.

The JUDGE: It is very unjust to the other parties in this case to allow you to do otherwise. Witnesses must be protected as well as the party accused. If you can show Howe had money, it is another question.

The Jury here got together in their box and consulted for a moment, and

The JUDGE said: Perhaps the best thing you can do is to have Howe called back, and ask him what he said; that would be the most regular course.

The counsel for the Crown having agreed, Howe was sent for; and, in the meantime,

MARIA BLANCH FLOWER was called, and examined by the PRISONER.

What are you?—I was nursery-maid at Stanfield Hall.

Were you there the night of the murder?—I was.

Where were you when you heard the first report?—In the nursery.

How long were you before you came down-stairs?—I did not come down till I heard three more reports.

How did you go down?—By the back stairs from the nursery.

Did you see Eliza Chestney lying at the bottom of the stairs?—No; I think they had removed her.

Where did you go when you went down-stairs?—To the servant's hall; then from the back kitchen into the cooking kitchen.

Were you walking quick?—Yes; I went along as fast as I could.

The JUDGE: Did you hear or see any one in your way?—Yes, my Lord. I heard a person bustle along the passage.

Could you tell who it was?—It was like a female; but I could not tell whether it was a girl or a woman.

The JUDGE: What way was it going?—Towards the servants' hall, my Lord.

Did you see anything or any one in the servants' hall when you went there?—No.

Did you look back when you got to the servants' hall door?—Yes.

What did you see?—I saw a low stout man—no hat on.

Did you stop to look at him at all?—No.

The JUDGE: Where was he?—When I came down the back staircase he was within about two feet of it; he kept near to the back-staircase, but nearer to the side-door.

The JUDGE: You brushed by him?—Yes, my Lord.

The JUDGE: And when you got to the servant's hall, you saw him turn?

The PRISONER: My Lord, she did not say anything about turning, at all.

The JUDGE: I thought she said so.—WITNESS: No, my Lord.

The PRISONER: Well, then, it is correct what you stated in your depositions, that you had not time to see it was any one whom you knew?—It is.

You did not see Read at all?—No.

Cross-examined by Mr. Sergeant BYLES: Did you observe the colour of the man's dress at all?—It was a dark dress.

How long was it before the 28th that you went to Stanfield Hall?—On the 4th of November previous.

Then you had only been twenty-four days there? Did you know the prisoner at all?—I have never seen him?—No, never to my knowledge, sir.

To the learned JUDGE: When I saw him, the man was coming towards the servants' hall, straight on towards me. I do not know whether he had passed the door in the passage or not.

SOLOMON SAVORY was then called and examined by the PRISONER. (He is a resolute-looking lad, and gave his answers with clearness.): Now, Savory, I have to ask you a few questions about this business.

The JUDGE: You must first get out what he is, and that he was in your service.

The WITNESS, on being examined by the prisoner, stated: I was living as servant with the prisoner's son, at Potash, at the time of the murder. I had been living there about three months before. There were at the time some old stacks of straw about. Several gateways and tracks had been littered over with straw about that time. I remember the prisoner giving me a pair of boots to clean the day of the murder. I recollect seeing those boots next day. There was a light pair, the sides of which were wet, except at where they had been next the fire. The light pair had been left at the fire that night.

PRISONER: I have heard a great deal about a wedge, but Witherford is not called to prove it. If he had been, I could have shown the evidence was got up.

The JUDGE: What wedge are you talking about? It is the first time I ever heard it mentioned.—PRISONER: No matter, my Lord.

How often were you examined before the magistrates?—Three times.

Have you been confined in Bridewell at all?—Yes, sir.

How long were you confined in consequence of the evidence you gave?—Six days, in all.

What reason did the magistrates give for confining you?—They did not say, sir.

The JUDGE: You cannot go into this. He was not there for any crime, but on account of his evidence.

Did you sit up at all at the commencement of the season to watch the Farm?—I did one night, my Lord.

PRISONER: Did you know I suspected the game was brushed off the Farm at night?

The JUDGE: You cannot ask that question. You must ask him if you ever did anything—such as giving directions about the game.

PRISONER: Did I ever set you to watch?—Yes.

Did you ever see any one on the Farm poaching?—Yes, I saw a man, and I thought that was what he was after. I saw a man put a dog over on the lands too, and told Mr. Rush of it. I remember some barley straw being stacked about the time. The cook had left Potash about a week before the murders, on account of illness.

The prisoner then put a great many questions as to the positions of the Farm and of its boundaries, which could not be rendered at all intelligible to the public.

The JUDGE: When you were asked before the magistrates what was the latest time you saw the prisoner that day, you said it was between seven and half-past seven o'clock. Was that the case?—Yes, my Lord.

PRISONER: Will you swear it was about eight o'clock when you saw me?—No, sir.

The JUDGE: What do you mean by that?—I swear it was not eight o'clock, my Lord.

PRISONER: Did you not swear—

The JUDGE: No, you cannot ask a question in that way. You are examining now your own witness to the truth.

PRISONER: Did you not contradict your evidence? Who told you to do so?—Contradict, sir? No.

The JUDGE: No; I tell you you cannot ask such questions. You are tendering this man as the witness of the truth, and as one whom we are to believe.

PRISONER: Who told you to make alterations in the time you spoke about? No; who told you to make any alterations in your statement, and speak different from what you did at first?—I don't know I did make any alterations.

The JUDGE: Really, I cannot allow this.

PRISONER: When I spoke to you at the back-door had I my in-door dress on?—Yes, sir; it was about 7 or half-past 7 o'clock.

To the Judge: The prisoner gave me his light boots to clean about 5 or half-past 5 o'clock, but I don't clearly recollect, and I washed them.

The PRISONER again asked the witness some questions as to discrepancies in his depositions, which the learned Judge would not allow to be answered, considering them quite irrelevant. At the request of the prisoner, a lapse of ten minutes was allowed; and on the return of the Judge, Jury, and prisoner to court,

WILLIAM FREDERICK HOWE was re-called and placed in the witness-box; but before he was examined,

The JUDGE said: We consider you have no right to this privilege; but I shall allow you to ask him a few questions.

PRISONER: My Lord, certain parties, whom I never saw, wrote me word about this witness, and I want to ask him if what they say of him is true.

The JUDGE: You may ask him if he ever said or made use of certain expressions which have a bearing on the case, but you cannot go into matters not in evidence.

PRISONER: If I am not allowed to ask him questions I think important, what is the use of it at all? How could I know what evidence he would give, till I heard him? He never was produced till the last moment. There is no use in it.

The JUDGE: Well, take your own course about that. Every witness does not come prepared to answer all the questions about himself you like to ask him.

PRISONER: Well, I believe I will ask him a few questions. William Howe, do you know John Lincoln?—No, I don't.

George Blean?—No.

James Barkey?—No, I never heard of him.

Nor of Mr. J. R. Smith?—No.

Nor of Mr. Frederick Grey?—No. I never heard of his name, to my knowledge.

The JUDGE: Have you never stated you would go to Norwich, and swear one side or the other for £20?—Never, to my knowledge.

WITNESS: I deny that I ever said such a thing. I was told by a witness I said so, but I deny it.

The JUDGE: Now call your witness.

ARTHUR HYDE was then placed in the witness-box, and examined by the Judge.

The JUDGE: Did you ever hear William Frederick Howe say he would come down to Norwich and swear at either side for £20, or anything of that sort?—I did, my Lord.

PRISONER: Well, I don't know I have anything else to ask you.

The JUDGE: You cannot ask the witness anything else, unless you wish to ask him something which the other witness stated he never said.

PRISONER: No, my Lord. I have got quite enough for what I want.

The witness was then subjected to a searching cross-examination by Mr. Prendergast, and stated that he lived at 15, James-street, New-road, at the top of Baker-street, but had his office, as accountant, at 39, Lamb's-Conduit-street. The first time he ever had seen Howe was on the 4th of December last, when the latter used the expressions in question. His name was not on the door, but there was an office-bell; he paid £25 a year rent for the first floor as offices, and had been in occupation since the Christmas before last. Would swear he kept a clerk; the clerk's name was Williamson. Witness, besides keeping books and accounts, was an estate-agent. He managed the estate of Laxton, in Shopshire; it was a brewer's. He went to the Wheatsheaf because there was an Elocution Society there. He was chairman of the society on the 4th of December. Before he became an accountant, he had been a publican. He never kept a coffee-shop, but had the lease of a house in which a coffee-shop was kept. Had been once in the police of London, but had resigned. Originally, had come from Ireland. When Howe used the words in question, they were all joking and laughing in the coffee-room of the Wheatsheaf. They all treated what he said as a joke. Witness said that the assertion made by Howe was very serious.

The JUDGE: What assertion are you speaking of?—Witness: He said, my Lord, he had evidence to hang Rush; and I said it was a very serious assertion, unless he could sustain it.

The JUDGE: But you never said anything of this before. All you said was, that he offered to go down to Norwich for £20 on either side.

Mr. PRENDERGAST: What did Howe say he knew of Rush?

The JUDGE: You cannot ask that question—it is irregular.

PRISONER (who seemed rather impatient at the cross-examination of this witness): See that, now. All this, I say, is taking advantage of me, after the whole of this fact has been found out. I say it is most shameful and disgraceful to go on so.

The JUDGE: But there was nothing irregular, except the last question.

PRISONER: I say their objections to this witness at once shows what they are. They are irregular.

The JUDGE: The irregularity of examining these witnesses at all is one I committed at your request.

Cross-examination continued: Witness's expenses had been paid by the agent to the prisoner's solicitor. Had received £3 for coming down to Norwich.

The witness retired.

The JUDGE then asked the prisoner: Whom do you call now?

PRISONER: Oh, there's no use in my calling witnesses, my Lord. What is the use of my doing so? There's this man Howe never has been brought in till the last moment. Why? because this man was coming against him. If I had time, I could get other witnesses in the same way.

JUDGE: But you cannot ask this witness to contradict anything the other has not said.

PRISONER: Yes, they keep him back to the eleventh hour. Is that the way to have justice done? No; they only care about getting their case; when this man came forward, everyone knows how they had treated him.

JUDGE: I cannot hear you make a speech. Call your witnesses.

PRISONER, sitting down: I have no witnesses.

(At the request of the prisoner, a letter dated the 6th of January, from the prisoner to Mr. Jermy in which he stated he would give Mr. Jermy one more chance before he published the pamphlet alluded to in the course of the trial, was read by the clerk; also another letter of the 26th of April from the same to the same.)

The PRISONER applied to the Court to have a copy of his application to the magistrates to have certain papers and documents necessary to his defence given by Mr. Cann to his (prisoner's) solicitor given in evidence. The magistrates refused; but stated that his solicitor should see the papers at any reasonable time.

The JUDGE decided that it was not an admissible document.

The evidence in support of the prisoner's case was closed about three o'clock, when,

Mr. Sergeant BYLES rose to reply. When he addressed the Jury at the opening of the case he had expressed his regret that the prisoner had no counsel to defend him. He could not, however, help saying that the prisoner had had advantages he would have been denied if he had not conducted his own defence. The inquiry which had been inflicted on them in consequence, was, he thought, one of the longest that had ever been inflicted on a jury in the annals of judicial suffering. He would make one observation, and one only, on the prisoner's line of defence. He would then allude to some of the evidence given in the case. The prisoner had fallen into two very great mistakes. The one was that of confounding the conduct of the prosecution, to which most of his observations and evidence applied, with the question whether he was innocent or guilty. He could not help saying that the magistrates who were intrusted with the public safety, and who were the guardians of the peace of the county, had an extremely difficult duty to perform. They had to conduct the

examination of Emily Sandford in the presence of the prisoner, who, they were told, conducted himself so violently that he had to be removed. He (Sergeant Byles) trusted that the jury would not be of opinion that anything coming out in the prisoner's cross-examination reflected on the conduct of the magistrates. He could not help saying, also, that, as to the accusation against Mr. Cann, it was denied by that gentleman and disproved by Mr. Waugh. It was quite unusual for the prosecution to give the accused copies and documents such as the prisoner's solicitor had been furnished with. The prisoner's solicitor had been allowed to ransack all the documents of the prosecution, and was allowed to make any copies that might be useful for his defence.

The PRISONER here interrupted, when

The JUDGE said: I must have you removed, prisoner, if you interrupt.

PRISONER: Well, then, I must be removed.

Mr. Sergeant BYLES continued: He had another observation to make. The prisoner seemed to have proceeded on the notion that if there was any variation in the details of the evidence, when the evidence of one witness was compared with that of the other, that evidence was to go for nothing. He would make only one observation to the Jury on that point. When three or four witnesses spoke to a fact which they had seen, if they gave trustworthy testimony, they would agree in substance, but differ in minute details. If an accident took place on the Castle-hill, and four persons saw it and came in and gave the Jury their statements on the subject, they would agree in substance—in minute details they would differ. If that was so in an ordinary transaction, how much more when four or five witnesses were called, and stated that an armed man appeared in a dwelling after dark, when they were struck with fear—when they had received a shock which perhaps permanently unhinged their nervous system? It was not to be wondered that, under such terrible circumstances, in minuter details these four or five witnesses should disagree. The real question was, did they in substance agree the one with the other? He (Sergeant Byles) proposed to call the attention of the Jury, not to the evidence of two or three, but five, eye-witnesses of the transactions at Stanfield Hall. It was perfectly clear that the prisoner knew the house, that he was in the habit of coming in at the door without rapping or ringing. He believed that at one time the prisoner occupied the house. It now appeared, also, that he had bought Stanfield Hall, and that it was actually his property for nearly two years. He begged the attention of the Jury to the direct evidence which had been given as to the murders. He would be extremely short. He would brush away the chaff, and come to the corn and substance at once. The learned Sergeant then proceeded to read in a very clear and impressive manner the direct testimony given by Eliza Chestney, Watson, the footman, Margaret Read, the cook, Blanch Flower, the nurserymaid, and Mrs. Jermy. He then in regular order directed the attention of the Jury to all the leading facts of the case. He explained that the straw laid down on the way to the Hall would be a guide to the prisoner in a dark night until he got either on the gravel or greensward. He pointed out the long and formidable circumstantial evidence affecting the prisoner. If he was not the man, who else could be? The story he had told to-day had never before been heard of. It was not mentioned before the magistrates.

PRISONER: I had then no idea who it was, and had no business to accuse any one.

Mr. Sergeant BYLES: These men could not know the intricate apartments of the Hall. But there were papers in the case. Written agreements, which purported to be signed by Larner and Jermy, neither of whom had signed them, and the latter of whom could not even write. Joe, Dick, and the lawyer did not represent Jermy and Larner; and the story of the prisoner was entirely without proof. Human affairs are so constituted, that, looking back, no one could fit a false tale so as to fit the facts of the case. The prisoner said that, the frock he wore on the night of the murder was hid in the yard. Why was this done? Then the wig and whiskers were left in the room with the cloak, while the boots and the frock were missing. As to the evidence given by the witness Howe, he did not think it altogether destitute of weight; though, if his Lordship told them to dismiss it from their consideration, they would do so; but he would refer them to the statements of the witness Bacon; to the letters and pamphlet of the prisoner, expressing strong hostility to Mr. Jermy; and to the forged agreements witnessed by Emily Sandford. These documents would be produced with a greater chance of success, if Mr. Jermy, his son, and his son's wife were dead. He (Sergeant Byles) did not think that the prisoner intended to injure Eliza Chestney. He gave the butler a hint to get out of the way, which the other very prudently took. He had proved malice and motive. The fact of the murder was beyond dispute. There was no one to whom suspicion could, by possibility, attach, except to the prisoner, for Jermy and Larner had both been produced before the Jury and examined. The case, however, was before them, and he was quite satisfied that they would do their duty to the prisoner, and their duty, also, to public justice and the Crown.

The JUDGE (turning to the Jury): If I have an intimation from you, gentlemen, that you think your attention is exhausted, and that you cannot consider the case before you during the remaining hours of the evening, we must, at any inconvenience, adjourn.

A JURYMAN: We wish to go on.

The PRISONER: It is very important that the Jury should take time to consider the documents which I have put in as evidence.

Baron ROLFE said they could do so afterwards, and then commenced his charge. He said:—Gentlemen of the Jury, your opinion on this case must be formed entirely on the testimony which has been given in this court. The first thing, therefore, is to consider what the fact is which now claims inquiry. We are inquiring into the murder of Isaac Jermy, and under what circumstances he came by his death. That you must learn from the testimony given in the few preceding days. It is detailed by a number of witnesses, and of the fact there cannot be any reasonable doubt; but, as from the peculiar circumstances it may be desirable to show that death took place, I shall call your attention to what each witness says on the subject. [The learned Judge read in succession the evidence of Watson, Eliza Chestney, and Margaret Read, the cook.] He then continued: That is the account of the murder given by the three witnesses alluded to. It is confirmed by two pieces of evidence put in on the part of the prosecution. I allude to the depositions of Mrs. Jermy, one of the unfortunate sufferers, and of Maria Blanch Flower, the nurserymaid. Therefore, you have now the account of five people, who were more or less witnesses of what took place. Again, the testimony of Edward Harvey, the young man who was called early on Friday, is not unimportant. [The learned Judge read the evidence.] The testimony of Honor Holmes differs from that of Harvey in this respect, that she did not see anything, and that when they got one hundred and forty-five yards they heard a sound like the slamming of a door; and that when two hundred yards away, the sound was repeated. I may say here, by way of anticipation—it being certain that only four shots were fired, that the difference of the witnesses prepares us for what human experience shows, that when people are giving an account of transactions which excite them strongly, they never give the same account of them. This is admirably illustrated by the present case; and you, gentlemen, must not attribute the least importance to such discrepancies. God knows if we shall ever be in such a state of excitement as these witnesses were then in; but who can say that he would have his faculties sufficiently about him under such circumstances to observe what happened? Even where there is no excitement, a great difference in the minute details of evidence always arises. In the present instance, one witness who had his eyes to the door saw a figure and a flash of light, while the other, whose attention was not directed in that way, saw nothing. About 20 minutes after, the body of Mr. Jermy was found in the porch, and was carried, with that of his son, into the dining-room. Both were examined, and from both a number of pieces of lead were taken. Whether these pieces of lead were like round shot or slugs is entirely unimportant to the question which we are now considering. What, then, do we infer from all this? Whatever other matters are in doubt, it seems clear that the person who shot young Mr. Jermy was guilty of the murder of Mr. Jermy, sen., also. I cautiously use the words “was guilty of the murder,” because it is a possible hypothesis that the hand that shot young Mr. Jermy was not the hand that shot his father. I need, however, hardly tell you that if two or more persons come together on a common enterprise, and one kills one victim and the other another, they are both equally guilty of the murder of each. If it was done by two persons it was done in concert, because the hypothesis that they should come for such an object without concert is obviously absurd; but if there is any doubt about that, the similarity of the slugs found in the two bodies and on the floor proves the thing to demonstration. Therefore, it is clear that the man who was in the house was guilty of the murder of Mr. Jermy, whose body was found in the porch. There remains, then, only one thing, viz. to discover who was the man who shot Mr. Jermy. The prosecution says it was the prisoner, and that is the point which you, gentlemen, must satisfy yourselves upon. To show you who was the man, the first evidence is the same that I have already called your attention to in showing what the prosecution was. (The Judge read the evidence of Watson, Chestney, and Read on this point. He was interrupted by the prisoner, who wished to have mentioned some little discrepancy as to his movements.) The learned Judge then continued: It makes no difference in the world where the man was when Watson met him. It does not matter a farthing whether he had turned the corner or not. You see that out of the five witnesses who saw the murderer at Stanfield Hall, four state their confident belief that the prisoner was the man. The fifth never saw him before, and could only say that the murderer was a stout-built man. Now, this is very cogent as evidence, but, at the same time, several observations would apply to the evidence, if it rested there. The very confusion attending such occurrences was unfavourable to such evidence, and I have pointed that circumstance out in every case when laying evidence of the kind before a Jury. There is no sort of evidence that is given which is more convincing, and yet which has been more frequently proved to be completely unfounded. A striking instance of this occurred in a case where a Jury convicted a man of a gross and murderous attack upon another person. It afterwards turned out that they were mistaken. But, at the same time, in my experience, these mistakes were in the instances where men had a long time to look at a person who was previously a stranger. We are less likely to be deceived in the appearance of a person we know, than by looking for a while at one we don't know. If any of you, gentlemen, begin looking at a man sitting at that table, and he goes out, I think you would pause before you swore to him afterwards; but if you have only a sufficient knowledge of a man's appearance, a momentary glance will in an instant tell you that it is him. Take, for instance, one of your children; you will recognise him at once by signs which, perhaps, it is impossible for you to

describe. You will say, "I don't know how, but I am as certain as I am of my own existence. I feel a degree of confidence which it is impossible for me to doubt." The question, therefore, comes—Have these four witnesses a sufficient knowledge of the prisoner Rush? That as to Mrs. Jermy is as follows: Rush appears to have been on odd terms with Mr. Jermy, sen., sometimes calling on him, and sometimes quarrelling.

PRISONER: My Lord, I don't know this Mrs. Jermy.

Baron ROLFE: That is a proper observation, and I don't complain that you set me right. Yet one can't understand but that Mrs. Jermy must have been in the habit of seeing the prisoner. That being so, he was in the position of a man not an entire stranger. The servants were in the habit of seeing him go along the passage. It is made out that the man who was seen there on the night of the murder, was disguised—how, we don't know. But if a person is well known, it is not quite so easy for him to disguise himself as at first sight may be supposed. That being so, the four witnesses swear as I have read to you. I would advise you not to pay much attention to the difference between the use of such words as "I believe it was the prisoner," and more positive expressions. All you know is the confidently-expressed opinion that the prisoner was the man. It thus becomes very important to see what other evidence there is—whether there are circumstances consistent with the guilt of the prisoner and inconsistent with his innocence. The main evidence that is relied on for this I proceed to notice. Rush is living at Potash Farm. His Lordship then proceeded to read his notes of the evidence of Emily Sandford; and when he came to that portion of it where she said the prisoner went out and returned about 9 or half-past 9 o'clock, observed—Now, if he is a guilty man, it was during this interval he committed the murder; if innocent, he was otherwise occupied. Having concluded the notes of the direct evidence, his Lordship proceeded to her cross-examination. The prisoner's account of his behaviour was, that he was moved to tears by reflecting on his behaviour to her, and by thinking in how terrible a position he had placed her, so that he could not take her to the concert. He says he was touched by her ready acquiescence, and moved to tears by the way in which she at once consented to forego her wishes with respect to the concert. She goes on to say that on the night in question he went out about 7 or half-past 7 o'clock.

PRISONER: When you get on further, my Lord, you will find something else; she said it was an hour and a half between the time I went out and I returned.

The JUDGE: I can only state what I have got here. In her cross-examination by the prisoner, it was admitted by this witness that he went twice to her room that night, although she said nothing about the second occasion of his going into her room. It further appeared, in her account of that night, that the prisoner, on going into the room, had talked a good deal, and that, among other matters, they had spoken about the concert; and so far this bore out the assertions of the prisoner, for they conducted themselves as if they were man and wife, and as if nothing horrible had taken place. However, it is for you to say whether this was a blind or not; but, as far as it goes, it bears out what he says about the concert. Supposing nothing else had been proved, these facts would not show what he did, but they would show that he was at something or other which pressed very heavily upon him. If the evidence rested there, the effect of it would be that Mr. Jermy was murdered—that four people felt confident, more or less, that Rush was the murderer—that he was out at the time of the murder, and returned home under circumstances which showed his consciousness of something very terrible having happened. From the first moment this evidence was given, my attention was given to show how the rest of the evidence might be brought to bear upon it, and how it could be explained away; for, as it stood, there were two or three modes by which it could be cleared up. The prisoner, for instance, might have been out in search of a poacher, and might have met and shot him. His agitation so far showed that something terrible had happened, but not that he was a murderer. But, coupling it with the fact that he was recognised at Stanfield Hall, it might be difficult to come to any other conclusion than that he was the guilty man. The prisoner, therefore, made a statement, the object of which was to show that all the witness stated was true—not strictly so, but slightly coloured; but that his conduct arose, not from the fact that he had been murdering Mr. Jermy at the Hall, but that he knew something was going on, and that he was, therefore, agitated and alarmed.

PRISONER: After I heard the fire-arms.

The JUDGE: Yes. The account he gives is this—(His Lordship read from his notes the statement in question, which has already appeared and continued)—Now, gentlemen, if this were true, the prisoner certainly would not be guilty of the murder of Mr. Jermy, but, morally, I could not see much difference in his conduct. He had heard shots fired and the bell rung at the Hall. He must have guessed something terrible had happened; but he went quietly back, and made no effort to assist the people living there. However, the morality of his act has nothing to do with his present guilt. But let us see if it is possible to give credence to this account, setting out of view that fact, that in spite of his animosity he should but have tried to save the life of one whom he called his friend, and of his son. When he was taken up next morning at eight o'clock, and when the police said to him, "You are said to be the man who murdered Mr. Jermy last night," would he not, if he possessed common sense, have said, "I murder Mr. Jermy! Never. I know who they were that did it, and I will give you the best account in my power. One

of them is a man named Joe, and another is a man named Dick, and another calls himself a lawyer. They were the people who did it, because I know they were going to take forcible possession that night?" That was what a man's interest, under the circumstances, would have induced him to say. You, gentlemen, may form your own opinion upon it; but I confess that is the light in which it strikes me. I am bound to see equal justice done between the prosecutor and the prisoner, and I see no other way in which I can put this. He knew a dreadful outrage was going to be committed; next morning he hears that two gentlemen have been murdered, and a lady and her maid all but murdered, and he never says one syllable about the whole affair, except on this day, and in the course of last January, when he says he wrote a letter to his solicitor with an intention of stating all he knew about it. Here, then, the facts stand thus—(His Lordship recapitulated the evidence so far). You see, then he returned home at the time in the greatest possible agitation. He knew something horrible had happened, because, according to his own statement, he had heard shots fired and the Hall bell ring. He is taken up, and he never gives the least hint of this story, though it would have absolved him at once, if true; for, if so, there would have been some trace of the people he mentions; some of those persons engaged in the business would have come forward and said, "I was employed in taking possession, but I was not an accessory to a murder." But no one of these people is found—no one comes forward. I have watched with the greatest anxiety, and have looked over the papers to which I had access most carefully, to see what explanation could be given, and the moment he came to this part of his case, I gave it my most undivided attention, and this is my deduction. But if this statement should be an untruth, how does the matter stand? Not only do all these people say it was Rush—and not only is it proved he conducted himself in an extraordinary way on the night in question—but some time after he is arrested he concocts a completely false story of his whereabouts at the time of the transactions which then took place. These are the main features of the case so far, but there are details to which I shall shortly direct your attention—I say shortly, because, if the main features do not satisfy you of the prisoner's guilt, I never would have you to rely on very minute circumstances, as they are apt to deceive, and you cannot fully depend on them. These minor circumstances are these. The murderer dropped two papers in the Hall. It has been attempted to be shown that these papers came from Rush. (His Lordship read the notices signed "Thomas Jermy.") That Thomas Jermy knew nothing of these notices was quite clear. Who then wrote them? In order to show it was the prisoner, Jesse White swore it was his hand-writing, though in a disguised hand, and that there were two or three of the letters which he knew to be Rush's. Now, I must say, if I were a juror, I would not attribute a feather's weight to this. The witness, no doubt, thought he was right, and might be so; but in printed characters such as these, it would be almost impossible to speak with confidence, and such evidence was unsatisfactory. All you can say is, the papers were written by some one whose writing is not dissimilar to that of the prisoner. But there is other evidence of some importance. Among Rush's papers were found two books, just of the size and with similar covers to those produced. The prosecutors say that the covers on which the notices were written were like the covers of these books, and I can only say the same also. In the books found in Rush's house are two, with the label of the makers ("Messrs. Gerrard") upon them. Mr. Gerrard, on being called, says, that in 1848 he made up certain books for the purpose of teaching book-keeping, in sets of five, three large and two small. The three large had labels upon them. The probability, therefore, is, that whoever had bought two of these books would have bought the third, and, inasmuch as only two were found in Rush's house, that he must, at some time or another, have had the third. It is said that the covers on which the notices were written are exactly such covers as those of the missing book would have been. They are of three sheets of paper, in order to make them strong for children's use. This evidence is to my mind much stronger than that of the handwriting; but I do not rely much on it, for, after all, who could tell but that the book might have been taken from the prisoner by some other person, and the book might still be somewhere at his house? It is suggested that where two books are found you should find three; and this goes in some degree to connect the prisoner with the notice.

PRISONER: There is one observation I wish to make, my Lord. Mr. Gerrard sold 100 sets of these books. Do you think you could get them complete in every house you went to? This is really extraordinary.

JUDGE: Well, that is very fair. I put the case in another way. There is another circumstance mentioned, but I don't think you can attend to it. The book missing is the cash-book. In the cash-books of the set, faint lines have been made on the covers by the ruling, and if it were light enough you could see similar traces on the covers produced. In addition to this it has been relied on for the prosecution that the prisoner was in the habit of going out about the same hour on several nights before the 28th, and the suggestion is that he did so with the intention of committing the same crime which he afterwards had an opportunity of doing. Whether that may be so or not, I will not say.

PRISONER: It's extraordinary to say I went out at the same hour, my Lord; no such thing was proved.

The JUDGE: I really don't think it matters whether you went out half an hour more or

less. (His Lordship then reviewed the effect of the evidence so far, and continued) The morning after the murder the police went to Potash, and somebody at the Hall must have told them to do so. It is stated by the prisoner that this should go to his favour, because they went there on account of his known hostility to Mr. Jermy. At all events, they had the police watching the Farm, and the prisoner conducted himself like a man who had committed a great crime, as well as giving a false account of himself when he is arrested.

PRISONER: But was it likely I should have made the observations I did to Emily Sandford, if such a thing had been on my mind?

THE JUDGE: The prisoner suggests, gentlemen, that what he said when he went home was in his favour, and you are not to mind the inferences I draw, but to form them for yourselves. The next question is, what could have prompted the prisoner to so dreadful an act—one happily so unusual and unprecedented as for a man to go out in the dusk of an evening to murder the owner and the son of the owner of the adjoining estate, and to attempt the life of a lady and her servant? It is true, great crimes are often perpetrated without any imaginable motive, but when motives did appear to exist, they were so far a means of arriving at a satisfactory conclusion. On the part of the prosecution it is attempted to be shown that a most malignant feeling existed on the part of the prisoner towards Mr. Jermy. I confess I pay no regard to the evidence of Mr. Howe. I don't inquire whether it is true or not; but suppose a man talking to a lawyer or his clerk about a lawsuit to use angry expressions, it suggests no more to my mind than if he said, "I'll break his head!" Other observations of a similar kind I would dispose of in the same way; but these remarks do not apply to two letters which the prisoner put in evidence—one dated April 26, containing a most malignant strain of expressions towards the deceased, and another of an earlier date. But, in addition to this, there is attempted to be shown a long series of transactions which led to the result, that if the Jermys could be murdered, a large property, to the amount of many thousands, would come into the possession of the prisoner, and which if they were living he could not get. If this be true, it is not confirmed or weakened by anything I have said. The evidence of this motive is to be found in the papers to which I shall now call your attention. There were in London two claimants to the Stanfield Hall and other estates, named Jermy and Larnier. The prisoner held leases of two farms at Felmingham, of which the leases would expire on Michaelmas. In October he entered into a negotiation with these men to put them into possession of the Felmingham property, on the understanding that they would sign an agreement to give him a beneficial lease of those farms; but as possession could not be had till the 11th of October, there was another agreement actually carrying out the terms of which the agreement of the 3rd of October contained the effect, signed subsequently. It was arranged that Emily Sandford should come down to Norwich on the 5th of October. She was met by Rush, and he brought her over to Potash. At that time it was occupied by his son and son's wife. She was taken to Rush's bedroom, which was separate from the rest of the house. On Tuesday following it was proposed she should go over to Norwich. It was arranged that Savory, the servant-boy, should drive her. The prisoner was to go in the gig with her towards Stanfield Hall, where he said he wanted to go. They went as far as they could in the gig, when they got out. He went to the Hall. She waited twenty minutes; and when he returned, he said he had not finished his business with Mr. Jermy, but hoped he should do so. His Lordship then read his notes of the subsequent evidence of Emily Sandford as to the copies of papers which she made at Rush's request while at Norwich. His Lordship then read the papers, and commented on them with great care and minuteness, during which he was several times interrupted by the prisoner. If those papers had been prepared before the murder, it is useless to speculate on any further motives. The forgeries could, of course, have been detected during the lifetime of Mr. Jermy; but, after his death, these could have been put forward as genuine deeds. Supposing the wicked designs actually fixed on, there was no time to be lost. On the Thursday following the murder, Mr. Jermy would have a right to take possession of Potash. Here, then, the prisoner is connected with deliberate fraud, and he waited till the last moment of time when it was desirable to carry his design into execution. I have looked very carefully last night over all the evidence, to see if there is anything to affect the credit of Emily Sandford on these points, for, as to what took place on the night of the murder, it is impossible to deny it, because it is admitted by the prisoner. In her first depositions she stated what, if in charity, we must not think to be a deliberate perjury, was at least stated with an intention to deceive; and there is certainly reason for distrusting, though not disbelieving, the evidence of a person who has departed from the truth. (His Lordship then read his notes of the evidence of Emily Sandford at length, and compared it with her depositions as he went along.) Looking at the case chronologically, you have a strong motive pressing on the mind of the prisoner to get rid of the Mr. Jermy. Two nights before the time when it was necessary to murder him to make the forged documents available, he was murdered. He was seen by five people, four of whom say that it was Rush, though disguised. On that night he was from home at the time of the murder. He confessed that there was something on; he was greatly agitated on his return, and told the woman he was living with that he was only out ten minutes. Before the magistrates he gave no explanation, but now he come out with the story you have this day heard for the first time. It is quite clear that the dress he was out

in that night has been made away with. He confessed that he had burned the green frock, and the pair of boots in his bedroom were not accounted for. Do these things not convince you that he did the murder? If from anything that has been said you have doubt, your verdict must be Not Guilty; but at the same time it is not permitted to any body of men to conjure up doubts, if in the bottom of their conscience they feel none.

The Jury then retired.

The prisoner, during the entire charge, sat with his head forward, and his hands resting on the front of the dock. His face wore a drowsy expression of fatigue and vacant ferocity.

After an absence of not more than five or six minutes, the Jury returned, and, to the usual question, "How say you, gentlemen, *GUILTY*, or *NOT GUILTY*?"

The FOREMAN, amidst breathless silence, returned the verdict, *GUILTY*.

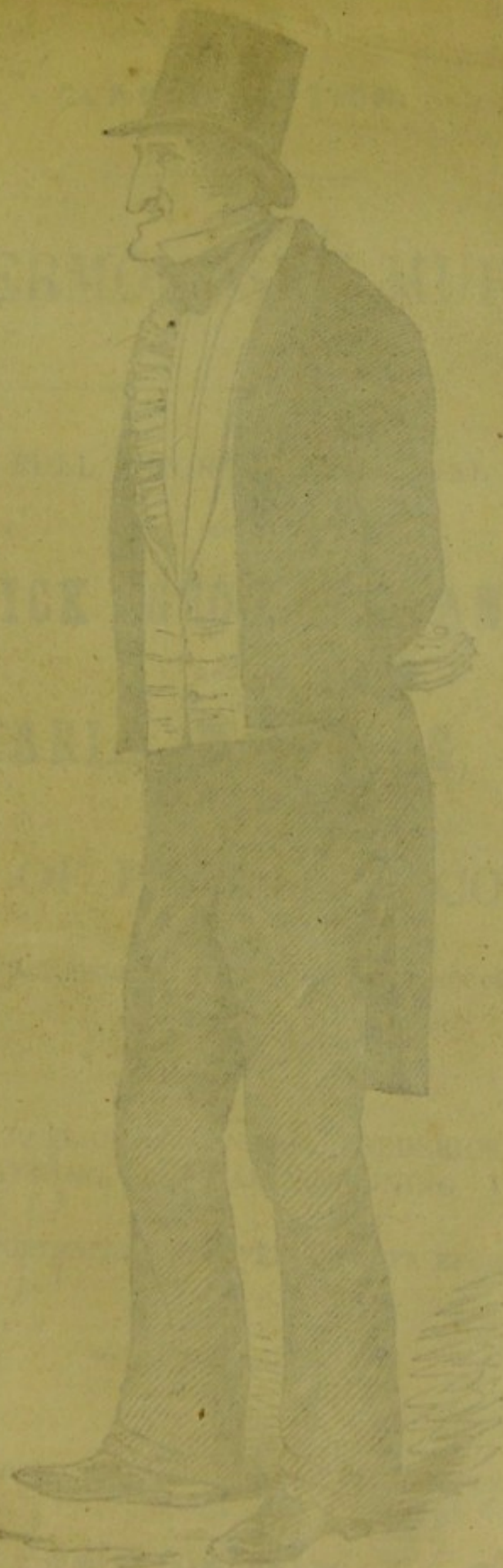
The PRISONER, in a deep tone of voice, said, "I am innocent, all the same; and God Almighty knows it." His expression, however, never changed for a moment, and he retained to the close the same listless, sullen look with which he had listened to the Judge's charge.

Baron ROLFE then put on the black cap, and, amidst profound silence, proceeded to pass upon the prisoner the awful sentence of the law. He spoke in a tone of slow and measured solemnity; and the severe dignity of his manner, and the power of his language, produced the profoundest impression. He said: James Blomfield Rush, after a trial unusually protracted, you have been found guilty of the charge of wilful murder—a crime the highest any human being can perpetrate on another—the deepest under any circumstances of extenuation; but I regret to say that in your case there is everything which could add a deeper dye to guilt the most horrible. It appears from letters which you yourself put, in that to the father of the unfortunate victim of your malice you owe a deep debt of gratitude. You commenced a career of crime by endeavouring to cheat your landlord; you followed it up by making the unfortunate girl whom you had seduced the tool whereby you should commit forgery; and, having done that, you terminated your guilty career by the murder of the son and grandson of your friend and benefactor. More cannot be said. It unfortunately sometimes happens that great guilt is too nearly connected with something that is calculated to dazzle the mind; but, fortunately, in your case you have made vice as loathsome as it is terrible. There is no one who witnessed your conduct during the trial, and who heard the evidence produced, who will not feel as the result of that evidence that you must quit this world by an ignominious death, an object of unmitigated abhorrence to every well-regulated mind. I shrink not from making this statement, in order to point out to you the position in which you now stand. To society, it must be a matter of perfect indifference what your conduct may be during the few remaining days of life that remain to you. No concealment of the truth in which you may continue to persevere, will cast the slightest doubt upon the propriety of the verdict. No confession you can make, can add a taper light to the broad glare of daylight guilt disclosed against you. So far, therefore, as society is concerned, the conduct you may pursue is matter of indifference; but to yourself it may be all-important; and I can only conjure you, by every consideration of interest, that you employ the short space of life that yet remains to you, in endeavouring by penitence and prayer to reconcile yourself to that offended God, before whom you are shortly to appear. In the mysterious dispensations of the Almighty, not only is much evil permitted, but much guilt is allowed to go unpunished. It is, perhaps, presumptuous, therefore, to attempt to trace the finger of God in the development of any particular crime; but one has felt at times a satisfaction in making such investigations; and I cannot but remark that if you had performed to that unhappy girl the promise you made to her, the policy of the law, which seals the lips of a wife in any proceeding against her husband, might perhaps have allowed your guilt to go unpunished.

The PRISONER: I did not make that promise.

The JUDGE: You have been convicted on testimony so clear, that observation and comment are unnecessary. Having conjured you to employ the small portion of life which remains to you in that which can alone interest you now, I have to remind you that human interests are for you at an end. I will only add my earnest hope that the only social right that remains to you—that of entire seclusion—may be granted, and that no morbid sensibility to guilt, nor any idle curiosity of the vulgar, may be suffered to pry into the secrets of the murderer's cell, or to raise a factitious interest in that in which you are alone concerned. It remains for me to pronounce upon you the awful sentence of the law—that you be taken from hence to the place from which you came, and thence to the place of execution; and that you be there hanged by the neck until you are dead, and afterwards that your body be buried within the precincts of the gaol in which you are confined, and may the Almighty have mercy on your soul!

The Prisoner, at the close of the sentence, was immediately removed. He preserved his firmness to the last, and, as he passed out of the dock, closely guarded by turnkeys, was observed by several gentlemen who stood near him to smile.



WILLIAM PIERCE, THE HUNGARIAN KING
REPRESENTED FROM AN ORIGINAL ENGRAVED BY A GERMAN, N. P. 1840
THE NATIONAL GALLERY, LONDON. (The engraving is a reproduction of a portrait of William I, King of Prussia, by the German engraver Johann Heinrich Wilhelm Tischbein.)

