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TRIAL
OF
ARCHIBALD BOLAM,
FOR
THE MURDER
OF
JOSEPH MILLIE.

Trans. Robert Lewis Kennedy

PRICE THREEPENCE.

copy in outline only

PORTRAIT OF ARCHIBALD BOLAM.



Bolam, shortly after he was lodged in the gaol of Newcastle, wrote a note to his housekeeper, of which the following is a copy :—

*Give the Bearer a
change of clothes
for me
A Bolam*

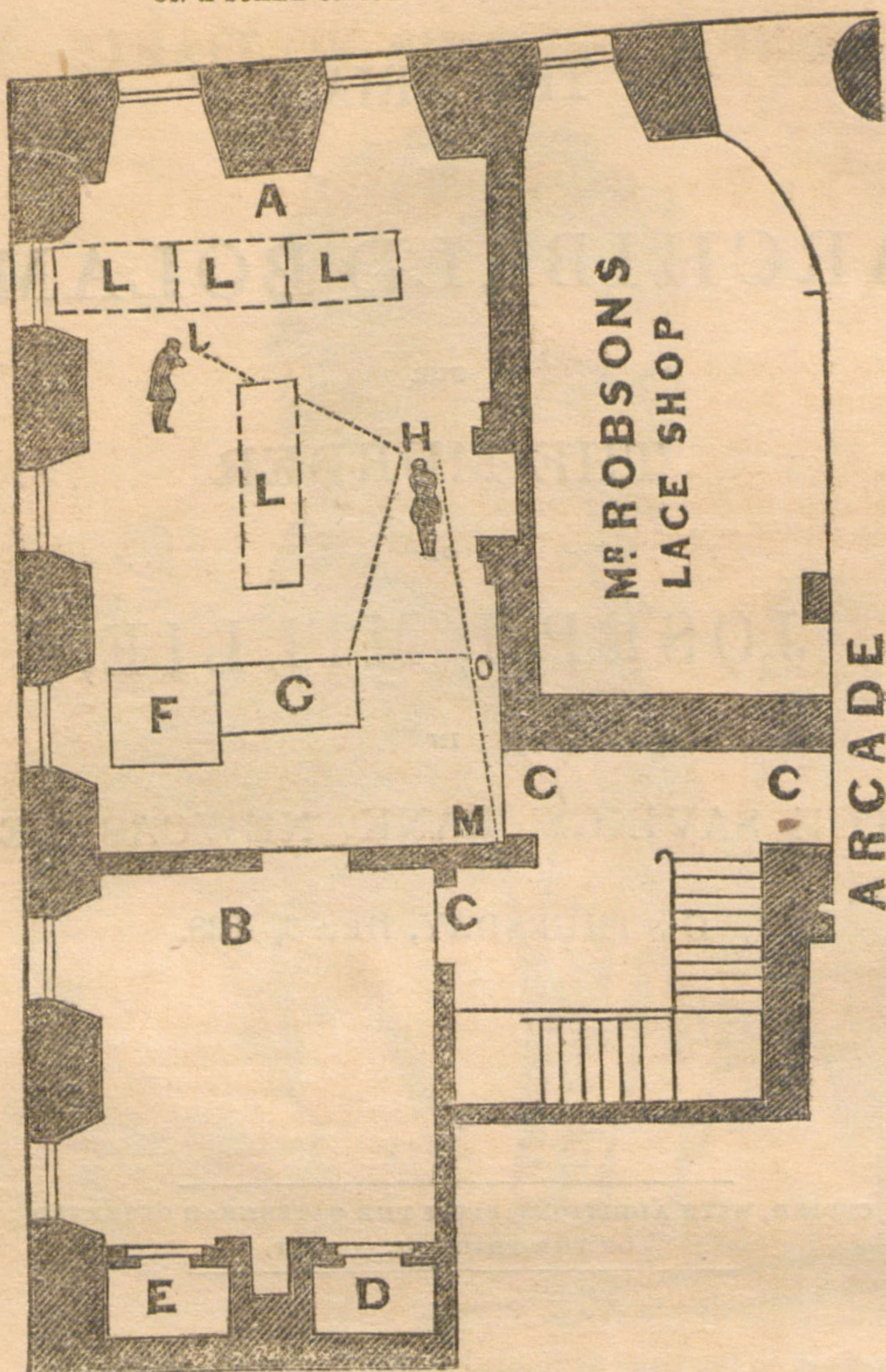
THE TRIAL
OF
ARCHIBALD BOLAM,
FOR
THE MURDER
OF
JOSEPH MILLIE,
IN
THE SAVINGS' BANK, NEWCASTLE,
ON THURSDAY, DEC. 6, 1838.

COPIED, WITH ADDITIONS, FROM THE GATESHEAD OBSERVER
OF THE THIRD OF AUGUST.

Gateshead :
WILLIAM DOUGLAS, OBSERVER OFFICE.
THOMAS SWAN, SUNDERLAND.

1839.

THE SCENE OF THE MURDER.
PLAN OF THE SAVINGS' BANK, BY MR. BELL, OF GATES-
HEAD, SURVEYOR, &c.,
ON A SCALE OF SIXTEEN FEET TO AN INCH.



- A. The Directors' Room, } Used as "Inquiry Rooms," at the last
 B. The Waiting Room, } Meeting of the British Association.
 C. C. C. Entrances.
 D. The Safe, in which the books and papers were kept.
 E. Safe, used as a common closet.
 F. The Mahogany Desk.
 G. Table.
 H. The place at which Millie's body was found.
 J. Where Bolam was found.
 L. Directors' Table, at which Bolam and Millie were last seen writing.
 L. L. L. Treasurer's Table.

The distance from the opening of the door of the large room, at M, to the head of Millie's body at H, is 17 feet.

The distance to the head of Millie's body from the corner of the table G, round which Bolam must pass to his desk, is 10 feet.

The distance from the corner of the table G, to the wall at O, is 7 feet 6 inches.

The distance from the head of Millie's body at H, to that of Bolam at J, is 14 feet.

The flight of stairs at the left side of the passage into the Bank from the Arcade, leads to the offices of Messrs. Green, the architects, and to the rooms of Mr. Robson, who, with his family, had to escape by the roof on the morning of Friday, the 7th of December.

11990-LAW 08

THE TRIAL OF ARCHIBALD BOLAM,

FOR THE

MURDER OF JOSEPH MILLIE.

THE violent death of Joseph Millie, a clerk in the Newcastle Savings' Bank, having, from the peculiarity of the attendant circumstances, excited great interest, not only in our own immediate locality, but throughout the whole country, and on the continent of Europe, we think it due to our extended circle of subscribers to present them, in one number, with a complete report, not only of the trial, but of the proceedings by which it was preceded.

The deed, it will be recollected, was perpetrated on the 6th of December, 1838, in the evening, and was discovered at an early hour in the following morning, after the extinction of the fire communicated to the building by the perpetrator. Archibald Bolam was found lying upon the floor in a state of apparent insensibility, with his throat slightly cut, and his apparel marked with blood; and the body of the deceased was lying on the hearthrug.

THE CORONER'S INQUEST.

On the day that the murder was discovered, a jury was assembled by William Stoker, Esq., the coroner of Newcastle, at the Blue Posts inn, consisting of the following gentlemen:—

Mr. Brown, bookseller, Arcade, (now Mosley-street.)
Mr. J. Gardiner, tailor, Westgate-street.
Mr. H. Potts, innkeeper, Grey-street
Mr. J. Rucastle, chemist, Side
Mr. Milner, ironmonger, Mosley-street
Mr. Fenton, carpet-merchant, &c., Mosley-street
Mr. M. Snowdon, toll-collector, Carlisle-street
Mr. W. Cowan, draper, Dean-street
Mr. J. Stirling, shoemaker, Mosley-street
Mr. Isaac Hamilton, haberdasher, Pilgrim-street
Mr. T. R. Trotter, pawnbroker, Side.

Joseph Millie, the son of the deceased, Mr. James Robson, Policeman Nathaniel Goulding, and Mr. Archibald Bolam, the actuary of the bank, were examined. We give the statement of Bolam. The evidence of the other persons will occur in the trial.

Having been cautioned by the Coroner that whatever he said might be afterwards given in evidence against him,

Archibald Bolam stated—I am actuary in the Savings' Bank. The deceased, Joseph Millie, was a clerk in the bank. I was at the bank yesterday. I went a little after nine o'clock in the morning, and stayed there until a little after five in the afternoon, when I went home to Sedgwick-place, Gateshead. I am a single-man, and have a housekeeper. I got tea at the bank before I went home. I only stayed at home a few minutes, and returned to the bank immediately. I did not call at any place on my way thither. I went home in consequence of an anonymous letter which I received yesterday afternoon. It was put in below the bank-door before dark, and I was in the bank at the time. I did not see the letter put under the door, but I found it there myself. When I found it, deceased was in the bank, and I showed him the letter. I left it on my desk after showing it to Millie—on the writing desk next the window in the large room. I have not seen the letter since. The letter stated that

"something serious would happen at home," and "recommended me to go home." That is the substance of the letter. I have no suspicion as to whence the letter came. When I got home, I did not tell my house-keeper that I had received such a letter, for fear of alarming her, but I cautioned her to shut the window-shutters in before dark, as I found them open. That is the principal part of what I said. She asked me the reason why I had come home, and I said I had come for the key which I had forgot:—it was the key of one of the large boxes in the bank. I got the key, and said nothing more to her. I did not want the key for any purpose, but it was merely an excuse for going home. I have the key in my pocket now. [Here the key was produced, and the witness said it belonged to a box in the large room.] After I brought it over the water, I meant to count my petty cash, which I keep in this box. There is cash in the box now, but I do not exactly know the amount. The box stood near one of the end windows, fronting Sir M. W. Ridley's bank. When I went to Gateshead, the deceased had gone to tea. I think he went about half-past four. When I returned from Gateshead, Millie was at the bank. It was about seven, or a little after, when I returned, and I had been at no place except home from the time I left. When I left to go to Gateshead, I locked the door of the large room of the bank, out of which I went, and expected the door of the other room was locked in the inside. I put the key of the door I locked in my pocket, and took it with me to Gateshead. Millie had also a key, and could get into the bank at any time the same as me. When I came back from Gateshead, I found the door of the large room locked, and I opened it with my key. After opening the door, I took the key out, and put it in my pocket. I have had it in my possession ever since. [Here the key was produced.] I did not then go into the other office, but I know the door was locked; for before I tried the door of the large room, I ascertained, by trying to open it on the outside, that it was locked. The key I had would only open the door of the large room. When I went into the large room, there was no key in the lock in the inside. The first thing I saw after going into the room and closing the door, was the deceased lying upon the hearthrug before the fire. There was a little fire in the grate, and there were three candles burning into the sockets at Mr. Millie's desk, which is opposite the fire. The window-shutters were closed when I went away to Gateshead, and the candles also had been lighted, but were put out again. They had been lighted about an hour before I left to go to Gateshead. They were fresh candles when they were lighted at 4 o'clock. When I left for Gateshead, I left the candles in their usual place, on a table. I had been sitting at that place where the candles were left. I had never seen Millie lying on the hearthrug before. I could not exactly see the manner in which he was lying, from the little light in the room. I could not tell whether he was lying on his back or his face. I did not see the poker by his side, nor did I see any blood about him, or in any part of the room. I went to the desk first, in order to put in my plaid. Not the desk where the candles were on, but the one in the window, fronting the Manorchare. In going from the door to the desk, I was within 5 or 6 yards from the deceased. On opening the desk, I heard a noise behind, and turning round, I received a blow on my right temple, which knocked me down upon the floor. I thought the blow was from a man's fist. The blow almost deprived me of my senses. I saw nobody before receiving the blow. I rose again almost immediately, and on looking round towards the door, which was shut, I saw a man between me and the door in disguise. His face was blacked, but with what I cannot tell. He was about the middle size. I cannot tell what dress he had on: I was so much agitated that I did not observe it. The door between the rooms was open at the time. I cannot say whether the man came out of the small room, from the position in which I was placed. In going to my desk from the door where I entered, I had to pass the door between the rooms. The desk where I went to put my plaid is nearly close to the wall. As I stood at my desk, my face was to the window. When I got up, I immediately ran to the window, looking into Pilgrim-street, and got as far as the cross-table at the head of the room, calling out "Murder" as loud as I could. The man in disguise followed me, and again knocked me down by a blow on the right side of the head. I think it was before he knocked me down the second time that the man said—"If you make the least noise, I'll serve you as I served the other man." I think it was something harder than his fist that he struck me with the second time. I cannot tell whether he had any thing in his hand when I saw him first. I did not notice any thing he had. Before I was struck

the second time, I did not exchange a word with him, and I did not attempt to defend myself, because I expected to reach the window to give an alarm. Neither of the blows cut my head. After I fell the second time, he lifted my head up, and almost immediately began to cut my neck with some sharp instrument. When I fell the second time, I think I fell on my face. I did not see him then, but he lifted my head up, and cut me under the left ear. He took hold of my coat collar, and so lifted my head. I had on a black silk collar, and a piece of flannel about my neck, and also a coloured silk handkerchief above my collar. I think I put my hands up to save my neck when I felt him cutting, but I have received no cuts upon my fingers. I did not struggle with him, nor did I then cry out. He had not then told me what he had done to the deceased, nor did I know what he had done. I am told the cut in my neck is a slight one, and I do not suffer much inconvenience from it: I have more pain in my head. He did not take my stock and handkerchief off, but I understand they are cut: some gentleman got them away. I was scarcely sensible during the time the man was cutting my throat. I was lying with my head towards the window fronting Pilgrim-street at the time the cutting took place. I am not aware whether I saw the handkerchief after it was cut, or whether, Mr. Glenton told me about it. [On being asked by the Coroner whether he lost much blood in consequence of the cut, the witness opened his shirt breast, and showed the blood.] After working on at my neck a little while, he left off, and then gave me two severe blows on both my right side and left, and I lost my senses altogether. I was then lying on my face to the best of my recollection. I think those blows were not with a sharp instrument. My sides are discoloured in consequence. I have no recollection of any thing that took place after I received the blows on my side, until I felt the smell of burning, but I cannot tell at what hour that was. My right temple is swelled in consequence of the blow I received. Up to the time I got the blows in my side I was sensible. After I felt the smell of smoke, I continued to lie where I was, on my face; and, as I lay, I heard some person walking about in the small office making a noise. I think the door between the two offices was not then open: there was no glass in that door. After I came to my senses, and felt the smell of smoke, I raised myself on my side, and turned sick, and then felt more inclined to lie. I think I could not have got up at that time. I do not know how long I lay after I was sick: it was a long time. I did not vomit. I did not get up at all. I saw the flames coming through the door which connects the two offices before any body came in to my assistance, and I did not then make any effort to get up, for still I thought I heard some person walking about, and I was partly afraid and partly unable.—I don't know exactly what time the persons broke in and came to my assistance, but it was sometime this morning. I do not know who they were. I was very sick at the time. I was taken to Mr. Glenton's house, and on examining my clothes, found my coat and waistcoat very much cut. The cuts in my coat and waistcoat must have been made after I was knocked down the second time; they appear to have been done with a sharp instrument; I feel sore, but I received no wounds from any of the cuts, except one, and that is about the bottom of my right ribs.—[The Coroner requested to see the wound, and the witness unbuttoned his waistcoat, and exposed several scratches on the skin.] I have had no dressing applied to it. I have now examined it, and find it has the appearance of a few scratches. I have not seen Millie's body since he was murdered. I do not know any person that had any ill-will towards him, or with whom he had ever any quarrel. I had received two or three anonymous letters before I received that of yesterday—all of them within the last three weeks; they were all put in below the door of the bank—there were three of them; I think they were all of the same handwriting. I am not sure whether that received yesterday was the same handwriting. These letters contained threats to take my life. I have none of those letters—I burnt them all—I did not show any of the letters to anybody, nor did I tell anybody about them. When I went home yesterday afternoon to get the key, I saw nobody I knew, or to speak to, except my housekeeper. I did not know the man's voice who came into the bank—he spoke in an under tone. I can give no other description of him than I have given. I think from what I did see of him I never saw him before.

Mr. Ald. Dunn: When you returned from Gateshead, how did you know it was the body of Millie you saw lying on the hearthrug? Witness: I did not get to examine him, but I knew it could be no other

person. I thought it was he from no other reason. I merely looked in passing to my desk. I intended to stir the fire, and see what was the matter; for I thought it strange to see him lying there. The person did not strike me when I was down, but allowed me to get up again. I called out "Murder" several times. After being knocked down the second time, I did not shout again. I did not give any alarm when I saw the fire coming through the door. I was very sick at the time. I became sensible towards the end that I had lost my voice. I cannot tell when the cuts were made in my coat. The person was disguised only by having his face blacked. After being knocked down the second time the person began to cut my throat.

By a Juror: Used mould and dip candles; used dips last night; I think they were fresh lighted candles at four o'clock; they were put out when I left for Gateshead; it was Mr. Millie's candles that were burnt into the socket when I returned.

On the evidence of Bolam being read over by the Coroner, the witness, with reference to the candles burning into the sockets, remarked, that he meant by that expression that the candles "had been burning for a considerable time, without being snuffed."

On Wednesday, Dec. 12, (to which day the inquest was adjourned,) Mary Walker, the housekeeper of Bolam, was examined, and, among other things, deposed as follows:—

She was the housekeeper of Mr. Bolam, and had lived with him in that capacity three years and a quarter. On Thursday morning, he left home at nine o'clock, to go to the bank; he did not return for dinner; it was only sometimes that he returned home to dine; witness took his dinner at two o'clock, according to her usual habit; she left him some tea in a wine bottle; after leaving the bank, witness did not go home direct; went to the house of her sister, Mrs. Mould, Swan-street, Gateshead; saw her mother and sister there; did not remain long; it might be an hour, at the most; went home from her sister's; it might be about four o'clock; remained at home all night; locked the door when she left home with Mr. Bolam's dinner, and found it locked on her return; in about two hours, Mr. Bolam came in at the back-door; witness was in the kitchen; he came to her immediately he entered the house; he could not have gone to any other part of the house before he came to her; she asked him why he had come home; he replied, that he had come for a key which he had forgot, and told her that she must take the window-shutters in, and make all safe; he said, that he was only cautioning her, lest any one should make an attempt to break in; he did not tell her that he had got an anonymous letter; the window-shutters were open when her master came home; the house was one of eight or nine which stood close together in a row, in the neighbourhood of other streets; after telling her about the shutters, he went out immediately; he did not say when he would again be at home; witness sat up till two o'clock, and then went to bed; he was never at home after he went away, about a quarter past six; there was a pane of glass broken in the kitchen window; witness broke it herself, on Wednesday night; no one saw her break it, and knew of no one who saw it on Thursday; witness broke it in putting up the window; Mr. Bolam was about 40 years of age; Bolam had no key to let himself in when she was out; had never said, that when she went home on Thursday, she found him in the house; never said that he broke a pane to let himself in; did not tell her sister so on Friday; witness saw Mr. Bolam on Friday morning, between nine and ten, at Mr. Glenton's; he came out of a room into the room where she was; witness asked him how he was; he said he had had a narrow escape for his life; witness said that poor Millie was gone, and asked him what time of night it happened; he told her that Millie was on the rug when he went to the bank from his house in the evening—that he went into the bank, and was followed by a man, who knocked him down—that he got up, and ran to the window, and was knocked down again, and seized by the throat; this was all he told her; he said that she was to go home, and he would be there in the afternoon; Mr. Bolam was very kind to Millie; had known him make presents to Millie of clothes; he also gave meat to Millie's children; he was in the habit of doing this all last winter, and during part of summer.

On Thursday, George Ridley, of Blenheim-street, the predecessor of Millie in the bank, was examined; and as he was not called on the trial, we give an outline of his deposition:—

He was formerly a clerk in the Savings' Bank, and left his situation in consequence of a difference with Mr. Bolam; that difference related

to a matter so complicated, that he really thought he should not be called upon to enter into it; Mr. Bolam, to speak generally, was dissatisfied with the mode in which witness kept his accounts, and this led to a difference, which ended in witness's retirement from the bank; witness was not conscious of any other reason for the difference between himself and Mr. Bolam; never had any words with Mr. Bolam on any other subject than the bank; Millie was occasionally employed in the bank while witness was clerk in the concern, and on the 4th inst. received a permanent appointment; it was about Christmas, 1837, that Millie first began to be occasionally employed; Bolam and Millie always appeared to be on good terms; witness knew that Bolam interested himself to get Millie permanently appointed; heard Millie say, on one occasion—perhaps twice—that Bolam had not used witness well. On Thursday evening last, a little after 6 o'clock, Mr. John Spoors, the grocer, sent his apprentice boy, by desire of Mr. Parsons, to witness's house for him; witness was then in the house, and had not been out of the house that day, being very unwell; about 6 or 7 minutes after he received the message, he went to Mr. Spoors' shop, and continued there about 3 or 5 minutes, and then went to Mr. Parsons' shop, with whom he continued in conversation 10 minutes or a quarter of an hour, and he then went straight home; it would want about 20 minutes or a quarter to 7 when he got home; he did not go out again that night, and went to bed a little before 10 o'clock; he was not out till the next morning about 11 o'clock; he was a married man, with two children; the person who occupied the rooms above him, named George Thornhill, and his mother, were in their house that night, and he had no doubt heard him in his own house, and also lock the door a little before 10 o'clock; he had heard Millie speak of Bolam; simply heard him say that he did not think Mr. Bolam had used witness well.

On Friday, the inquest was resumed and closed. The following witnesses were not examined on the trial, and we, therefore, give their evidence:—

John Blakey said—I am a shoemaker in Newcastle; I knew Millie, the deceased; I have been well acquainted with him for the last eighteen months; on the evening of the 10th October last, Mr. Millie called upon me to pay a bill; after paying the bill, we entered into conversation about the Savings' Bank, and I asked him if he was likely to get appointed; he stated that the person who was in the bank, or who had left, was doing every thing in his power to prevent him getting the situation; and stated that the same person had written letters to his kind friend, Mr. Bolam, defaming his character; that Mr. Bolam had behaved so honourably to him as to let him see two of the letters that had been sent. He also stated, that notwithstanding these attempts, he expected Mr. Bolam would represent him in such a manner to the Directors as to secure his appointment. He also thought it was very cruel in the person to endeavour to prevent his getting the place, as he was distressed. He did not show me the letters Bolam had received.

John Turnbull: I am a cabinet-maker in Newcastle; I knew Millie, the deceased; about six or nine months ago I heard him say that a letter had been sent to Mr. Bolam about his (Millie's) character; he said he was afraid of having some harm done to him, by the person who was in the situation before he came to it.

Ann Turnbull (wife of the preceding witness): I knew Millie, the deceased; I have heard him say that he had been threatened by a person whose name he did not mention; I understood him that he heard from Bolam that he was in danger of losing his situation from this person; I have heard him say it was strange this person's wife should have taken part against him, when she knew nothing about him except what her husband told her; I never heard Millie say that any person had threatened himself to do him any harm; I heard him say that the person was malicious, and he (Millie) was afraid; I have often heard him speak about it; the last time I heard him say anything about it was four or five weeks ago.

The inquiry having closed, the jury retired, and, after an absence of about three quarters of an hour, returned with a verdict of "*Wilful Murder*" against Archibald Bolam, who was therefore committed for trial at the Assizes.

After the inquest, the police having learned that Mrs. Swan, of No. 1, Sedgwick-place, Gateshead, had heard a square of

glass broken in the window of No. 2, (the house of Bolam,) on the night of the murder, they mentioned the circumstance to Mary Walker, who then burst into tears, and confessed that her former statement was untrue—that when she returned home that night, she found, for the first time, the pane broken—and her master was standing beside the kitchen fire. He said, “Hush! hush! Mary! it is me! I have come for a key.” She lighted a candle, and he went into the parlour, where he continued several minutes.

On this confession of the untruth of her former story, the young woman was taken before the magistrates of Newcastle, and underwent a private examination. The result was, that she was committed for trial as an accessory.

POSTPONEMENT OF THE TRIAL.

On Friday, the 1st of March, 1839, Mr. Baron Parke and Mr. Baron Alderson arrived from Carlisle, and opened their commissions in Newcastle and Northumberland.—In Newcastle, in the Guildhall, the following gentlemen were sworn on the Grand Jury in the afternoon:—

Mr. JOHN ANDERSON, Foreman.

Mr. Robert Boyd	Mr. George Currie	Mr. C. Liddell
Mr. Benj. Bradshaw	Mr. Joseph Grote	Mr. William Lee
Mr. G. Burnett, jun.	Mr. W. N. Greenwell	Mr. Ralph Naters
Mr. William Bolam	Mr. Benj. Johnson	Mr. Benj. Thompson
Mr. F. W. Bulman	Mr. Joseph Hawks	Mr. R. Todd
Mr. George Burdis	Mr. Mich. Longridge	Mr. J. D. Weatherley
Mr. Thomas Catton	Mr. N. G. Lambert	

His Lordship, in his Charge, referred as follows to the indictments against Archibald Bolam, for the murder of his fellow-clerk, and Mary Walker, his housekeeper, as an accessory:—

GENTLEMEN OF THE GRAND JURY.—I have directed you to be summoned at a much earlier period than is usual at assizes held in this place; and I have done so, on account of the serious nature of the duties which you have to perform, and particularly with reference to one case, which it is necessary should be decided at as early a period as possible, in order to afford the prisoner an opportunity of considering whether he will submit his case to the jurisdiction of this Court, or have it removed to another place. Gentlemen, the case to which I allude is one in which a person of the name of Bolam is charged with wilful murder—a case which has excited a great deal of interest in this place, and in the neighbourhood, and indeed, I may say, throughout the whole kingdom. It will be necessary, gentlemen, for you to dismiss from your minds every preconceived notion either for or against the prisoner, and apply yourselves entirely to the voluminous evidence which will be laid before you, with a strict determination to act according to the effect produced by that evidence on your minds. The evidence, gentlemen, is circumstantial; and upon that it is necessary to observe, that there are cases of circumstantial evidence which may be satisfactory, in a moral point of view, but which are liable to serious errors in proof of the facts, and to errors in the inferences to be drawn from the facts. When an hypothesis has once been formed in the mind there is an aptitude to warp the facts which may be brought before it, in order to suit that hypothesis. Gentlemen, you will weigh well the facts of the case, and be satisfied that they are distinctly, clearly, and unequivocally proved, before you send the prisoner to trial upon this charge. If you have reason to believe that there is no doubt of the facts, and that from these facts the prisoner's guilt must be inferred, it will be your duty to find a bill; but if you can infer that these facts are not capable of proof, or that they do not prove his guilt, you will dismiss the case. Gentlemen, I only know the general nature of the case, and I leave you to decide upon the case as it shall be presented before you. There is another person connected with the case—a female, who officiated as housekeeper to Bolam, and who is charged with being an accessory after the fact: that is, gentlemen, with comforting, relieving, and assisting the prisoner, after the crime was committed. The assistance given, gentlemen, does not appear to have been of a nature calculated to secure the escape of the prisoner, but merely to make

away with some of the evidence against him. If you should be satisfied that such was really the case, it will be sufficient to warrant you in sending her for trial before a petty jury; but if you should be of opinion that the circumstances are those of suspicion merely, and not such as to convince you that she was acting with a determined purpose to assist the prisoner Bolam, it will be your duty not to find a bill upon this charge.

On Saturday, March 2, the Grand Jury returned a true bill against Bolam, but the bill against his housekeeper fell to the ground.

On Sunday night, Messrs. Dundas and Knowles, the prisoner's counsel, gave notice to the counsel for the prosecution, Sir Gregory Lewin, Mr. Granger, and the Hon. Stuart Wortley, that it was their intention, not only to apply for the removal of the trial into the county of Northumberland, but also to move, that it be postponed till the Summer Assizes.

Monday morning, at nine o'clock, was fixed by the Judges as the time at which they would hear the application; and long before that hour, the people began to gather on the Sandhill. The prisoner was brought to the Guildhall, from the gaol of Newcastle, at about half-past six o'clock, as a measure of precaution, and was lodged in one of the upper rooms of the building, to await the opening of the Court. When the crowd in the street was permitted to enter, there was a tremendous rush, and the hall was instantly cramful of the lieges; but owing to the excellent arrangements of the local authorities, and the good conduct of the people, no confusion or disorder ensued.—“The Reporter's Gallery,” erected for the occasion, and calculated to hold upwards of twenty persons, was occupied from end to end; and there were also reporters in the customary seats, and in other parts of the Court.

When the Judges had taken their seats, the prisoner was placed at the bar, and Mr. Dundas moved for a writ of *habeas corpus*, to remove him into the county. This motion was instantly acceded to; and it was then arranged, for convenience' sake, to hear the arguments for and against Mr. Dundas's second motion in the Guildhall.

Mr. Dundas therefore proceeded to move, that the trial be postponed to the Summer Assizes. In support of this motion, the learned counsel read an affidavit made by Mr. Swinburne, of Gateshead, the prisoner's attorney, which was to the following effect:—That Mr. Swinburne was present at the inquest held upon Joseph Millie, which was attended by crowds of persons from day to day, in a state of great excitement; and when a verdict of wilful murder was returned against Archibald Bolam, there was a general expression of satisfaction, in the form of clapping of hands, which did not cease till it was put down by the coroner. That the circumstances connected with the murder caused great irritation and excitement in Newcastle and in the adjoining counties; and the accounts inserted in the papers contributed to produce and keep up the irritation and excitement. That in the papers published in Newcastle and the vicinity, plans and views of the Savings' Bank, in which the murder was committed, were given—some of them representing Bolam and the body of Millie, as they were found in the morning of the 7th of December. That in the *Newcastle Journal* of the 15th of December, a portrait was inserted as the portrait of Bolam, and a fac-simile of his signature was given; and after reporting the proceedings at the inquest, the Editor added these words:—

Though the result of the inquiry fixes guilt on an individual who has moved in a respectable sphere, and has hitherto born an unblemished character, *no other conclusion could be drawn, in our opinion, from the evidence adduced.*

That on the 22d inst., the *Journal* gave plans and views of the dwelling-house of Bolam, and a portrait of his housekeeper, Mary Walker; and the Editor made use of the following words:—

Though there can now be little doubt that Bolam has stained his hands in the blood of Millie, and perpetrated the foul crime of murder on his person, the absence of all probable motive, and the kindness with which he is known to have regarded his victim, up to the very period when the horrid deed was committed, almost stagger belief. * *

It might have been expected, that when Bolam had had time to reflect upon his situation, immured in prison, and branded by a coroner's jury with the foul crime of murder, he would have at once made a *full confession of HIS GUILT*, and sought to make reparation to the bereaved orphans whom HE *had cast upon the world*. This, however, he has not yet done.

That on the 5th of January there was published in the *Journal* a statement purporting to be evidence given by a person named Appleton, in reference to the murder of Joseph Millie, and a passage professing to be an extract from the examination of Bolam on the inquest, *which passage was not to be found in his examination as recorded by the coroner*. That the alleged evidence of Appleton, and the passage purporting to be extracted from Bolam's examination, were contrasted and reasoned upon by the Editor of the *Journal*, who, among other remarks, observed:—

There is, therefore, a contradiction between Bolam's statement and that of Appleton, irreconcilable—[Mr. Dundas paused, and said, he supposed the Editor meant to say "reconcilable"]—only on the supposition that the "black man" put Bolam's hat on, or that Bolam, having taken it from the peg, replaced it on his head whilst in a state of insensibility.

("Here we have the paper arguing on the evidence," said Mr. Dundas, and proceeded with the affidavit):—That on the 9th of February the *Journal* said—

Bolam has a freehold estate in Hexhamshire, and some other property, all of which, we understand, he has conveyed over to his friends, as, in the event of a conviction, the whole would fall to the Crown.

That on the 12th of February, the *Tyne Mercury* stated, that "Bolam had expressed a wish to see a magistrate, and one would have been sent to him, but his solicitor came in the way in the mean time, and nothing more was said about it." Also, "Bolam, by the advice of his solicitors, has made an assignment of his property to his relatives." That immediately after the appearance of these statements in the *Tyne Mercury*, they were reprinted (with other matter in that paper) in the shape of handbills, which were hawked about the town and neighbourhood by the bill-venders, at the charge of one half penny each. That among the other matter reprinted from the *Tyne Mercury* was this passage: "From inquiries we have made in the country, we find a *strong feeling in the minds of the yeomanry upon this murder*." That besides the newspapers mentioned, the papers generally of Newcastle and the county of Durham, from the inquest to the present time, had contained almost every week paragraphs concerning the murder; and placards were exhibited by newspapers announcing that they would contain intelligence on the subject, thus keeping up the excitement, and preventing the same from subsiding. That the papers published in Newcastle and the county of Durham were the only papers that circulated to any extent in Northumberland, there being no paper published in that county. That the deponent had conversed with many persons in Newcastle and Northumberland on the subject of the murder, and on the state of the public mind in reference thereto, and he believed that a general excitement prevailed respecting it. He believed

that a strong and general prejudice, excitement, and irritation existed in Newcastle and Northumberland, and among persons likely to serve on juries therein, against Archibald Bolam, in regard to the murder of Joseph Millie; and that the said Archibald Bolam could not, at present, have a fair and impartial trial, either in Newcastle or Northumberland. That the statements in the *Mercury*, as to Bolam's assignment of his property, and as to his wish to see a magistrate, and the intervention of his solicitor, were untrue.

Mr. Dundas, after reading this affidavit, stated that he would offer no arguments to the Court in its support: it did not tell its own story to the hearts and minds of their Lordships, no words of his could atone for the deficiency.

Sir Gregory Lewin opposed the motion. My learned friend (said he) has brought before your Lordships, in support of his motion, the mere twaddle of an Editor. He has not shown that there is any excitement against the individual, but only that whatever excitement prevails is against the crime itself. The excitement, too, is not like political excitement. It is not, calculated to operate on the fears of a jury, and to lead them not to determine according to their convictions, in apprehension of the consequences of popular indignation. In fact, it is not, strictly speaking, to be called excitement, but merely that natural individual interest which persons take in those murderous attacks on human life, of which they hear and read. I do not defend the editorial comments on the case, but only argue that they were directed against the murder, not against the man. That the occurrence should have made a great sensation, is not to be wondered at; but the excitement bears no analogy to that which prevailed in the case of the Luddites, or during the corn riots in London. It is absurd to say that twelve men are not to be found in the county of Northumberland, who would bring in a fair and impartial verdict in the case under consideration. Such an assertion is a gross libel on the county, and is totally unsupported by proof. There always is, and, I hope, always will be, a strong feeling in the public mind, when deeds of blood are perpetrated; and the attacks quoted in the affidavit are only attacks on the crime. It cannot be supposed, when an inquest is held in a case of murder, and the coroner's court is adjourned from day to day, that there will be no excitement; but in the present instance, there has been no overt act on the part of the public, to operate on the minds of a jury. Of whomsoever composed, the jury will doubtless have heard of the murder; but we have no grounds for believing that their minds have been so operated upon as to preclude them from determining according to the evidence that will be brought before them. All that has been shown amounts to little more than the twaddle of the newspapers, and the opinions given by persons on the spot, as to the statements brought before them. It is not to be supposed that when a man has given an opinion on what he has heard and read, he will not change his mind when he has heard both sides, if sufficient grounds for the change be presented to him.

Mr. Dundas: I know my learned friend too well not to be convinced that he is actuated by his zeal for the cause he has taken in hand, and not by any feeling against the prisoner; but it does appear to me, that he has used expressions which in so solemn a matter as the present he ought not to have employed. What does Sir Gregory mean by "the twaddle of an Editor?" Is a man to be "twaddled" out of his life? If I were charged by an Editor with having imbrued my hands in

human blood, would that be nothing more than twaddle? Would it not be language calculated to prejudice the public mind against me, and to militate against my chance of having a fair trial on a charge affecting my life? My learned friend says that the attack is on the crime, not the man. Why, did Sir Gregory hear the affidavit? Did he hear the extract from the *Journal* stating that there could be little doubt that Bolam had stained his hands in the blood of Millie, and perpetrated the foul crime of murder on his person? Is that directed merely against the crime, and not against the individual? It is idle to say, that the feeling in the public mind is against the crime, and not against the man. Time will bring about a calmer feeling, and the public will not be acted upon by the Press; for I trust that what your Lordships say to-day will stay the hands of those who have borne hardly on a fellow-creature, and done all they could to bring him to death without a fair trial. The prisoner's sense of innocence induced him to refuse to entertain the question of delay; but when I find that he is not likely to have a fair trial, am I to permit him to place his life in jeopardy—am I to sanction his being tried, under circumstances which preclude him from being fairly tried? Or will you, my Lords, sit there to see a man placed in peril from an excited and prejudiced jury? God forbid that we should ever see the day in which you, my Lords, or any other Judges of the land, will consent to place human life in such jeopardy, when, by a few months' delay, a fair trial may be had. Forgive me, if I speak too warmly. I plead for life. It is an insult, when I show the grievous wrong that has been done to the prisoner, to tell me that it is only the twaddle of an Editor. It appears to me the nearest thing possible to the stab of an assassin's tongue.

Mr. Baron Parke decided in favour of the application of Mr. Dundas, and Mr. Baron Alderson expressed his full concurrence in his learned brother's decision.

Mr. Thompson (the governor of the town-gaol) was then directed to remove the prisoner; and when Bolam turned from the Bench, and proceeded to descend the steps, with his face to the people, he was assailed by loud yells and groans, mingled with hisses.

After quitting the Court the people remained on the Sandhill, to witness the removal of Bolam; and the police were afraid to take this step until the crowd dispersed. They therefore waited a considerable time, in the hope that popular patience would be exhausted. But it was found useless to wait, and the police having set their wits to work, hit upon an "ingenious device." They caused a coach to be brought to the door of the Guildhall, and having enveloped one of their number in a cloak, from the crown of his head downwards, they led him down the stairs into the street—handed him into the vehicle—and he was driven off to the gaol in Newcastle, the crowd rushing after him, to see him alight, and greeting his ears with vociferous execrations. Bolam was then brought from his room in the Guildhall, and quickly and quietly conveyed to the Moot Hall—where, in the afternoon, he was brought before Baron Alderson, and was arraigned. Having pleaded "Not guilty," Mr. Knowles moved, in due form, that the trial be postponed until the Summer Assizes; and the application was of course granted without demur.

It was subsequently considered that the legality of the proceedings was rendered questionable, through the circumstance that a town-councillor was a member of the Grand Jury by whom the bill was found. The bill, therefore, was submitted

to a Grand Jury of which the said town councillor (Mr. Anderson) was not a member; and a true bill having again been returned, the case was once more removed into the county, and deferred to the Summer Assizes.

THE TRIAL.

The business of the Summer Assizes for Northumberland commenced in the Moot Hall, in Newcastle, on Monday morning last, July 29, before Mr. Baron Maule; and the following gentlemen were sworn of the Grand Jury :—

Lord OSSULSTON, M.P., Foreman.

Sir C. M. L. Monck, Bart.	Stamp Brookesbank, Esq.
Sir M. W. Ridley, Bart.	W. B. Clark, Esq.
Sir Edward Blackett, Bart.	Charles William Bigge, Esq.
Chris. Blackett, Esq. M.P.	Robert Lancelot Allgood, Esq.
Matthew Bell, Esq. M.P.	William Burrell, Esq.
William Ord, Esq. M.P.	Charles Bosanquet, Esq.
B. Osbaldiston Mitford, Esq.	Sanderson Ilderton, Esq.
Dixon Dixon, Esq.	George Silvertop, Esq.
W. H. Cadogan, Esq.	J. B. Coulson, Esq.
William Orde, Esq.	Henry Witham, Esq.
G. T. L. Blenkinsopp, Esq.	A. J. Cresswell Baker, Esq.

His Lordship, after proclamation was duly made, delivered his Charge.

The Learned Judge was very imperfectly heard in the Reporters' Gallery, but we understood him to state, that it was competent to the Grand Jury to take into consideration a bill of indictment against the first prisoner in the calendar (Bolam), notwithstanding that a bill had already been preferred and found in another Court. Having made this statement, this Lordship proceeded to say, that when there was any well-grounded doubt of a conviction, arising from the imperfection of the evidence in support of an indictment, it was better, for the ends of justice, that the bill should be rejected; because, if the person charged were put upon his trial, and acquitted, he could never again be placed at the bar for the offence of which he was accused, however strong might be the evidence obtained against him at a future day. He (the Learned Judge) did not say that these observations applied to any case which awaited the consideration of the Grand Jury. [It was generally understood, however, that his Lordship referred to the indictment against Bolam.] It might be (he continued) that some of the cases in the calendar were better supported by evidence than at the time the depositions were taken which had been submitted to his consideration; and the Grand Jury, as a body of gentlemen accustomed to the discharge of the duties confided to them, would, he had no doubt, give every case which came before them their best attention, and decide with judgment and discretion.

In the course of the day, the Grand Jury came into Court with "A true Bill against Archibald Bolam, for Murder."

On Tuesday morning, at 9 o'clock, Mr. Baron Maule (attended by the High Sheriff, John Davidson, Esq.,) took his seat on the Bench in the Crown Court, to proceed with the trial of Archibald Bolam (aged 41), who had been brought from Morpeth gaol on Sunday night, and lodged in a cell at the Moot Hall.

The seats to the right and left of the Judge, the benches of the Grand Jurors, and other seated portions of the hall, were well filled with ladies and gentlemen. The worthy Under Sheriff, John Adamson, Esq., was beset with friends, and met their demands upon his attention with much alacrity. The barristers crowded their "sanctum;" less learned folks filled

the passages of the Court ; and the gallery appropriated to the general public was pretty well filled, but certainly not crowded, the excitement on the subject of the trial having greatly subsided since March Assizes. A commodious gallery was erected for the Reporters above the petty jury-box.

Sir Gregory Lewin, Mr. Granger, and the Hon. Stuart Wortley, were, as before, the counsel for the Crown ; and Mr. J. T. Hoyle, of Mosley-street, Newcastle, solicitor. Mr. Dundas and Mr. Knowles appeared as the prisoner's counsel ; and Mr. T. Swinburne, of Gateshead, as his solicitor.

When the prisoner was placed at the bar, he was the object of general observation. Some were of opinion that he was much shrunk since the last Assizes, but we perceived little difference in his appearance. His first occupation, after bowing low and respectfully to the Court, was stealthily to survey the crowds collected together to witness his trial, and the Reporters' Gallery excited his peculiar attention. Having completed his survey, he assumed an attitude of repose. During the progress of the trial, he paid the closest attention to the proceedings, and anxiously looked upon the various blood-stained articles produced by the police. Whatever anguish of mind he endured, (and it was evident that a heavy load of trouble weighed upon his soul,) he controuled his feelings so far as to avoid exposing them by tears to the observation of the Court, with one or two exceptions, when the contrast of his present with his past situation was peculiarly forced upon him by portions of the evidence.

Mr. Dundas commenced the proceedings, by taking an objection to the course pursued by the prosecutor. The prisoner had already pleaded "Not guilty" to one indictment, and he disputed the right of the prosecutor to try him upon another, without any mention made of that to which he had previously been called upon to plead.

The discussion of this point was carried on in so low a tone of voice, that we could not hear the arguments *pro* and *con*. It appeared, however, that the objection was overruled, for the Learned Judge directed the trial to proceed.

Mr. Bell, the Clerk of the Arraignment, then read the indictment, which was made up of four counts, as follows :—

The Jurors for our Lady the Queen, upon their oath present, that Archibald Bolam, late of the parish of St. Nicholas, in the town of Newcastle upon Tyne and county of the same, labourer, not having the fear of God before his eyes, but being moved and seduced by the instigation of the Devil, on the sixth day of December, in the second year of the reign of our Sovereign Lady Queen Victoria, with force and arms, at the parish aforesaid, in the town of Newcastle upon Tyne, and county of the same, in and upon one Joseph Millie, in the peace of God and our said Lady the Queen then and there being, feloniously, wilfully, and of his malice aforethought, did make an assault; and that the said Archibald Bolam, with a certain iron poker, of the value of sixpence, which he, the said Archibald Bolam, in both his hands, then and there had and held, the said Joseph Millie in and upon the right side of the head, and in and upon the left side of the head, and upon and across the face of him the said Joseph Millie, then and there feloniously, wilfully, and of his malice aforethought, did beat and strike, giving to the said Joseph Millie, then and there, with the poker aforesaid, in and upon the right side of the head, and in and upon the left side of the head, and upon and across the face of him, the said Joseph Millie, several mortal blows, bruises, fractures, and wounds, of which said several mortal blows, bruises, fractures, and wounds, the said Joseph Millie then and there instantly died. And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said Archibald Bolam the said Joseph Millie, in manner and form aforesaid, feloniously, wilfully, and of his malice aforethought, did kill and murder, against the form of the statute in such case made and provided, and against the peace of our said Lady the Queen, her crown and dignity.

And the Jurors aforesaid, upon their oath aforesaid, do further present, that the said Archibald Bolam, on the said 6th day of December, in the year aforesaid, with force and arms, at the parish of St. Nicholas aforesaid, in the town of Newcastle upon Tyne, and county of the same, in and upon the said Joseph Millie, in the peace of God and our said Lady the Queen then and there being, feloniously, wilfully, and of his malice aforethought, did make an assault; and that the said Archibald Bolam then and there feloniously, wilfully, and of his malice aforethought, did, with great force and violence, strike, push, cast, and throw the said Joseph Millie, against and upon a certain iron fender then and there being, giving to the said Joseph Millie then and there, by the striking, pushing, casting, and throwing of the said Joseph Millie, against and upon the said iron fender, in and upon the right side of the head, and in and upon the left side of the head, and upon and across the face of him the said Joseph Millie, several mortal bruises, fractures, and wounds, of which last mentioned bruises, fractures, and wounds, the said Joseph Millie then and there instantly died. And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said Archibald Bolam the said Joseph Millie, in manner and form as last aforesaid, feloniously, wilfully, and of his malice aforethought, did kill and murder, against the form of the statute in such cases made and provided, and against the peace of our said Lady the Queen, her crown and dignity.

And the Jurors aforesaid, upon their oath aforesaid, do further present, that the said Archibald Bolam, on the said sixth day of December, in the year aforesaid, with force and arms, at the parish of St. Nicholas aforesaid, in the town of Newcastle upon Tyne, and county of the same, aforesaid, in and upon the said Joseph Millie, in the peace of God and our said Lady the Queen then and there being, feloniously, wilfully, and of his malice aforethought, did make an assault; and that the said Archibald Bolam then and there feloniously, wilfully, and of his malice aforethought, did, with great force and violence, strike, push, cast, and throw the said Joseph Millie down unto and upon the ground there; and that the said Archibald Bolam, with both the hands and feet of him the said Archibald Bolam, then and there, and whilst the said Joseph Millie was so lying and being on the ground, him the said Joseph Millie, in and upon the right side of the head, and in and upon the left side of the head, and upon and across the face of him the said Joseph Millie, then and there feloniously, wilfully, and of his malice aforethought, divers times, with great force and violence, did strike, beat, and kick, giving to the said Joseph Millie then and there, as well by the striking, pushing, casting, and throwing of the said Joseph Millie, down unto and upon the ground as aforesaid, as by the striking, beating, and kicking of the said Joseph Millie, whilst he was so lying, and being upon the ground as aforesaid, in and upon the right side of the head, and in and upon the left side of the head, and upon and across the face of him, the said Joseph Millie, several mortal bruises, fractures, and wounds, of which last mentioned bruises, fractures, and wounds, the said Joseph Millie then and there instantly died. And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said Archibald Bolam the said Joseph Millie, in manner and form as last aforesaid, feloniously, wilfully, and of his malice aforethought, did kill and murder, against the form of the statute in such case made and provided, and against the peace of our said Lady the Queen, her crown and dignity.

And the Jurors aforesaid, upon their oath aforesaid, do further present, that the said Archibald Bolam, on the said 6th day of December, in the year aforesaid, with force and arms, at the parish of St. Nicholas aforesaid, in the town of Newcastle upon Tyne, and county of the same, in and upon the said Joseph Millie, in the peace of God and our said Lady the Queen then and there being, feloniously, wilfully, and of his malice aforethought, did make an assault; and that the said Archibald Bolam, with a certain iron poker, of the value of sixpence, which he the said Archibald Bolam in both his hands then and there had and held, the said Joseph Millie in and upon the right side of the head, and in and upon the left side of the head, and upon and across the face of him, the said Joseph Millie, then and there feloniously, wilfully, and of his malice aforethought, did beat and strike. And that the said Archibald Bolam also then and there feloniously, wilfully, and of his malice aforethought, did, with great force and violence, strike, push, cast, and throw the said Joseph Millie against and upon a certain iron fender, then and there being; and that the said Archibald Bolam also then and there feloniously, wilfully, and of his malice aforethought, did, with great force and violence, strike, push, cast and throw the said Joseph

Millie down unto and upon the ground there, giving to the said Joseph Millie then and there, as well by the beating and striking of him the said Joseph Millie with the last-mentioned poker, as also by the striking, pushing, casting, and throwing of the said Joseph Millie against and upon the last-mentioned fender, and by the striking, pushing, casting, and throwing of the said Joseph Millie down unto and upon the ground, as last aforesaid, in and upon the right side of the head, and in and upon the left side of the head, and upon and across the face of him, the said Joseph Millie, several mortal blows, bruises, fractures, and wounds, of which said last-mentioned mortal blows, bruises, fractures, and wounds, the said Joseph Millie then and there instantly died. And so the Jurors aforesaid, upon their oath aforesaid, do say, that the said Archibald Bolam the said Joseph Millie, in manner and form as last aforesaid, feloniously, wilfully, and of his malice aforethought, did kill and murder, against the form of the statute in such case made and provided, and against the peace of our said Lady the Queen, her crown and dignity.

To this indictment, in a subdued, but clear and distinct tone, the prisoner pleaded—"Not guilty."

The following gentlemen were then sworn as the jury by whom he was to be tried :—

Mr. JOHN CLARKE, of Allendale Town, yeoman, Foreman
 Mr. John Bell, Blanchland Villa, foreman
 Mr. Thomas Hindmarsh, Hawkwell, gentleman
 Mr. George Blenkinsopp, Wardrew, yeoman
 Mr. John Charlton, Hawksted, yeoman
 Mr. Ralph Hutchinson, Great Bavington, farmer
 Mr. John Dickinson, East Stonehouse, gentleman
 Mr. Stephen Kitchen, Gunnerton, farmer
 Mr. Roger Smith, West Matfin, farmer
 Mr. Matthew Usher, Williemonstwyke, farmer
 Mr. John Armstrong, Cragshields, farmer
 Mr. Thomas Lawson, West Whelpington, yeoman

Sir Gregory Lewin rose to address the Jury for the prosecution. Having briefly charged them to banish from their minds, as far as it was practicable, every rumour which had reached them on the subject of Millie's death, and to attend only to the case which would be brought before them in open Court, the learned counsel proceeded to give a narrative of the circumstances of the affair under consideration. The prisoner, for 16 years, had filled the honourable and responsible office of actuary in the Newcastle Savings' Bank. In November, 1837, he engaged the deceased as an occasional clerk in the establishment, to assist in the busy season of the year. Millie continued to give his assistance for a few months; and after his engagement, the prisoner and George Ridley, a permanent clerk, who had previously been on good terms, became less friendly. The prisoner expressed his dissatisfaction with Ridley's manner of keeping his accounts; and in May, 1838, at the suggestion of one of the directors, Mr. David Akenhead, Ridley resigned, receiving as a gratuity a year's salary. Millie continued, from that time, to act as an assistant clerk; and on Tuesday, the 4th of December, he was permanently appointed as Ridley's successor. Millie had formerly been in business in Shields, where he was unsuccessful; and at the time of his appointment in the bank, he was about 54 years old, and a widower, with four children. The prisoner had always behaved with the most marked kindness to the deceased and his children; and in celebration of his entrance upon his office of permanent clerk, he had him to dinner on the day of his appointment, in company with the bank porter, Matthew Cree. The next day was Wednesday, the 5th of December; and on Thursday, the 6th, the murder was committed. The bank hours were from 10 to 3; but towards the end of the year, when the accounts were made up, it was usual for the actuary and his assistant

to remain till 9 or 10. At this season of the year, the prisoner (whose residence was upwards of a mile distant) was in the habit of having his dinner and his tea in the bank. Millie lived within five minutes' walk of the bank, and went home to his meals. On the day of the murder, Millie, as usual, dined at home; and at half-past 3, the porter left the prisoner and the deceased seated at a table in front of the fire (marked L. in our plan), as was their custom in cold weather. The entrance to the bank was from the Arcade in Pilgrim-street, by a door which was common to the offices of Messrs. Green, architects, and the dwelling of Mr. Robson, a dealer in lace. This door led into a lobby; on the left side of which, a flight of stairs conducted to the apartments of Messrs. Green and Mr. Robson; and facing you as you entered there were two doors, one (on the left) leading into the waiting-room of the bank, and the other into the larger room. In the waiting room, there were two windows fronting into the Manor-chare. In the larger room there were five windows, viz., three fronting into the Manor-chare, and two into Pilgrim-street, opposite Sir Matthew White Ridley's bank. [An excellent model of the bank, prepared by Messrs. Sopwith, was placed upon the table, and explained.] Matthew Cree, as had already been stated, left the bank at half-past three; and he was the last person who saw the prisoner and the deceased together. Millie's time of going to tea was about half-past 4, but on the day of the murder he was never seen at home after dinner: his childrer would tell the jury that he did not come to tea. The prisoner stated that the deceased did go to tea, and that he himself (having received a threatening letter) left the bank about 5, when Millie was absent. A policeman, named Moore, went on duty in the Arcade at 5 o'clock; and it was his especial task to keep the entrance of the Arcade free from obstruction, that there might be no hindrance to the public in the approach from Pilgrim-street to the post office, which was at the further end of the Arcade. The entrance to the bank was within a yard or two of the entrance to the Arcade; and Moore, who continued on duty till 10 o'clock, saw no strange face—perceived no smell of fire—observed nothing remarkable. This was important, because the prisoner's statement was, or rather his statement suggested, that the fire took place early in the night; whilst, in fact, it would be shown that at half-past one o'clock on Friday morning, the fire had no existence. At a quarter to 11, Policeman Davis, who succeeded Moore, was in the Arcade, and the outer door of the bank was then open. It would appear that immediately after Davis passed, the door was shut by Mr. Robson, who usually closed it at this time in the night. At 12, Davis saw it shut; and at one, he and another policeman, named Macpherson, met at the head of the Manor-chare, and stood under the bank window there situated—the window near to which the prisoner was found, and where he must (according to his own account) have lain several hours. Davis and Macpherson entered into conversation, and spoke in so loud a tone, that the prisoner must have heard them. Miss Latimer, who lived in Pilgrim-street, opposite the head of the Manor-chare, on an upper floor, saw these policemen, and heard them talking together, although she was much further from them than the prisoner was. Being unwell on the night of the murder, Miss Latimer did not retire to rest at her usual hour. At 11 o'clock, she looked out of her window, and saw no smoke—no appearance of fire—at the bank. At one o'clock, when she saw the policemen, there was still no

indication of fire ; but at twenty minutes or half-past one (the last time that she looked out), she perceived a dim light through the windows of the waiting-room, which she conjectured to be an expiring fire. At 20 minutes to 2, William Dunn, an apprentice in the *Courant* office, went to the post-office with some newspapers. In passing and repassing the door of the bank, he did not observe whether it was closed or open. He left the printing office a second time, (almost immediately after his return from the post-office,) to wait the arrival of the mail, that he might be in readiness to receive letters and papers addressed to his employers. In passing along Pilgrim-street from the printing office, he observed a reflection of fire from the Manor-chare. About the same time, other persons saw flames issuing from the windows of the waiting-room ; and fire-engines having been brought, the fire was extinguished. Mr. Armstrong, the cashier of the bank, was the first person at the outer door of the bank, in the Arcade, after the alarm of fire ; and that door, which was shut a short time before, was then open. When the fire in the waiting-room was subdued, several persons entered the larger room, and the body of Millie was found on a hearthrug before the fire, stiff and cold. His head was smashed most fearfully, and was lying in a pool of blood. The door, wainscot, &c., were also bloody, and the tongs and poker were lying in the middle of the floor—the latter much bent, and smeared with blood, mingled with hair. The prisoner was subsequently found in the far corner of the room, near the window at the head of the Manor-chare. He was upon the floor, resting upon his elbow. His hat was on his head, and his plaid wrapped round him. His eyes were open, and indicated consciousness. The room being filled with smoke, a fireman tried to open one of the windows looking into Pilgrim-street. He found them both fast. He tried the window nearest to Bolam, and finding the shutters loose, and the window-fastenings undone, he was instantly able to throw up the sash. The prisoner wore a black stock ; and on the outside of that stock, a silk handkerchief. There was a cut on his neck, from which blood had flowed, and the inside of the stock was marked with blood : the handkerchief was free from blood on the outside. The floor where the prisoner lay was not stained with one drop of blood, although the prisoner stated that he had lain there for several hours with his face downwards ; and the jury were to be called upon to believe that the blood flowed so profusely from his wound as to have soaked the breast of his shirt, and stained his garments, while he continued in a horizontal position. How the floor, to which the blood would naturally fall, should be free from stain, and the prisoner's shirt should be steeped in blood, and his clothes spotted, in a manner contrary to the law of gravity, it was for the prisoner to explain. However, he was raised, in a real or pretended state of faintness, and conveyed to the house of Mr. Glenton, in Pilgrim-street, (on the same side as the Arcade, and only a few yards distant, being somewhat nearer than the *Courant* office, already referred to). Millie, as he (Sir Gregory) had stated, was found dead on the hearthrug, with his face downwards. His head had been beaten in, and a blow had been struck betwixt the upper lip and the nose, which completely separated the latter from the upper jaw. His arms were bruised, and his clothes were stained with blood in various places. The room was in confusion, and spotted and splashed with blood. Three chairs were piled upon each other, one of them marked with the grasp of a bloody hand ; and on the floor under them, or near them, there was a

large pool or clot of blood. The room altogether was in such a state, that if there was the least light in the room, no person could enter it, without his attention being instantly arrested by the horrible sight. The candles were standing upon the table, and their condition was important. They were from four to five inches in length, and snuffed close—so close, that when a fireman wished to light one of them, he was obliged to peel off a portion of the tallow. The prisoner said, that when he entered, at 7 o'clock, after his return from his house, the candles were burning in the sockets. But if Millie had new-lighted the candles when he returned from tea, they would not have been burnt down into the sockets at 7. The prisoner had detected that this story would not answer, and he amended it before the coroner, by stating, that he meant to say, the wicks of the candles were long, and the light dim, owing to the circumstance that the candles had not been snuffed for some time. If so, this unknown assassin must have been very cool and deliberate, for the candles had all been carefully and closely snuffed out. In either case, the prisoner's story was (to say the least of it) a very suspicious one. The prisoner further stated, that on entering the bank, he saw Millie lying before the fire, as if he were asleep. He crossed the room to put his plaid in his desk, according to his custom; and while doing so, he heard some person behind him, and turning his head, was knocked down. He immediately rose, and why did he not call Millie to his assistance? He supposed Millie to be asleep—he might easily have roused him—but he did no such thing: he surveyed his assailant—the man with his face blacked—and then, instead of awaking Millie, ran to the windows in Pilgrim-street, crying "Murder!" that he might obtain assistance from without. This was at 7 o'clock, when Mr. Robson was in his lace-shop adjoining, and the streets were thronged with the inhabitants, passing to and fro on their respective errands. No one heard the outcry—not one. However, the prisoner said that he did cry, and that the man followed him, and knocked him down by a second blow on the head. He fell on his face, and the man said, "If you make any noise, I'll serve you as I served the other man." In other words, this man, who had so often been threatened by his unknown enemy, is told, when he is in that enemy's power, that he would be spared, if he only refrained from giving an alarm; but if he made a noise, then he should be served like the other man. The assassin, it was pretended, had murdered a man against whom he bore no malice, and was willing to spare the man whose life he had threatened. Well, while the prisoner lay on the floor, the man stood over him, and proceeded to cut his throat. Such was the prisoner's tale. That his neck was cut, was true. There was a wound skin-deep; and the jury would judge of its importance when he told them, that on the Monday after the murder, the gaol-barber shaved over the cut. The prisoner was asked if he did not attempt to defend himself. His answer was, that he did not: he was afraid that if he did so, his assailant would take his life. Why, it was not in nature that a man should lie passive on the ground, and allow a ruffian quietly to cut his throat, without making one effort to push aside the murderous weapon and escape. For a man to run the risk of having his fingers cut, was nothing when the alternative was, to have his throat cut; and if the prisoner's throat had been attempted, he would inevitably have had his fingers cut in resisting the attempt; but his fingers were free from wounds—perfectly free from the

least stain of blood. The man, he said, wounded him, and left him. He continued to lie on the floor, his senses coming and going for several hours. The statement which he made suggested that the fire was lighted at an early hour of the night. Yet the man, he said, was moving about in the room that was on fire, with the door shut. What was there to hinder the prisoner from rising up, and giving the alarm to the public in the street? But no! he lay still, till the fire was seen on the outside, and persons came in, and found him with the deceased. The learned gentleman proceeded to refer to the prisoner's statement on the subject of the anonymous letters—his having burnt them, with one exception—his assertion that the last letter was left on his desk, where no such letter could be found, &c. &c. Then, again, his suspicious insensibility, and his speedy recovery; and the strange cuts on his clothes. On his coat, behind, there were nine cuts, without any corresponding cuts on his waistcoat. If these cuts had been received in conflict, would they not have gone through to the skin. If they were made designedly and deliberately, he need not point to the individual who made them. His clothes, too, were not only cut, but were marked with blood—his coat, trousers, gaiters, and shoes, were all more or less bloody. Was it probable—was it possible—that these marks of blood could proceed from a wound on the prisoner's neck, whilst he lay horizontally on the floor—the floor itself being free from stain? If the blood, by possibility, could drop from his neck to his shoes, whilst he was lying down, it must have dropped over his handkerchief; yet the outside of the handkerchief was unstained. At Mr. Glenton's, he sat up till five o'clock in the morning, conversing composedly and collectedly, in spite of his having suffered from concussion of the brain and from a suffocating atmosphere; and in the morning, he was out of bed, and below stairs, between 8 and 9 o'clock. When Mr. Glenton's girl informed her master that the prisoner had gone down stairs, and was going away, he was naturally incredulous, but he was convinced by his eyesight, and called the prisoner into the breakfast-room, telling him he had got too far down. Having remarked upon other matters, Sir Gregory said, that the prisoner had stated that he was only a few minutes at home on the night of the murder, but Mrs. Swan, his neighbour, would state, that she repeatedly heard the prisoner's back-door open and shut that night, and she heard a knocking at the door so late as 10 o'clock. It was impossible to suppose but that his clothes, if he committed the murder, must have been more blood-stained than they were found to be; and the probability was, that he went home to get rid, so far as he could, of the traces of his guilt. It would be proved to the jury, that one portion of his clothes had been subjected to some process for the removal of the blood, and the prisoner had no doubt washed away much blood from other places. To change his clothes altogether, would not have answered, because it would be known to many how he was dressed during the day; and a change of raiment, in connection with the murder, would have been very suspicious. There was also another reason for his going home. By so doing, he gave a colour to the idea that the deed was done in his absence. If he had remained at the bank, he could not have affected ignorance of the murder, when he was found there. It was possible, indeed, that he went home without any intention of returning, but afterwards decided that it would be the better course to resume his place in the bank, and adopt some means of diverting suspicion from himself. Sir

Gregory commented upon the circumstance that no robbery had been committed, proving that the deed had not been done by any prowling plunderer; that the prisoner was the last man seen in Millie's company, and gave a most improbable account of himself; that his coat was cut in a most extraordinary manner; that while in danger of his life, he neglected the means of escape. No other conclusion could rationally be adopted, than that the prisoner at the bar was the murderer of Joseph Millie.

At the close of Sir Gregory's address, the prisoner was accommodated with a chair, which he continued to occupy during nearly the whole of the trial.

John Sopwith, of Grey-street, cabinet-maker, (examined by Mr. Wortley,) deposed, that the model on the table was made under his superintendence, and was an accurate representation of the Savings' Bank and neighbouring premises.—By Mr. Dundas : The wall between Mr. Robson's shop and the bank was fifteen inches thick. The door of the large room was not "flush" with the door of the waiting-room : it was three feet in advance, nearer to the outer door.

Matthew Cree (examined by Mr. Wortley) deposed, that he had been 16 years in the service of the Savings' Bank, as porter, &c. The prisoner was a clerk in the bank before witness became connected with the establishment. The deceased, Millie, was occasionally employed in the bank for about a year previous to the 4th of December, 1838, when he was permanently engaged as clerk. He succeeded George Ridley in the situation. On the day of his appointment, the deceased and witness dined with the prisoner at his house, No. 2, Sedgwick-place, Gateshead. After dinner, the prisoner brought a bottle of wine into the room, and drank Millie's health, wishing him long life to enjoy his situation. When the wine was drunk, they returned to the bank. It was witness's duty to attend at the bank from 10 till 3. Mary Bolam, who cleaned the bank, brought coals into the room every morning; and if more coals were required during the day, witness brought them. The prisoner, witness, deceased, and Mary Bolam, comprised the whole of the paid servants of the bank. On Thursday, the 6th of December, witness was at the bank a few minutes before 10 o'clock in the morning. The prisoner and the deceased were there when witness went. The prisoner dined at the bank that day, between one and two o'clock. His dinner was brought to him. Witness left the bank at half-past three, after bringing up coals to serve the prisoner and the deceased during the evening. When he left them, they were writing at the table before the fire, side by side, like two brothers. Up to that hour, witness had never seen anything like ill-will between them : he had never heard them exchange an angry word. There were chairs in the room, but none laid one upon the other. Witness went home, and did not return that day. Left the bank by the waiting room door, which he pulled to behind him, leaving the key in the lock, inside. The inner or partition door was open. There was a fire in the waiting-room. On each side of the fireplace was a safe. The one on the left hand side was used for keeping books, papers, and odd cash : it contained an iron chest : it was a stone safe, with an iron chest inside. The outer door was wood. The right-hand safe was used as a closet. There was in it a wash-hand stand, with other articles. There was water in the pitcher on the Thursday, and two towels were hanging up. It was usual to keep clean towels in the drawer of the wash-stand, but witness was not able to say if

there were towels in the drawer on that particular day. Witness had heard of no letter being put under the door of the bank on the Thursday, nor on any other day. The prisoner never told witness that he had received threatening letters. The prisoner, he believed, was right-handed. The windows of the bank were protected at night by shutters and bars. Witness usually closed the shutters, but when the clerks were going to stay later than usual, he left them open. They were all open when he left the bank on the 6th of December.

Elizabeth Millie (examined by Sir G. Lewin) deposed, that she was 12 years of age, and could read and write. Her father, the late Joseph Millie, was a clerk in the savings' bank, and lived in Croft-stairs. On the 6th of December, her father came to his dinner at half-past 12, and left home at half-past one. He usually came to his tea at 5, but he did not come home that day. Tea was prepared for him, but he never came. Witness had no mother, and her father kept no servant. She made the tea herself, and waited till 2 o'clock in the morning, but her father did not come, and she went to bed. Witness never again saw her father alive. She knew Mr. Bolam : had known him about a year. She had been to his house for meat : he had sent for her three times, to take home meat for herself and the rest of the children. Her father knew that she had meat from Mr. Bolam.—By Mr. Dundas : Had never known her father to have any quarrel with Mr. Bolam,

Joseph Millie, aged 15, (examined by Mr. Wortley,) deposed, that he was the son of Joseph Millie, and an apprentice to Mr. Laidler, grocer. Witness used to board and lodge at home. On the 6th of December, he did not get his dinner till 3 o'clock, but he met his father in the street between 12 and 1. His father was then quite well. It was his father's custom to go home to tea at 5, and he was generally at home for the night by 9. On Thursday night, Dec. 6, he did not come home. Witness saw his father's body at the bank. Witness had a brother and two sisters.

William Moore, policeman, (examined by Sir G. Lewin,) deposed, that on Thursday, Dec. 6, he went on duty in the Arcade at five o'clock in the afternoon. He was chiefly at the entrance in Pilgrim-street, near the savings' bank, that he might keep the passage clear to the post office. Remained on duty till ten, and heard no cry of murder, nor any other noise, in the bank ; neither did anything particular occur, in connection with that institution, to excite his attention.

Henry Davis, policeman, (examined by Mr. Wortley,) was on duty in and near the Arcade at a quarter to ten on the 6th of December. At a quarter to 11, the outer door of the bank was open : the inner doors shut. At half-past twelve the outer door also was shut. There was nothing about the bank to attract attention. About one o'clock, witness saw Policeman Macpherson in the Manor-chare, at the Pilgrim-street end, and accosted him from a distance. They exchanged several words in a loud voice. Macpherson crossed over to witness, and they stood nearly a quarter of an hour together, under the first window of the savings' bank, as you turn out of Pilgrim-street into the manor-chare. They talked pretty loud that they might understand each other, for Macpherson was a Scotchman. (A laugh.) The window was only about two feet above witness's head. Any person lying in the bank, near that window, might hear him and Macpherson in conversation. When they parted, witness went into the Arcade. Neither there, nor in the Manor-chare, was there the slightest appearance of fire.

James Macpherson, policeman, (examined by Sir Gregory Lewin,) gave similar evidence to that of Davis. When he stated, that any person in the bank, near the corner window in the Manor-chare, might have heard him and Davis in conversation, Mr. Dundas observed, "That is, if they were sensible."

Mary Ann Latimer, dress-maker, (examined by Mr. Wortley,) deposed, that she lived in Pilgrim-street, nearly opposite the head of the Manor-chare. On the 6th of December, she was indisposed, and was late in retiring to rest. The five windows of the bank, looking into the Manor-chare, were visible from her room. At 11 o'clock, hearing a quarrel in the street, she looked out. There was then no light observable in the bank. At one o'clock, she was again disturbed, by hearing some person knocking at the door. She looked out, and saw a policeman knocking at the door of a baker in Pilgrim-street, who lived nearly opposite to her. There was also a policeman at the mouth of the Arcade, who walked to the head of Manor-chare, and there the two policemen met, and talked together. Witness heard their voices quite plain, though the window was shut. Saw no light in the bank at that time. In about a quarter of an hour, she again looked out, and observed a light in the waiting-room, through the window. The blinds were down, but there were no shutters. The light was dim, as if it were that of an expiring fire. Witness afterwards went to bed, and saw nor heard no more of the matter.—By Mr. Dundas: It was perhaps 16 minutes after one when she saw the light. The sounds which she heard in the street were pretty loud.

Mr. Dundas: Then you heard better than the police, for they heard nothing of these noises?

Witness (re-examined by Mr. Wortley): There were no policemen near my house at 11 o'clock; and it was one of the policemen whom I heard making a noise at one.

Macpherson recalled: Did not knock at a baker's door in Pilgrim-street that night, nor any other door.

Davis: Knew the baker's in Pilgrim-street, near the Manor-chare. Did not knock at his door. The baker's house was in Goulding's beat.

William Dunn (examined by Sir Gregory Lewin) deposed, that he was an apprentice in the *Courant* office. The paper was published every Friday. On Friday, Dec. 7, witness went to the post-office in the Arcade with newspapers. The *Courant*-office being in Pilgrim-street, and the post office at the far end of the Arcade, witness had to pass the outer door of the Savings' Bank, but did not notice if it were open or shut. It was exactly 20 minutes to 2 o'clock by the Arcade clock, when witness was at the post-office. In passing and repassing, witness observed no appearance of fire at the bank. After returning to the printing-office, witness had again to go to the post office, to watch the arrival of the mail, and obtain letters and papers. As he left the *Courant*-office for this purpose, he observed a glare of light reflecting out of the Manor-chare, and returned to give an alarm. The *Courant* office was about twenty yards from the Arcade. Mr. Selkirk followed witness to the Manor-chare, and there they saw the flames coming out of the windows of the waiting-room of the bank. This was about eight minutes after he first went to the post-office. Saw no blinds in the windows: the fire must have destroyed them, if there were any. Witness was of opinion there could have been no shutters to the windows, because, if there had been any, they could not have been destroyed between his first visit to the post office and his discovery of the fire.

Nathaniel Goulding, policeman, (examined by Mr. Wortley,)

deposed, that he was on duty in and near the lower part of Pilgrim-street, on the 6th of December. Went on duty at 10 o'clock. Knew the baker's shop near the Manor-chare: did not knock at the baker's door, nor did he hear any person knock. At 20 minutes to 2, witness was near the Fox and Lamb public house, and saw smoke issuing from the windows of the waiting room of the bank. Witness ran to the head of the chare, and heard a female cry from the top of the Arcade, "We shall be scumfished!" Witness then ran to the Manor-station, and gave the alarm; and on returning through the Arcade, observed that the outer door of the bank was open. The inner doors were closed, and flames were coming through the door of the waiting room. Witness hurried up Pilgrim-street, to call Turncock Ritchie.—The other facts stated by Goulding will be better learned from other witnesses.

John Robson, of the corner of the Arcade, lace-dealer, (examined by Mr. Wortley,) deposed, that his shop adjoined the bank on the same floor. The entrance to his house was the outer door of the bank. On the 6th of December, he was in his shop from dinner-time to 9 at night, with the exception of one hour from half-past 4 to half-past 5, when he was at tea, and heard no cry, nor any unusual noise, during the whole time, nor did he perceive any smell of fire. At 9 o'clock, he went to the house of Mr. Parsons, and remained till a quarter to 11. He then returned home, and found the outer door open, as usual. Having entered, he closed it. When shut, it required to be opened with a key from the outside, but from the inside a key was not necessary, as it opened with a spring. At 12 o'clock, he retired for the night, and up to that time had observed no smell of fire, nor heard any peculiar cries or noises. Between 1 and 2, he and his wife were awake by the servant girl, who stated that the house was on fire. Witness found that there was so dense a smoke rushing up stairs, that all escape in that quarter was hopeless. He and his family, therefore, got out of a bed-room window, and proceeded by the leads of the Arcade to the windows of a neighbour, by whom they were instantly received. The house in which he lived was occupied as follows:—He and the Savings' Bank occupied the ground floor; Mr. Green occupied the second and third floors, except one or two rooms in which Mary Bolam lived; and the fourth floor was occupied by witness as a dwelling-house. Witness, Mr. Green, and Mary Bolam, had each a key to the outer door.—By Mr. Dundas: The outer door, when closed, was opened inside by drawing a spring: it was very easily done.

William Appleton, foreman of the North British firemen, (examined by Sir Gregory Lewin,) deposed, that on hearing the alarm of fire, he had the engines brought to the Manor-chare, and set them to work to play into the windows of the waiting-room. He then went off to the Arcade-entrance to the bank. There he found Wardle (now dead), with a branch pipe in his hand, playing into the chief safe in the waiting-room. Witness requested him to play the water on the partition-door. Wardle complied, and witness pressed the door open a little, but it seemed as if it were pushed back again. Witness fell back from the smoke for a minute or two, and then forced the door open to the extent of two or three inches, but it was again thrust back. Witness placed his foot against the door, and used so much force, that the panel of the door fell forward upon his shoulder, and the door flew open. There appeared to be no resistance. Witness stepped forward, but there was so much smoke and "stithe" in the room, that he was obliged to fall back. He heard no noise in the room,

but there was so much noise without, that it would have been quite impossible to hear any movements within, if there had been any. Witness knew the premises well: he had a deposit in the bank, and was in the habit of visiting it. He again entered the large room, and saw a few live cinders in the fireplace: otherwise the room was utterly dark. In moving about, he stumbled over something near the fireplace, and stooping down, felt the leg of a man. Witness cried out, "Here's a man!" Was not aware that there were any persons in the bank at that time. He went for a light, and met two men in the room, one of whom carried a police-lantern, with a light inside. In the waiting-room, either from Elgie or Hall, he got a lantern, and returned to the large room. He then found Mr. Joseph Armstrong, of the *Courant*, and Sub-Inspector Bell, standing near the body. Witness exclaimed, "Oh, men, there must be more than this!" and turning towards the windows next to Pilgrim-street, the light of his lantern fell on the head of a man, lying on the floor. He cried, "Here's another man!" This person was resting on his elbow, with his head towards Pilgrim-street, and was near to the first window in the Manor-chare. His hat was on, and there was a plaid on his shoulders. When witness cried, the man turned round his head, and moved his eyes. Witness exclaimed, "Oh! it's Bolam!" Other persons had come up by this time. The prisoner drooped his head, closed his eyes, and fell on his back. Witness raised his head—took off his hat and plaid, and laid them on the floor. When the prisoner was leaning on his elbow, with his face turned round, he could see the inner door: there was no light, except from that door. Witness mounted a table to open one of the windows facing Pilgrim-street, but found it fastened. Tried the windows nearest to the corner of Manor-chare, and found the shutters loose, and the fastening of the window undone. Mr. Ald. Dunn, and several other persons, were now in the room. Mr. Dunn felt the prisoner's wrist, and said that there was a pulsation. The prisoner was lifted upon a table, and a basin of water was brought. He did not speak, but made his mouth go. The water was offered to him, and he drank part of it. He was taken to the house of Mr. Glenton, the surgeon. There were two candlesticks on the table in the middle of the large room, each having two branches. In each socket there was candle, from four to five inches long: the candles (he thought) were moulds. They were all snuffed so close, that he was obliged to break some of the tallow off, before he could get one of them lighted.

Alexander Nelson Hall, fireman of the North British office, (examined by Mr. Wortley,) deposed, that he was the first person to enter the waiting-room by the window. On entering the large room, after Appleton, he saw the prisoner on the floor. He raised himself on his left elbow, and lifted his head, which was on the ground when witness first saw him. His eyes were open, and he looked "brent" up. Mr. Joseph Armstrong said, "Bolam! Bolam! is that you?" The prisoner lay down in a fainting position. At four o'clock in the morning, witness examined the bank. He found a key on the floor in the waiting room, close to the partition-door. The lock was open, but the spring-lock was shot.

Thomas Gall, fireman, (examined by Mr. Wortley,) assisted to carry the prisoner to Mr. Glenton's. He moved his head about very much, and seemed to be sick.

Joseph Armstrong, of the *Courant* office, (examined by Mr. Wortley,) deposed, that he was cashier in the bank, and had been

for seven years. He knew the prisoner well. At 20 minutes to 2 o'clock, he heard of the fire, and hastened to the bank. The engines had not then arrived. The outer door, in the Arcade, was open, and the door of the waiting-room was on fire. Witness had not touched either of the inner doors when the engines came up. The Newcastle engine came first. After the engines had played a while, witness, accompanied by Sub-Inspector Bell, proceeded to enter the large room. Witness took hold of the "sneck" of the door in the lobby, through which no one had previously passed, and he found that the door was open. Witness observed, that it was curious the door should be unlocked at that time. Bell found a key in the lock, inside. Near the fireplace, witness stumbled over something; and when a light was brought, they found the body of Millie lying on the hearthrug, with the face downwards. The arms were bent, one being raised to the head; and the legs were stretched out, and laid close together. The body was stiff and cold. Shortly afterwards, when the candles on the table had been lighted, witness saw a man lying on the ground, at the far corner of the room. He was resting on his elbow, and his head did not touch the floor. His plaid lay across his hips. He was raised by (witness thought) Inspector Little. He looked up, and when his eyes met witness's, he drooped his head. Mr. Ald. Dunn, who came up in a minute or two, felt his pulse, and said that there was life. He was removed to Mr. Glenton's, where witness saw him about twenty minutes afterwards, lying on a kitchen-table. His shirt-breast was bloody and damp. He kept smacking his lips, as if attempting to swallow. Witness returned to the *Courant* office, and about 3 o'clock again went to Mr. Glenton's. The prisoner was sitting in a chair, and speaking. He stated, that in consequence of the receipt of an anonymous letter, on Thursday, threatening to do him some harm, he was induced to go home at about half-past 5 o'clock in the afternoon. Millie had then gone to his tea. On his (Bolam's) return, about 7 o'clock, he found the back-door locked. He opened it with his key, and returned the key to his pocket. On going to his desk, he saw Millie lying on the rug, and thought he had fallen asleep. Millie also had a key, and sometimes locked himself in. He then went towards his desk; but while he was about to open it, he thought he heard some one coming behind, and was in the act of turning round, when he received a blow on his right temple from a man in disguise, with his face blackened. He immediately started up, and ran shouting towards the window, intending to give an alarm; on which the man followed him, and said if he stirred, or made the least noise, he would serve him as he had served the other man. He knocked him down again when he was near the window; and when he was down, he felt a knife at his throat. Shortly after this he became insensible for a while; but afterwards his recollection seemed to return, and he heard somebody in the other office, as he supposed, going out. He dared not make the least outcry. The person who knocked him down was a little man, who wore a frock coat, and had his face blacked. The prisoner, on being asked about the anonymous letters, said he had shown some of them to Mr. Bulman, the secretary of the bank; and he moved to witness, and said, "You know about them." The one which he had last received, he stated that he had left lying on his desk. Witness had never before heard a word of these anonymous letters. About 5 or 6 o'clock the same morning, he went to the bank, and looked on the prisoner's desk, but could find no letter.—By Mr. Dundas: Had known the prisoner upwards of sixteen years, and never knew anything

but good of him. Witness knew Millie, too. Never heard of any disagreement, altercation, or quarrel between the deceased and the prisoner. There was not the slightest inaccuracy in the prisoner's accounts.

Sub-Inspector Bell—(examined by Mr. Granger, who had previously been engaged in another Court)—deposed that the head and face of the deceased were dreadfully smashed and fractured. Witness found a poker on the floor, about a yard and a half from the body of the deceased. It was much bent, and covered at the square end with blood and hairs. The tongs were lying about two yards from the poker, and were slightly marked with blood. The fender was much splashed with blood. [The poker, tongs, and fender were produced, and made a painful impression on the Court—especially the poker, which, by its distortion from its proper shape, proved with what fearful violence it had been used. The production of the hearthrug, black with the blood of Millie, made the spectators shudder with horror. The prisoner surveyed it and the poker anxiously, but without apparent emotion.] In the four pockets of the deceased, witness found a quantity of coals, packed up in separate pieces of paper. [These packages also were produced.] The inside of the door of the large room, leading into the lobby, was splashed with blood; and also the surbase, or wainscoting, between that door and the fire-place. A person opening the door, and putting it to in the usual manner, would be sure to stain his hand with blood. If, however, he made use of the handle alone to close the door, he might not stain his fingers. There were three chairs between the door and the fire-place. One was turned up on the other, and the third leaned against these two. One of the chairs had been grasped by a bloody hand; and the floor, at the place where they stood, was splashed with blood. On a table lay a desk-knife, with an ivory handle. The knife was not stained, but the table where it lay was bloody, as if the fingers of the person who laid it down had been bloody. A person lying at the spot where the prisoner was found could reach the knife. In the pockets of the deceased there was a purse, containing three sovereigns and a few shillings. Two or three shillings were lying scattered on the floor. There was a bunch of keys in one of the locks of the prisoner's desk. The desk had two lids: they were both unlocked, but only one of them (witness thought) was lifted up. Witness saw the iron safe in the waiting-room opened: it contained about £85.

George Thomas Dunn, Esq., (examined by Sir Gregory Lewin,) deposed, that when he saw the prisoner in the savings' bank, he stooped down, and felt his hands, which were warm. His pulsation witness could find without difficulty; and water being offered to him, he appeared to drink of it. He wore a stock on his neck, and round it a silk handkerchief, which came above his chin. When the handkerchief and stock were removed, witness observed blood on his neck, apparently fresh. The prisoner was removed to Mr. Glenton's, and witness followed in 15 or 20 minutes. He was then lying on a table in the kitchen. He pointed to his throat and side as if he were suffering pain. In about half an hour, he took some coffee, and afterwards spoke in a whisper, saying, "There has been some one in the bank all night."—Mr. Dunn proceeded to state what the prisoner subsequently said, and we give from his evidence such parts of the prisoner's statements as do not appear in Mr. Armstrong's depositions. The anonymous letter (he said) threatened the safety of his home, and the deceased, to whom he showed it, advised him to go to his house, and adopt some measures of precaution. Accordingly he went, and desired his housekeeper

to put in the window shutters, and make all safe, but without informing her of his reasons. When, on his return to the bank, he unlocked the door, and saw the deceased on the rug, he was not much surprised, being aware that the deceased sometimes locked himself in. At 9 o'clock, Mr. Dunn again called at Mr. Glenton's, and found that gentleman and the prisoner at breakfast. The letter stated, that in his desk there was a deposit from Mr. Airey, of £4 10s.; and also a sovereign and twenty shillings in silver. Witness said that no such sums were there, and the prisoner said that it was very strange. Subsequently, in the waiting-room, witness saw a towel in the water of the washstand, which had upon it some brownish-red stains. The prisoner's coat-cuff appeared as if an attempt had been made to wash blood from it. The washing of the cuff seemed to have driven the blood through the linen. The sleeves generally had a fresher appearance than the rest of the coat.

Ralph Little, Inspector of Police, (examined by Mr. Wortley,) deposed, that he examined the floor where the prisoner was found lying. There was no blood on that part of the floor. On the 7th of December, witness went to the prisoner's house, and observed that a pane of glass was broken in the kitchen window. This broken pane would enable a person on the outside to undo the fastening of the window, and obtain admission. The broken glass was lying inside, in the kitchen. When the prisoner was taken into custody, a watch and some keys were found upon him. He said that one of the keys was the key of his front door, when, in fact, it was the key of his back door—the yard-door. Witness, by way of experiment, had placed two candles on the centre table of the savings' bank, in the night-time, and allowed them to burn down into the socket. He had then entered the room from the lobby, and was convinced that no person could have gone in, and not seen at once the blood on the door and surbase. Witness had received from John Smith, the taskmaster of the gaol, the clothes worn by the prisoner at the time he was found in the savings' bank. [Clothes produced, including stock and handkerchief, coat, waistcoat, trousers, and bloody-shirt. The inside of the stock was bloody, and there was also blood on the handkerchief, but none on the part which was outermost, when it was tied round the prisoner's neck.] The sleeve of the coat was stained with blood, and in an endeavour to wash it off, the stain had been communicated to the lining. Witness had asked the prisoner if he could not give a better description of the man who knocked him down. The prisoner replied, that he could only say the man's face was black. Witness said they knew most of the bad characters about the town, and might have identified him, if they had been furnished with a better description.

Mr. Dundas: When you made your experiment with the candles, you *looked* to see if you could discern the blood, as you entered, and you did see it?

Witness: I saw it immediately I entered.

John Smith, taskmaster of the gaol, deposed, that he took off the prisoner's clothes—the clothes produced—and gave them to Little. He took off the whole except the flannel shirt.

William Armstrong, policeman, (examined by Sir Gregory Lewin,) deposed, that he assisted to remove the handkerchief and stock from the prisoner's neck. [Produced them.] The stock was bloody in the inside, and also the handkerchief. There was no blood—no fresh blood—on the prisoner's neck when the stock was removed: the blood was not flowing from the wound.

John Wigham, policeman, deposed, that when the prisoner was found in the bank, he (witness) had no difficulty in opening his fingers. He drank eagerly of water at Mr. Glenton's, soon after his arrival.

John Blackwell, one of the proprietors of the *Courant*, gave evidence as to what passed at Mr. Glenton's.

William Woods, of the North British Fire Office, deposed, that the prisoner, within ten minutes of his removal to Mr. Glenton's, said, that when he entered the bank at seven o'clock on Thursday night, the candles were burning in the socket, and there was not much light. Witness had had much experience in hospitals, and was conversant with cases of insensibility from blows, &c. In his opinion, the prisoner was very slightly injured: there was very little the matter with him. While Bolam was lying on the table, witness suggested that he should be raised. This was done accordingly, and when he was seated on the end of the table, his eye fell upon witness's, and he raised his hand to his head, as if to touch his hat. Witness said to him, "You know me?" "Oh, yes, Mr. Woods," he replied. Witness knew the prisoner's ordinary manner well, and observed him to be much as usual on this occasion. His voice was perhaps a little more subdued, but he was generally cool and deliberate. Witness's impression was, that when the prisoner alluded to the candles, he meant to say what he did say, viz., that they were burning in the sockets.

John Bulman, secretary to the bank, was present when the safe was broken open on Friday morning, December 7, and upwards of £80 taken out. This money, witness supposed, was the property of the prisoner, but was not aware of the fact, of his own knowledge. Never remembered to have been shown any anonymous letters received by the prisoner. The prisoner once showed him a letter received from a female, relating to the withdrawal of money from the bank, although no such female was on the books of the establishment. This letter contained no threats. By Mr. Dundas: Had known the prisoner 16 years, and knew of no person that he had a higher opinion of, as a good-natured, inoffensive, upright man. [Here the prisoner buried his face in his handkerchief, and wept bitterly!]

Paul Glenton, surgeon and druggist, (examined by Sir Gregory Lewin,) deposed, that he kept a drug-shop in Pilgrim-street, Newcastle. Was sent for to the bank on the morning of the fire, about half-past two o'clock, and saw the body of Millie. Saw also the person of the prisoner. He was raised to a table, exposed to an open window. The people had been attempting to restore him. He seemed in a very exhausted state, with a very feeble pulse. Witness desired him to be removed to his (Glenton's) house. His first thought was, to have him removed from a poisonous atmosphere. When he was taken to witness's house, he was placed upon a table. Witness then proceeded to restore him from that state of insensibility in which he conceived him to be, from his prostration, want of speech, and feebleness of pulse, paleness and coldness. Stimulants having been applied, in about half an hour he seemed to revive. Witness thought the pupil of the eye was not very sensible to light. Passing through the open air, on his way to witness's house, had tended to revive him. Prisoner told witness that he had some recollection of passing through the air from the bank. Nearly an hour elapsed before he spoke. He then gave his narrative in a feeble voice: it lasted a quarter of an hour, or twenty minutes. He might have been able to speak soon after the half-hour, but witness thought it prudent to keep him quiet. He spoke feebly when he began his recital

of the affair. From his condition when he was brought from the bank, witness could not think, that, a quarter of an hour before, he would be able to raise himself upon his elbow, and look persons in the face. Witness attributed the prisoner's insensibility to the atmosphere in which he had been placed. He looked as if he had fainted. On his neck, about half an inch below the left jaw, there was a wound, an inch and a half in length. It merely passed through the true skin. There was a piece of flannel round the throat, which was wet with blood. Witness dressed the wound with a piece of plaster: that was all it required. Next morning, witness examined the prisoner's sides, and found some scratches. Was of opinion that they were inflicted with a sharp-pointed instrument. There was a redness or abrasion between the scratches. Observed the cuts on his clothes. On his coat, there were two cuts, which penetrated through the coat, waistcoat, and all his coverings. There were some cuts on his coat which had no corresponding marks on his other clothes. The cuts on his shirt, he thought, corresponded with the cuts on the waistcoat. There were two discoloured surfaces on his right side, and one on his left. There was a little on the left-hand wrist of his shirt. Prisoner sat with witness a while up stairs, before he went to bed, and conversed pretty nearly in his usual tone of voice, and was quite collected. In the morning, went to his bed-room before breakfast, about 9 o'clock, to inquire after him. Witness recollected—now that he was reminded of the circumstance—that before breakfast, one of his servant-girls cried out to him, "The man is coming down stairs." This was before witness went up to prisoner's bedroom. The prisoner went to bed after breakfast. Witness was wrong in saying that he went to the prisoner's room before breakfast. Was sure that the prisoner went back to bed after breakfast. When witness saw that the prisoner had come down stairs of himself, and was in the passage leading to the front door, he was not surprised at the circumstance, and expressed none. The prisoner had no hat. Witness did not breakfast on the ground floor. The prisoner did not, to witness's recollection, give any explanation why he had come down stairs. When told that he had got too far down, he ascended to the breakfast room. Was not a member of any college.—By the Judge: Had practised surgery 25 years, to a considerable extent.—By Mr. Dundas: The prisoner sat on the chair in the usual manner, not sidewise, when he was removed from the bank. He was lifted on a table, and laid upon his back. His breathing in the bank was oppressed—what witness would call laborious. This he attributed partly to the smoke. There was the mark of a blow on the prisoner's right temple—a little swelling. It was possible that a person might have received a blow—remained insensible for a long time—and afterwards be in the state in which the prisoner was found. A person might be struck so as to become insensible—recover—and again become insensible. A person might become insensible from a blow—partially recover—become insensible—again recover—and be afterwards made insensible by smoke. A person "coming and going" in this manner, might, in the intervals of sensibility, be able to hear sounds and to distinguish objects. When witness first saw the prisoner, he had no doubt of his insensibility. A man could not make his pulse feeble, his face pale, and his body cold, by artifice. Witness examined the prisoner's hands after his removal from the bank. They were free from blood, and had no appearance of having been recently washed. They appeared like the hands of a man who had been occupied in his daily duties—partially soiled.

Witness examined the prisoner's clothes. The breast of the shirt was stained with blood. There were spots of blood on the waistcoat, trousers, and gaiters—was not certain that there were any on the coat. The blood which he observed might all have proceeded from the wound in the prisoner's neck. Had been in practice many years, and known cases in which insensibility proceeded from a blow, of which no external mark was visible. Had known the intellect impaired for days after insensibility from a blow from a piece of timber, which left no mark. Re-examined by Sir Gregory Lewin: Had known insensibility proceed from a blow on the temple, which left no mark. Was not aware that any surgeon in witness's house saw the swelling on the prisoner's temple, except himself. Mr. Mackreth, the artist, he believed, saw the swelling. There were some surgeons present while the prisoner was in witness's house on the Friday morning, after he was brought from the bank—Mr. Hawthorn Mr. Nesham, Mr. Heath, and Mr. Walker. They heard the prisoner's statement, he believed, but did not look at his temple, that witness knew of. There were drops of blood on the prisoner's waistcoat. These might have rolled over the stock and handkerchief which were on the prisoner's neck. If so, the outside of the handkerchief would be stained with blood. Should not think that the blood could have dropped upon the prisoner's waistcoat and trousers from his neck, whilst he lay horizontally upon the floor. Should certainly expect to find blood on a person's hand, if some one had made an attempt to cut his throat, and partially succeeded.

John Baird (examined by Mr. Granger) deposed, that he was senior surgeon of the infirmary in Newcastle. He was called in to see the body of Millie, as it lay on the hearth-rug, in the bank. This was on Friday, the day after the murder. Found an injury over the right orbit. On the same side, higher up, the bones were driven in. On the left side of the head, behind and above the ear, the bone was crushed in. The last wound was sufficient to cause instant death. A poker, in the hands of a strong man, would be a likely instrument to produce the injuries which witness observed. The arm of the deceased was much injured. On Saturday, the 8th of December, witness examined the person of the prisoner at the gaol. There was a wound on the left side of the neck, parallel to the base of the jaw. It had been made with some sharp-cutting instrument. It was merely skin-deep (or nearly skin-deep), we did not catch which). Thought it was not inflicted with any serious intention to do mischief. On the right side of the body there were scratches of the cuticle, parallel to each other. They might have been caused by the point of a penknife. There was no abrasion. It would require repeated motions of the knife to effect these marks. Such marks could not proceed from being struck by some person with a sharp instrument. A knife, in cutting the clothes, might inflict the scratches. Had compared the cuts on the clothes with the scratches, and thought the latter were not inflicted when the clothes were cut. One reason was, that the flannel shirt, where it was cut, was not marked with blood; and blood would flow from the scratches. There were several cuts on the coat without corresponding wounds on the person. The wound on the neck would not account for the quantity of blood on the prisoner's clothes; neither would the blood have flowed over his person, if he were lying horizontally. There were cuts on the neck of the shirt which did not correspond with the cut under the prisoner's jaw.

Mr. Granger: If the prisoner were lying on his face, and a

person had come behind him, and cut his throat, was it probable—

Mr. Dundas objected to this line of examination. It was not medical evidence. Mr. Baird was called as a medical witness, and he must not be asked for his opinion on a point which the jury were quite as competent to decide for themselves.

The Judge concurred, and the question was not completed.

Mr. Baird: Could discover no appearance of a blow on the head or temple, the day after the murder. The prisoner pointed out the places on which he was struck. The shoes, gaiters, and trousers of the prisoner were spotted with blood.

William Nesham (examined by Mr. Wortley) deposed, that he was a surgeon in Newcastle, and had been 18 years in practice. Was at Mr. Glenton's, and saw the prisoner lying on a table. Saw Mr. Hawthorn, Mr. Walker, and Mr. Heath, at Mr. Glenton's. Witness felt the prisoner's pulse almost immediately he went in. It was about 20 minutes past 2. His pulse were above 80—rather weak, irregular, and throbbing. It was not the pulse of a person recovering from depression of the brain: it might proceed from bad atmosphere. The prisoner put his hand to his neck, as if he were concerned. Witness examined his neck, and told him the cut was of so slight a character, that he need not be alarmed. The prisoner put his right hand to his head, as if he had been hurt there, but no mark was visible. This was about a quarter of an hour after witness arrived at Mr. Glenton's. The prisoner, witness considered, was perfectly conscious. He was not in the condition of a man who had been more or less insensible for six or seven hours, arising, more or less, from concussion of the brain. If a person were to receive a severe blow, and death were immediately to ensue, there might be no mark, to any extent—some slight degree of extravasation. It was very improbable that a person should receive a blow on the head, producing insensibility, and yet no mark be visible. Soon after witness went to Mr. Glenton's, he observed the prisoner look at his right hand: he did it hastily. On recovering from concussion, a general state of re-action occurred, which merely consisted in a recovery of warmth, the return of the pulse, and an improvement of the intellect.

Mr. Wortley: After seeing the wound on the prisoner's neck, said to have been produced by some person attempting to cut his throat, would you not expect to see some wounds on his hands?

Mr. Dundas: That is not a question for a medical witness. It is a question for the jury.

The question was not pressed.

James Walker, surgeon, (examined by Sir Gregory Lewin,) deposed, that he was at Mr. Glenton's, and saw the prisoner. Heard him complain of his head, but saw no mark of a blow. From his knowledge as a surgeon, would expect to find a mark from a blow which caused insensibility for hours. Cases of this nature had occurred in his experience, and there were always marks. [By the Judge: Could not say how many such cases had come under his observation. Certainly more than two.] The prisoner's voice was steady, and his manner collected. He was lying on a table, answering questions, when witness first saw him. He seemed to be suffering from congestion of the lungs, arising from suffocation.

Henry Heath, surgeon in the infirmary, (who was examined by Mr. Granger,) deposed to what he observed at Mr. Glenton's, and then stated:—Witness and Mr. Greenhow saw the prisoner in gaol, and examined the scratches on his person. The clothes

which he wore on the night of the murder were put on him. The scratches might have been made through the cuts in those clothes, but, in witness's opinion, the cuts in the clothes and the scratches on the body were not made at the same time. Witness examined the sleeve of the prisoner's coat. The lining was stained with blood, as if, in washing blood from the sleeve, the stain had been sent through to the lining inside. The cloth on the outside looked like that of a surgeon's coat, which has been sponged from blood after a surgical operation. If the wound on the prisoner's neck were made at 7 o'clock at night, witness did not think that it would be bleeding at 2 in the following morning.

Mary Barron deposed, that she remembered Mr. Bolam being brought to the house of her master, Mr. Glenton. He slept in the house. About 8 o'clock in the morning, he came down stairs into the passage, and got near the front door. Mr. Glenton said to him, from the landing-place, "You have gone too far down," and he went up to Mr. Glenton. Cross-examined: He seemed quite strange in the house.

Mary Swan, of No. 1, Sedgwick-place, Gateshead, deposed, that the prisoner lived next door to her house. On the night of the murder, whilst witness was sitting in her back-parlour, she heard a pane of glass break in the prisoner's yard. Witness could hear every noise, even though slight, in Mr. Bolam's house, as she sat in her back parlour. During the night of the murder, she heard the prisoner's back-door open and shut several times, but heard no noise of persons moving about in the house. About 10 o'clock, she heard some person knock at the prisoner's back-door.

Jonathan Drewry, after "affirming" that he would speak the truth, stated that his office was in the Side, Newcastle. On the night of the murder, at a quarter-past 6 o'clock, the prisoner passed witness's door. He did not take the direct road to the bank, by way of Dean street, but went up the Side. Witness wished to speak to him on business, and ran into the street for that purpose, but he was walking in so hurried a manner, that he was already many yards distant; and thinking that he was perhaps too busy to stop, witness did not call him back. Cross-examined: By "walking in a hurried manner," witness meant that the prisoner was walking quicker than usual. It was a fine night. To go round by the Side, instead of Dean-street, would not make many minutes difference to the prisoner, in the time which he would occupy in walking from his house to the bank.

William Armstrong, clerk to the Subscription Water Company, deposed, that on the night of the murder, seven or eight minutes before 7 o'clock, he saw the prisoner in the Side, coming in the direction from the Sandhill. His head was hanging down, and his plaid wrapped round his breast. He was about 150 yards below Mr. Drewry's office, and on the opposite side of the street, when witness saw him.

Mary Bolam deposed, that she cleaned the savings' bank. Was in the bank on the morning of the murder. There was a wash-stand and bason in the waiting-room. There was water in the bason, and a towel on the stand. A few days before, witness put some clean towels in the drawer of the wash-stand. Was not sure that there were any in the drawer on the morning of the 6th of December. The prisoner, the deceased, and witness, had each a key of the large room of the bank.

Inspector Little produced the shoes and gaiters worn by the prisoner on the night of the murder.

John Gilchrist deposed, that he made the model of the

savings' bank, under Mr. Sopwith's superintendence. In measuring the large room, he lifted a piece of drugget from the floor, between the door and the fireplace, and near the spot where the three chairs were piled together. He found the floor under the drugget soaked with blood.

Mary Walker was next called, and every eye was turned to the witness-box, to see "Bolam's housekeeper." The ladies and gentlemen in front—their curiosity being more strong than their consideration for the poor girl's feelings—rose from their seats to catch the best view of her; while the lieges in the background cried "Down, down!" being unwilling to lose a sight of the witness. Her examination, we dare say, was a disappointment to the audience, her deposition being limited to the statement that she was the prisoner's housekeeper, and was committed to prison in connection with the case under investigation, and was discharged after the last assizes.

William Stoker deposed, that he was coroner of Newcastle. The prisoner appeared before him as a witness in the inquest on Joseph Millie. Before swearing him, witness stated, that it was his duty to tell him that he need not answer any questions to criminate himself. Whatever he stated might be brought against him at a future day. There was no charge against him, but it was his (witness's) duty to give him this caution. The prisoner expressed his perfect readiness to state all that he knew, and witness administered the oath. The prisoner then made a statement, which was taken down in writing, and which witness now produced.

Mr. Dundas objected to the production of this statement in evidence, and Sir Gregory Lewin did not press it. It was therefore not put in.

George Grey, police-inspector, produced two towels, which were found in the wash-stand. One of them was stained with blood.

Sir Gregory Lewin: That is my case, my Lord.

The day was now far advanced, and the Learned Judge put it to the jury to determine whether they would have the inquiry to proceed, or would adjourn till the following morning. If they would prefer to sit without adjournment to the close of the trial, he was ready to acquiesce in their decision. If, on the contrary, they thought it desirable to adjourn, the High Sheriff would accommodate them through the night as comfortably as he could, but they must not separate, nor could they be allowed to communicate with any person.

The Jury, through their Foreman, intimated to his Lordship that they would prefer an adjournment, and an officer of the Court was sworn to keep them apart from communication with all persons whatsoever. The Court was then adjourned till 9 o'clock on Wednesday morning.

At that hour, his Lordship resumed his seat on the Bench; and the Jury having taken their places in the box, and the prisoner his at the bar,

Mr. Dundas rose, in the presence of a crowded court, to address the Jury for the defence. The case for the prosecution (he said) being now closed, he rose to address them as counsel for the prisoner at the bar; and on his behalf he said—freely and with a good conscience he could say—that the prisoner welcomed the trial which had at last brought him face to face with his accusers—that he welcomed this hour, when now, at last, it was given him to make his free defence before a jury, and through him (Mr. Dundas,) his counsel, to ask for a verdict which, on the evidence, he was justified in asking, and by which self-same evidence, he blessed God, they were justified—nay,

were bound, to give, upon his demand. The case for the prosecution, after all its toil and its labour, had come to nothing. They had proved what no living man had ever doubted—that a most dreadful and wicked murder had been committed upon Millie in the Savings' Bank—but who had committed that murder was still as great a mystery and a secret as ever. Circumstances had thrown suspicion and the show of guilt on Bolam, and it was right that an inquisition should be made for blood, wherever law was paramount in the world. It was right that Bolam should have been put under accusation for this charge, because, from circumstances which he could not controul, there was cast upon him that look and show of guilt which naturally brought him before the authorities of the law, and had properly placed him before the bar of justice, in order that it should be seen if he were guilty or not. That a murder had been committed, and a very dreadful murder, no man alive could doubt, and it was right that every inquiry should be made into it. But in this country of England, unless they brought home to a man for the most trifling offence that ever was, for which he was charged—an offence which involved very small consequences—unless in such case they brought home clear, absolute, and incontestible guilt, that man, by law, and by every reason of humanity and justice, was clear; and if that were true of little offences, when the consequences might be very slight, oh! how true was it of this mighty, this extremely dreadful offence—when the consequences were so dreadful, when, if the man charged was found guilty, he died the death upon the scaffold. There was charged upon the prisoner a murder of the most cruel and unrelenting sort—upon, as far as they knew, an unoffending individual. Was murder grown so cheap a thing that they should hear of a man raising his hand against his brother without a cause? Were murders, indeed, of such common occurrence, that they and he should say, that without any assignable motive a man should commit it? He had watched, God knew with what anxiety, his Learned Friend's opening address to them, to see what motive he would assign. But he assigned no motive by which the prisoner could be induced to commit this murder. He left the matter where he found it. He charged the prisoner with the murder, yet he suggested no motive why he should commit it! He rested his case, as he said, upon a fabric of facts which was irresistible and unanswerable. But if it were true that since the death of Abel down to the present day no blood had been shed without a cause, was it likely to be less true of a man who for many years had been a person of good character, of good credit, and of humanity in all the relations of social life—a man who was yesterday spoken of in the highest terms by those who knew him best, and who to-day would be succeeded by a host of witnesses in behalf of his character—was it consistent with human probability, that such a man should be guilty of a murder without any assignable motive? But let them go a step further with him. Against whom was he charged with lifting his hand? In whose blood was he charged with imbruing his hands? In the blood of an enemy? of a man with whom he had had some quarrel? or against whom he harboured some feeling of revenge? No such thing. They had it in evidence that nothing but the greatest friendship ever subsisted between the prisoner and the deceased. They found that Bolam was the friend and patron of Millie—kind to his family, and living on such terms, that, as the witness Matthew Cree had stated, he left them sitting at the table together like two brothers. Was it against a friend

that they would suspect the hand of a man of good character had been raised to shed his blood? Yet it might have been so, if there were some other motive than a thirst for personal revenge. He (Mr. Dundas) said, supposing that Bolam had been connected with the bank, and had been wrong in his accounts—had been a defaulter, and Millie had known of it—for such a reason it might have been convenient to get Millie out of the way. But what was the evidence? Why, they had it from Mr. Armstrong, that not one tittle of error was discovered in the books, and that Bolam, as far as he was concerned, had conducted the affairs of his employers satisfactorily, and had earned the character which had been, and would be, given to him, of a man of business, integrity, and honour. Thus stood the charge against the prisoner—a charge unsupported by any evidence of any weight—a charge of murdering a man who was his friend and companion! What said they, then, so far as they had gone? Was it probable—was it consistent with their or any man's experience—was it consistent with nature, or the moving springs of human action, that the thing should be so? He was sure there was not a gentleman whom he had the honour to address who would not respond to him, No! His Learned Friend, in opening the case, had told them, that because a number of small circumstances, not of much weight in themselves, combined together to produce a certain conclusion, his case was "irresistible and unanswerable." Now, surely, they had lived long enough to know that circumstantial evidence was very good, when they were sure it was right, but very dangerous when it fell into the hands of weak or wicked people, or of people who wished to take a view of it which it did not naturally bear. They knew that the natural propensity of the mind of man was to find some sort of order, and conformity of things, which did not naturally come together; and that nothing was so common with them all, as the finding of relations and correspondences between things which ought never to be put together. The human mind was prone to seek combinations of things that did not naturally exist, for carrying out its own peculiar theories. Would they take an example? Why, he could find an instance in what the learned counsel for the prosecution had opened to them as one of those circumstantial facts which would go to the destruction of Mr. Bolam. They would not forget the very solemn manner in which he gave his word that he should prove that Mr. Bolam, when he was at Mr. Glenton's house on the Friday morning, was found in the act of making his escape; for his learned friend had said that he was charged by the maid, and charged by the master, with attempting to get out in that way, and that Mr. Bolam's answer was that he thought he was at home. Now that was a fact which, if true, would, no doubt, be calculated to make a strong impression on their minds. When they came to try it independently of his learned friend's view of the case, and of those who instructed him in that view, never was there a more complete and helpless failure in evidence than there was in this individual instance, which had been so loudly trumpeted forth by his learned friend as a great and important feature in his case. When Mr. Glenton was in the box he was asked whether he remembered the maid calling out, "He is going out;" and Mr. Glenton said he thought he remembered it, but he had never thought about it before that moment. In reply to another question, he had said he felt not at all surprised at Bolam's conduct in mistaking one room for another; and Mary Barron, the maid, had said, that she was in the house, and was

so employed in her duties to her master—to whose skill and good conduct the prisoner was indebted for his recovery—that she had not taken particular notice of the circumstance further than that she shouted something to her master who was below her on the stairs; and that Mr. Glenton in consequence called out to the prisoner, “You have got too low down,” and Bolam replied, “I beg your pardon, sir,” and came back again to Mr. Glenton, and proceeded with him to the breakfast parlour. Thus they saw that this notion of theirs existed only in their own fancies or wishes. It was only a mistake of one room for another in a house with which he was altogether unacquainted; and they might learn from this how unsafe it was to rely upon the statements of counsel, and the forced inferences they sometimes drew, for the purpose of establishing their case, from circumstances which, on inquiry, appeared to warrant no such conclusions. This was the first mouse produced by the mountain. But there were others to which he should presently allude; but he only took this as an example to warn them against leaning on the views taken by parties who were biassed in favour of a particular theory. But his learned friend had gone further. He had stated that the prisoner had been seen in the streets walking in a hurried manner, and he had urged that this showed a sense of guilt. His brief had instructed him to say that Bolam was seen between six and seven o’clock in the streets of Newcastle, walking about in a hurried manner, by which he would have them to infer that he was at that time walking in the streets in a manner that betokened a sense of guilt. Why, when they came to inquire into the point, never was there evidence which fell so miserably short of the facts alleged. They would remember the old Quaker who was called, Drewry, who said he saw Bolam—he (Mr. Dundas) did not believe that he saw him—he believed he was completely mistaken—but he said he saw Bolam about a quarter past 6, seven or eight yards from him, and he was walking in a hurried step. Well, the question came from the bench, “Do you mean he was walking quick?” and Drewry said, “Oh, yes! I mean that he was walking quick;” so that the hurried walk, indicating guilt, was no other than a rapid walk in the cold month of December, when people did not generally saunter in the streets. This was another instance of what was the force, or rather what was the weakness, of some sorts of circumstantial evidence. He would now tell them what the prisoner’s case was. It was what he told the gentleman at Mr. Glenton’s on the morning after the occurrence, and which he had never varied. It was the same then that it was now. He had told them that he was the subject of attack by another man when he went into the bank about 7 o’clock, and that of the blood of Millie he was as innocent as the child unborn. He was charged with having murdered the deceased, and of having afterwards fired the premises. His answer was, that but for the intervention of Providence he would have been murdered himself; but against Millie, or his life, he had never lifted hand. If it had been stated to them, or rather proved to them, that any other defence than that, or defence varying from that, had since that time been attempted to be set up, he (Mr. Dundas) could understand that it would weigh against him; and his learned friend had felt that truth, because on the outset of the cause he charged on Bolam a falsehood, which he was unable to prove; for he said that Bolam would be proved to have said that the fire which was that night in the bank had taken place early in the evening. His learned friend had opened by stating that the

fire took place in the evening.—[Sir' Gregory Lewin said he had stated no such thing. He had only said that it was suggested by the prisoner's statement.]—Mr. Dundas denied that there was a word in the statement which could suggest anything of the kind. The prisoner never said a word about the fire from first to last. He did say that he was in a state of unconsciousness, but was that evidence to suggest that the fire had been going on from 7 o'clock? The defence of Mr. Bolam was clear and distinct throughout—that he never, from the first moment, had any consciousness of what was going on about the fire. The learned counsel had attempted to answer Mr. Bolam's statement, and he had called witnesses to show, that if Mr. Bolam said so, Mr. Bolam must have stated what was obviously false; because at the Savings' Bank that night, and during the early part of the evening, there was no fire, no smoke, no smell of fire, nothing that could suggest to those without the idea that any fire whatever was going on. But what was that to the purpose? Mr. Bolam had never said any such thing. It was a making of giants on purpose to kill them. But his learned friend, in order to show that Bolam was the wilful utterer of a lie, had told them that he should prove that the watchmen were at the outside of that part of the bank where Bolam was lying, speaking so loud that Bolam must have heard them, and that he ought to have called for their assistance. Why what kind of argument was that? The presumption and the truth were that Bolam was in a state of insensibility at the time. He (Mr. Dundas) would now show them, that although a murder had undoubtedly been committed, the man who did it was still a mystery. There were many murders on record which had never come to light, and it was not because circumstances threw strong suspicion of guilt on an individual, that he must be convicted. They had heard what were the habits of business at the Savings' Bank. The prisoner was the actuary, and Millie was the clerk under him. The last time Millie was seen alive was half-past three o'clock. The question for the jury to decide was, not who murdered him, but did the prisoner do it? Were they satisfied, on their souls, that he and no man else did it. He was the last man seen with him alive. But at that time they were on the most friendly relations with each other; and there was no suspicion that aught revengeful or spiteful was passing in the prisoner's mind. The next important circumstance in the transaction was the Arcade-door. That was locked by Mr. Robson at a quarter to 11; and he, as far as was known, was the last person by whom it was shut. The policeman, Davis, had told them that at half-past 12 that door was still closed. The next fact was that stated by the lady—that at a quarter-past 1 she saw a light in the waiting room. It was clear some person was then in that room. At 20 minutes or so before 2, the fire was raging so violently as to alarm the policemen, and to require the engines to extinguish it; and afterwards the policemen went into the bank and found the two bodies in the manner described. Now in the first place let them consider the manner in which Millie's body was found—Millie's body was found very savagely mangled, whoever did it. It was lying in a deep pool of blood. The rug on which he was lying was completely saturated: it showed that, to a great extent, even to this day. The neighbourhood of the place where he was found was all covered with blood, and gouts were discovered on the wall, the wainscoting, and the door. The druggist between the rug and the door was also soaked in blood, and the person who found Millie's body had described the position in which it was found. He had

also said that in his judgment the body had been laid out by the same person who had done the murder, and had given as his reason that the feet were laid close together. Now, whoever had committed that murder, he put it to them as men of sense, if it was possible that the man who committed such a murder as that should not have evidence of it on his person. Let them remember that the ground on which he lay was soaked with blood. Would not any man have expected, that if the person who had done that deed were found, he would have borne on his dress the marks of blood—that his shoes would have been steeped in blood as a witness of what he had done? Yet what was the state of Mr. Bolam's dress? On his coat-sleeve there was a solitary mark, which might either be blood or red ink, or anything else, so far as the evidence showed. On his waistcoat were two or three small drops, and the same on his gaiters and trousers. It was quite ridiculous to pretend that there was no appearance of blood upon the neckerchief. They (the jury) must have seen that the neckerchief was plainly stained with blood, and it was seen oozing out of the wound of his neck, occasioned by his head rolling about while he was being removed in a sickly state to Mr. Glenton's. But there were no such marks of blood as they might have expected to find on the person of the perpetrator of such a murder. There was no blood on his hands; and these, according to Mr. Glenton, had not been washed recently, but had the appearance of being those of a man who had been for some hours employed in his regular daily business. What said they to that? Would not the man who had done all these things have had some soils of blood about him, especially about his finger nails, which would have taken great labour to clean? And yet there was not the slightest appearance of blood about him. And this brought him to another consideration. It had been suggested, on the part of the prosecution, that the prisoner had cut his own throat with the penknife; but it had been proved that there was a mark of blood on the table near the knife, which showed that the person who placed it there must have had blood on his hand—a fact which was irreconcilable with the state in which the prisoner's hands were found. Then came the great point in the case—whether at the time the prisoner was found lying in the bank he was in a state of sham, or actually in the state of insensibility he had described. He (Mr. D.) thought the jury would have no doubt he was *bona fide* in a state of insensibility; and that though he might have power to open his eyes, raise himself up, or throw out his leg, his intellect was in abeyance, and he was insensible to what was passing around him. The evidence of Mr. Glenton showed the insensibility to have been produced by smoke as well as violence. He must complain of the ungenerous manner in which the counsel for the prosecution had treated Mr. Glenton—their own witness. He would take that gentleman's evidence against all the other medical testimony in the case. Mr. Glenton was as much a man of science, and as great a lover of truth, as any other witness who had been put into the box. Mr. Glenton was in a better position to give evidence than any other of the medical men. He was at the bank, which the others were not; and could judge, from first to last, of the condition in which the prisoner was found and continued. Mr. Glenton had been asked in direct and positive terms if it was sham, and had given unanswerable reasons to show that it was not. It was singular, too, that the symptoms Mr. Nesham had described as those of re-action were precisely the same that were going on with the prisoner at Mr. Glenton's.

That was the main question for the jury to try; for if they thought the prisoner was really found in a state of unconsciousness, their verdict must be for the prisoner, for the prosecutors had rested their case entirely on that point. As to the statement made by the prisoner, in reply to the questions put to him at Mr. Glenton's, there was no evidence in the case to militate against it. It was said, on the part of the prosecution, that he should have called to Millie and given an alarm; but what man could tell what would have been his own conduct in circumstances of so much peril and terror? The cuts on his coat might have been wildly done by the murderer, when he was in his power, without touching his person. And as to his not offering resistance, he had been so much reduced as to be incapable of resisting, and so led the man to suppose he was dead, or he might have shared the fate of Millie. Such was the prisoner's account of the transaction. It was not contradicted by anything he had said or done, or by any evidence in the case; and he would put it to the jury whether it was not a real and reasonable account of the transaction? It had been represented, on the other side, as a contradiction to his statement of Millie having gone to tea before the prisoner left the bank, that no person had seen him. But who knew that? It had been seen in the case of the prisoner himself, that as he passed to and from Gateshead, no more than two persons, in all the town, even if Mr. Drewry were not mistaken, had seen him in the streets. If a presumption were to be taken against the prisoner, it ought also to be taken in his favour. It might also be asked what motive any other person could have to murder the deceased? Why, the hope of plunder in a Savings' Bank, where, ignorant of their mode of business, he might expect to obtain a rich booty, and where there was money in the safe, could he have got at it. This man might have murdered Millie, and have washed his hands preparing to depart when the prisoner returned. To put him out of the way, he had proceeded to make short work with him. Afterwards he had raked together the books and papers, to which he had set fire, in the hope of destroying the bodies of his victims, and the evidences of his crime; and then had escaped, leaving the Arcade door open as it was found at half-past 12. How could the fact of the door being open at the time that the fire was discovered, be accounted for, on any other supposition than that it had been left open by the murderer when he left the scene of his guilt? It was impossible not to believe that that man was still wandering with the mark of Cain upon him; and that having murdered Millie, he would, but for the intervention of Providence, have murdered the prisoner too. With respect to the scratches on the prisoner's person, Mr. Baird had indeed said that the cuts had been made when his clothes were off; and he gave two reasons for entertaining that opinion—the first that the cut in the flannel shirt was a jagged one, while that on the linen shirt had been caused by a sharp instrument. But the appearance of the cut on the flannel shirt would depend very materially upon the manner in which it was at the time fitted to the person. If it was drawn tight, the cut would assume a very different appearance after the shirt was taken off, and the flannel was relaxed. Mr. Baird had also said, that though he should have expected blood to flow from the scratches, there were no corresponding marks of it on the flannel shirt; but he (Mr. Dundas) protested that in his sight there were such traces to be seen—and this he would leave with confidence to the jury. As to the stain on the lining of the coat-sleeve, there was no evidence to show whether it had been recently received,

or that it was blood at all, much less the blood of Millie. Wild, indeed, would be the conduct which, upon such testimony, would condemn a man to death; and he would defy any man, upon such evidence, to believe that that was blood which had been put on at a very recent period, and afterwards washed out. There was a peculiarity in the cloth; and the jury would have to say whether that had not caused the appearance. But however that might be, he was confident no twelve men would think it their duty to lay any guilt on the prisoner upon such testimony. As to the evidence of Mrs. Swan, respecting the breaking of the pane in the prisoner's house, there was nothing to show how or by whom it had been done; it was a matter of no importance whatever; and the jury might suppose anything or nothing, as they pleased. And now, their duty for his client was well nigh over; but the top and crowning part of all—the giving their verdict—was yet to come. God grant they might come to a right conclusion! God grant that they might not forget that this was a trial for life; and that they were trying it on evidence which great and good men in all generations had taught them to treat with care and anxiety. He left them two roads to take. Which would they pursue? If they wished to come to a verdict of guilty, thinking it led to justice, let them take care that it did not come to vengeance. The path was beset with doubt and mystery—there was no clearness, no brightness—darkness hung over them at every step they took. If they went that way, as there was no repentance in the grave, there would be no return for them. He prayed that if they went that way they might do so by the light and guidance of a just direction. But if they would go the way he wished for, it was a path at least which would lead them to a place where justice and mercy existed together; and in the name of that justice whose ministers they were, he called upon them to do the prisoner that justice which by law was required at their hands.

The prisoner wept at the conclusion of his counsel's forcible address.

Mr. Knowles proceeded to call the following witnesses to the prisoner's character:—Mr. James Finlay, Mr. Emerson Charnley, Mr. Jonathan Priestman, the Rev. William Turner (Unitarian minister), Mr. Charles Henry Cooke, Mr. James Lunn, Mr. John Swan, Mr. William Turnbull, the Rev. James Pattison (the Presbyterian minister of Harbottle, Northumberland), Mr. William Robson, Mr. William Knox, Mr. James Rae, Mr. John Fairweather, Mr. Joseph Thompson, Mr. William Chapman, the Rev. Mr. Green (a clergyman in Newcastle), and Mr. Matthew Plummer. Most of these gentlemen had known the prisoner during the whole of his long connection with the Newcastle Savings' Bank, and all of them spoke in the highest terms of his character for integrity and humanity. The Rev. Mr. Pattison stated, that he had come nearly 40 miles to bear his testimony to the character of the prisoner, who was a native of Harbottle, and whom he had known 27 years. He was a man distinguished for his kind, humane, and inoffensive disposition:—in all the relations of life, he was most exemplary.

The Learned Judge proceeded to address the Jury at ten minutes to 12 o'clock. His Lordship begged of them to bear in remembrance the exhortations of Sir Gregory Lewin, when he reminded them that it was their duty to dismiss from their minds whatever they had heard of this case before they took their seats in the box, and to bring in their verdict solely on the evidence brought before them in this Court. He must also admonish them to disregard every statement made by the learned counsel for the prosecution, which had not been established by

sufficient evidence. The learned gentleman, guided by the brief pleaed in his hand, had made assertions, and drawn inferences, which he subsequently failed to substantiate; and these assertions and inferences must be totally thrown aside by the Jury. For instance, Sir Gregory, in stating his case, had led the Jury to anticipate that he would prove an attempt on the part of the prisoner to make his escape from Mr. Glenton's house. But what was the fact? The prisoner, it appeared, on the morning after the murder, came down stairs from his bedroom; and, being ignorant of Mr. Glenton's domestic arrangements, passed the door of the breakfast-room, and was wandering about on the ground-floor. Mr. Glenton saw him from the landing-place, and told him that he had gone too far down; and he then ascended the stairs, and entered the apartment pointed out by Mr. Glenton as the breakfast room. Mr. Glenton saw nothing suspicious in this circumstance, nor did there seem to be any ground for inferring that the prisoner meditated escaping. Sir Gregory had been unable to prove that such was the fact, and the Jury must, therefore, disregard the learned gentleman's observations on the matter. Then, again, an attempt was made to create a suspicion against the prisoner, on the ground of his having walked quick on a Desember night, and proceeded to the bank by a way which was not the most direct. The first circumstance would not warrant the slightest inference unfavourable to the prisoner; and as for the second, it was by no means uncommon for persons to choose, either from caprice, or in transaction of some necessary business, to depart from the nearest road to the point at which they ultimately intended to arrive. Much, too, had been said as to a statement made by the prisoner that the candles were burnt down into the socket, when he entered the bank on the night of murder. It had not been shown here to-day that he had ever made a different statement. But if he had done so on any occasion, the discrepancy was of no great importance. Considering the circumstances of the night in question, it need create no unfavourable impression, if the prisoner's recollection was a little confused, and his statements in some respects inconsistent. His Lordship proceeded to advert to the great kindness of the prisoner towards the deceased and his family, up to the very time of the murder; and then went through the facts of the case, which he laid before the Jury with great minuteness, and, in general, favourably to the prisoner. At a quarter before 11 o'clock, it was in evidence that the outer door of the bank was closed by Mr. Robson. At a quarter past 1, or from that time to half-past 1, Miss Latimer, who was favourably situated for observation, saw through the windows of the waiting-room what she took to be a fire expiring, but which, it would rather seem, from the circumstances proved in evidence, was a fire that had just been lighted. Shortly after half-past one o'clock, the fire broke out, and was discovered. At twenty minutes to two, Mr. Joseph Armstrong, the first person at the entrance of the bank after the alarm was given, found the outer door open, and the flames bursting through the door of the waiting-room. The fire was extinguished by means of the fire-engines, and some of the persons present entered the large room. Who was the first to enter, was perhaps not very clear; and there were some discrepancies in the statements of those who were afterwards in the room; but these were not greater nor more numerous than might reasonably be expected, considering the hurry and confusion of the occasion, and the appalling scene that presented itself to their view. The deceased was found dead on the hearthrug, in a pool of blood, his head

and face being dreadfully beaten and shattered. The prisoner was afterwards found in the room, and as to his condition there had been various statements, and much inquiry. There could, however, be no doubt, that, from some cause or other, he was in something like a fainting or insensible state. His clothes were cut in several places. Some of these cuts went through to his skin, which was in some places wounded; while there were cuts on the back of his coat, without any corresponding cuts on his waistcoat. He was removed to Mr. Glenton's, and there, on his recovery, he made a statement, which it was a pity had not been reduced to writing at the time. There was, however, a greater agreement than could have been expected in the reports given of his words by the witnesses. But to these reports the prisoner must not be held strictly bound; nor even if his words had been taken down, would it have been fair to bind him down to every one of them, when the attendant circumstances were considered. He spoke of having received anonymous letters, and referred to Mr. Armstrong and Mr. Bulman as gentlemen to whom he had named the circumstance. Neither of these gentlemen recollected him to have done so, except that Mr. Bulman had been shown by the prisoner a letter from some woman who was not known in the bank, although she professed to be a depositor. Strictly, this was not an anonymous letter, but, speaking loosely, a person might call it such. If the prisoner did not think that he had shown anonymous letters to Mr. Armstrong and Mr. Bulman, he would hardly have said so, because he must have known, not only that he was asserting what was untrue, but what those gentlemen must know to be untrue, and, therefore, that he was exposing himself to immediate contradiction. A man would hardly tell a wilful falsehood, which would not only do him no good, but positive injury. And this brought him to what the prisoner had stated of the deceased. He had said that Millie had gone to tea before he (the prisoner) left the bank. If this were false, it could do him no service, but quite the contrary. He would be well aware, that if Millie did not go home to tea, his children could prove that such was the case; and the falsehood, therefore, being injurious to him, instead of being serviceable, it seemed unlikely that he should tell it. Millie's key being found in the door, seemed consistent with the supposition, that some person had induced him to let him into the bank. The prisoner's case was, that some assassin had gained admittance during his absence: that this unknown man had murdered the deceased—knocked the prisoner down on his entrance—attempted to cut his throat, and afterwards set fire to the premises. [Here the prisoner wept.] This case laboured under great difficulties. If the unknown assassin set the premises on fire, his object would be, to destroy all traces of the deed he had committed. But the state of things at the bank did not accord with what would be the actions of a man who had such an object in view. His care would be to take every precaution to conceal the fire from the observation of those without, till it had made so great a progress as to insure the destruction of the bank and its contents. Yet, the shutters of the waiting room, in which the fire was kindled, were not closed, and the outer door of the bank was left open. It certainly seemed very improbable, that a person who desired the destruction of the premises should leave them in such a state. Then came the inquiry, how these things accorded with the prosecutor's case. His case was, that the prisoner committed the murder; and he would lead the jury to the inference, that the prisoner sought

by the fire to draw attention to the bank. The state of the bank, it must be admitted, favoured this case. The shutters of the waiting-room windows were closed, so that the fire would almost instantly be seen from the Manor-chare. The outer door of the bank was standing open, so that the fire might be discovered from the Arcade. And the fastenings of the window near which the prisoner lay, in the large room, were undone, so that a person might readily get out into the street. The prisoner, no doubt, was found lying in a place where, if he had lain much longer, he would have perished; and it might be that he was willing to commit suicide. This might be said for the prisoner: that the unknown ruffian had acted unaccountably—that his conduct had certainly been inexplicable—but that the prisoner was not bound to account for that person's conduct. Hitherto, the case had been considered as one of murder, and the question raised was merely this—whether the prisoner, or some unknown person, was the murderer. But it might be regarded under another aspect. The prisoner might not be guiltless of the death of the deceased, but he might have destroyed his fellow-clerk under circumstances which did not amount to murder. It was proved that the prisoner and the deceased were on the most friendly terms up to half-past 3 o'clock in the afternoon—within two hours of the death of Millie—for it seemed almost certain that the deed was done about 5 o'clock—the time at which Mr. Robson was at tea. They were last seen together in the amicable discharge of their joint-duties, and no motive for quarrel had been suggested during the whole of the trial; but the best of friends might differ—a thousand circumstances might arise, to produce a rupture. Suppose, for instance, the newly-appointed clerk were less yielding on some trifling point than his patron, the actuary, considered that he ought to be. A slight spark of anger might be blown up, by mutual altercation, to a fiery quarrel, leading to a scuffle. In this encounter, Millie might snatch up the desk knife, and strike at the prisoner—some of his blows penetrating through the prisoner's clothes—others merely jagging his coat, in the manner so often referred to. The prisoner—not in self defence—for the condition of the deceased forbade the idea that he had suffered from an antagonist who merely stood in his defence—but the prisoner, in a mutual attack, might be wrought up to such a pitch of rage and frenzy as to deprive the deceased of life. If so, his crime would be, not murder—not the taking of human life with malice aforethought—but manslaughter. He would even then have a strong interest in procuring belief for a false account. To a man in his situation of life, perpetual banishment would appear almost as severe a penalty as death itself. He must therefore devise some plan to elude suspicion. In furtherance of this scheme, he might go home, and remove some of the traces of the deed which he had done. Then, having returned to the bank, he resorted to a plan which he had devised, careless, perhaps, whether it resulted in success, or in his own death. The Learned Judge, after making remarks on several portions of the evidence, concluded by stating, that it was for the jury to say, first, whether or not Millie was killed by some person or other, of which they would doubtless be perfectly persuaded; secondly, whether or not it was by the hand of the prisoner that Millie died; and then, if they decided in the affirmative, it remained for them to say, whether the prisoner was guilty of murder or manslaughter.

The Jury retired from the Court at 2 o'clock; and after they had been absent a few minutes, they sent a messenger for the

blood-stained clothes, &c. The persons present—(and, without doubt, the prisoner especially)—remained in great suspense during the absence of the Jury; and it was not till 5 o'clock that this suspense was terminated. Then, when the Jury had been three long hours in deliberation, they returned to their box, and delivered a verdict of *Manslaughter against Archibald Bolam*.

The prisoner, who had been removed from the bar at the close of his Lordship's address, and was brought back to hear the verdict, re-appeared with an anxious countenance; but he received the decision of the Jury without betraying any emotion.

The sentence of the Court was deferred till the following day.

At two o'clock on Thursday, the prisoner was again placed at the bar—and, in reply to the usual question, solemnly asserted:—"My Lord, before God, and before you, I declare, that I am innocent of the death of Joseph Millie."

His Lordship then said:—"Archibald Bolam, you have been found guilty by a jury of your countrymen, after inquiring into all the evidence brought forward by the prosecution, and all that you yourself thought proper to offer, of the offence of manslaughter. The jury, in convicting you of that offence, have taken certainly a mitigated view of your guilt; for your conviction shows that they must have thought you were the person who caused the death of the deceased. They must have been well convinced that you caused that death, or they would not have returned such a verdict; but it shows that they also thought you committed the deed from some sudden excitement, arising from some quarrel between you and the deceased. I am not inclined to give the smallest weight to your protestation of innocence. I am bound to act upon the verdict of the jury, which verdict I do not see reason to doubt the propriety of. If finding you guilty of murder had been the only alternative proposed to them, as they were satisfied you had taken Millie's life, they would almost to a certainty have found you guilty of murder. You ought, therefore, to consider yourself fortunate in a verdict of manslaughter having been suggested to the jury. Considering the nature of the crime of which you have been found guilty, I must consider only the mode in which you treated your victim, and the circumstances under which you were charged. Some dispute has probably taken place between you, and thrown you into great excitement; for all the mischief to Millie appears to have been done between half-past three and probably half past five. Within that short time, there must have been some strange cause of excitement in your mind to have driven to such a deed, so very suddenly, a person of your habits and character. You beat the deceased over the face with a poker—you fractured his skull—and you deprived him most awfully of his life. Altogether it is a case of the utmost aggravation; so that I should not be doing my duty if I did not pass upon you the extreme sentence which the law allows. The sentence of the Court is, that you be transported beyond seas for the term of your natural life."

"My Lord!" exclaimed the prisoner, "I regard that sentence as equal to my death!"

In the midst of the Learned Judge's address, in passing

sentence, the prisoner unexpectedly interrupted his Lordship, saying, "My Lord, I beg your pardon—I don't hear you." This little check, which was made with perfect coolness, surprised the Court.

When the prisoner received sentence, there was a slight clapping of hands; and as he retired from the bar, he was partially hissed by the bystanders; but the expression of feeling was very slight, in comparison with the yells and execrations of the people, when he quitted the bar in the Guildhall, in the month of March last.

LETTER FROM ARCHIBALD BOLAM.

Newcastle Gaol, 12th February, 1839.

REV. SIR,— * * * I thanked my Maker last night for raising up friends so kind as you and your correspondent. These are to me tidings of great joy, which I hail as happy omens towards dissipating a mysterious plot against me.

I am imprisoned here for no act, for no fault of my own, as the Almighty knows; and I will be obliged to any one to afford me assistance. Allow me to beg of you to continue to offer up your prayers at the throne of grace; and allow me, also, to beg of you to exercise your influence with others to do likewise.

I have endeavoured to do everything in my power through Divine assistance. I have read carefully and calmly all the evidences—I have afforded my attorney every information that has occurred to me—I have employed those able solicitors, who have retained able counsel to defend me at the Assizes, so that the horrid affair may be cleared to my advantage, and so that the public may be fully satisfied of my innocence. I am doing this at a great expense. Notwithstanding I am as innocent of the horrid charge as you are, I am compelled to be at such trouble and expense for my life and my character. And, above all, I have been, and shall continue to be, praying to God to clear me by his Divine interposition, so that in his own good time the actual ruffian who committed the horrid deeds in the Savings' Bank may be detected. God in a moment can bring the most hidden things to light. His ways are all wise and good.

My hands are pure, and my conscience is clear. Therefore I trust in God that he will never allow me to suffer for another's sins. My innocence has supported me all along under charges so enormous; and I trust that the Lord will continue to perfect his strength in my weakness.

I am, Rev. Sir, yours affectionately,

Rev. Richard Pengilly.

ARCHIBALD BOLAM.

The following is the *Autograph* of the deceased, Joseph Millie, copied from one of the many religious works which were in his possession, and in the perusal of which he took a deep interest:—

