

PPETER COUNEY, railway-labourer, present prisoner in the prison of Dunfermline, you are Indicted and Accused, at the instance of ANDREW RUTHERFURD, Esquire, Her Majesty's Advocate for Her Majesty's interest : THAT ALBEIT, by the laws of this and of every other well-governed realm, ASSAULT, especially when committed to the effusion of blood, the severe and permanent injury of the person, and the danger of life, is a crime of an heinous nature, and severely punishable: YET TRUE IT IS AND OF VERITY, that you the said Peter Couney are guilty of the said crime, aggravated as aforesaid, actor, or art and part : IN SO FAR AS (1.), on the

Night of the 22d, or Morning of the 23d, day of June 1850, (Saturday or Sunday)

or on one or other of the days of that month, or of May immediately preceding, or of July immediately following, in or near Bruce Street, in or near Dunfermline, in the county of Fife, you the said Peter Couney did, wickedly and feloniously, attack and assault David Anderson, a weaver, then residing in or near New Row Street, in or near Dunfermline, and now or lately residing with his father, James Anderson, a labourer, in or near Dysart, in the county of Fife, and did, with your fists, and with a stick or bludgeon, or other similar weapon, strike him several or one or more blows on or about the head and face, or other parts of his person, whereby he was knocked down, and when down you did, in like manner, strike him repeatedly on or about the head and face, and on or about the back and other parts of his person, and did kick him and otherwise maltreat and abuse him ; by all which, or part thereof, he was cut, bruised, and wounded, to the effusion of his blood, and total or partial paralysis of the right side of his body was occasioned, and he was severely and permanently injured in his person, and he remained in a state of insensibility for several days, and was put in great danger of his life : LIKEAS (2.),

Time and Place above libelled,

you the said Peter Couney did, wickedly and feloniously, attack and assault James Johnstone, a coal-hewer, then and now or lately residing in or near Baldridgeburn, in or near Dunfermline, and did, with your fists, and with a stick or bludgeon, or other similar wea-

pon, strike him several or one or more blows on or about the shoulders and arms, or other parts of his person ; by all which, or part thereof, the said James Johnstone was bruised and wounded to the injury of his person : And you the said Peter Coney having been apprehended and taken before Charles Shirreff, Esquire, sheriff-substitute of the Western District of Fifeshire, did, in his presence at Dunfermline, on the

25th day of June 1850,

emit a declaration, which was subscribed by him in your presence, you having declared that you could not write : Which Declaration ; As also, a stick or bludgeon ; As also, a medical report or certificate, bearing to be dated ' Dunfermline 1 July 1850,' and to be subscribed ' Joseph Kinniburgh M.D. James Morris Surgeon,' or to be similarly dated and subscribed, being to be used in evidence against you the said Peter Coney at your trial, will, for that purpose, be in due time lodged in the hands of the Clerk of the Circuit-court of Justiciary before which you are to be tried, that you may have an opportunity of seeing the same : ALL WHICH, or part thereof, being found proven by the verdict of an Assize, or admitted by the judicial confession of you the said Peter Coney, before the Lord Justice-General, Lord Justice-Clerk, and Lords Commissioners of Justiciary, in a Circuit-court of Justiciary to be holden by them, or by any one or more of their number, within the burgh of Perth, in the month of September, in this present year 1850, you the said Peter Coney OUGHT to be punished with the pains of law, to deter others from committing the like crimes in all time coming.

G. YOUNG, A. D.

LIST OF WITNESSES.

1. Charles Shirreff, Esquire, sheriff-substitute of the Western District of Fifeshire.
2. John Macdonald, procurator-fiscal of the Western District of Fifeshire.
3. Thomas Lambert, now or lately superintendent of police for the burgh of Dunfermline.
4. David Black Templeman, now or lately a clerk in the sheriff-clerk's office in Dunfermline.
5. David Anderson, a weaver, now or lately residing with his father, James Anderson, a labourer, in or near Dysart, in the county of Fife. ✓
6. Archibald Stewart, a weaver, now or lately residing in or near New Row Street, in or near Dunfermline.
7. Rosa Boyle or Murray, a widow, now or lately residing in or near Bruce Street, in or near Dunfermline. ✓
8. John Stevenson, a weaver, now or lately residing in or near Bruce Street aforesaid. ✓
9. Mary Bowman or Cooper, wife of John Cooper, a mason, now or lately residing in or near Bruce Street aforesaid. ✓
10. William McMillan, a tinsmith, now or lately residing in or near Bruce Street aforesaid. ✓
11. James Johnstone, a coal-hewer, now or lately residing in or near Baldridgeburn, in or near Dunfermline. ✓
12. Thomas Henderson, a weaver, now or lately residing with Abraham Kirk, a weaver, in or near South Inglis Street, in or near Dunfermline. ✓
13. John Habbick, now or lately a police and town officer of the burgh of Dunfermline. ✓
14. James Laing, now or lately a police-officer of the burgh of Dunfermline.
15. James Morris, surgeon, now or lately residing in Mistress Elizabeth Mailler or Adams' lodgings, in or near High Street of Dunfermline. ✓
16. Joseph Kinniburgh, physician, now or lately residing in or near Abbey Park Place, in or near Dunfermline.
17. Rosa Johnstone, now or lately residing with her brother, James Johnstone, coal-hewer, at or near Baldridgeburn aforesaid.

18. Mary Jane Murray, now or lately residing with her mother, Rosa Boyle or Murray aforesaid. ✓
19. Mary Gardiner, rag-picker, now or lately residing with her mother, Margaret Keltie or Gardiner, a widow, in or near Maygate Street, in or near Dunfermline.

G. YOUNG, A. D.

LIST OF ASSIZE

For the Circuit-court of Justiciary to be holden at PERTH, in the month of September 1850.

PERTHSHIRE.

Special Jurors.

- James Grimmond, flax-spinner, Oakbank.
 Robert Stocks, farmer, Kilgraston Mains.
 Thomas Wylie of Airleywright.
 Andrew Morison, farmer, Wester Inchtimichael.
 5. John M'Farlane, founder, Perth.
 Alexander Drummond, farmer, Pewgavia.
 Alexander Drummond, land-surveyor, Perth.

Common Jurors.

- James Mailler, feuar, Dunning.
 William Carron, merchant, Perth.
 10. John Keay, farmer, Sheriffston.
 John Rutherford, farmer, Netherton of Aberargie.
 James Sime, tenant, Bishophall.
 John Cameron, farmer, Bonhard Mill.
 James Clark, farmer, Stanley.
 15. William Walker, farmer, Hatton.
 John Sime, smith, Hillylands.
 William Miller, farmer, Kilspindie.
 James Imrie, wood-merchant, Kinrossie.
 James Allan, tenant, New Ardonachie.
 20. Thomas Jackson, carver and gilder, Perth.
 James Patton, farmer, Redhill.
 John Craig, sawyer, Burrelton.

FORFARSHIRE.

Special Jurors.

- Alexander Mills, manufacturer, Victoria Street, Dundee.
 James Spankie, merchant, Constitution Road, Dundee.
 25. James Bell, grocer, Mid Street, Constitution Road, Dundee.
 Alexander Stewart, Royal Hotel, Nethergate, Dundee.
 John Anderson, farmer, Dod, Monikie.
 James Grant, miller, Inzion, Lintrathen.
 James Ainsworth, Invoresighty House, Kinnettles.
 30. David Cardean, farmer, East Nevy, Eassie and Nevy.

Common Jurors.

- Thomas Martin, farmer, West Coatside, Barry.
 William Moffan, wright, Lochec, Liff.
 George Young, weaver, village of Barry.
 Adam M'Farlane, currier, Forfar.
 35. Thomas Knight, fisherman, Long Lane, Broughty Ferry, Monifieth.
 Thomas Child, hacklemaker, Reform Street, Dundee.
 John Lamond, farmer, Ghenty, Airlie.
 Peter Robb, feuar, Northmuir, Kirriemuir.
 George Buchan, merchant and feuar, Charleston, Glammiss.
 40. David Smith, slater, West Townend, Forfar.
 Alexander Fyfe, farmer, Crookhill, Barry.
 George Lyall, farmer, Burnsagart, Edzell.
 Alexander Thomson, accountant, Kirriemuir.
 Hector M'Donald, maltman, Gallowhill, Breechin.

FIFESHIRE.

Special Jurors.

45. John Berwick, farmer, Vantage.
 Thomas Bywater, factor, Wemyss Castle.
 James Birrell, merchant, Kirkaldy.
 Robert Hutcheson, corn-merchant, Kirkaldy.
 James Tod, farmer, Easter Cash.
 50. John Phillips, Saint Colms House.
 James Ireland, manufacturer, Sinclairtown.

Common Jurors.

- John Campbell, farmer, Bellfield and Thornton.
 Alexander Brown, farmer, Lochhead.
 John Clark, feuar, Auchtertool.
 55. David Gardiner, baker, Cupar.
 Walter Heggie, dyer, Kirkaldy.
 James Mercer, gardener, Priory Gardens.
 William Greig, farmer, Caskie Berran.
 David Traill, weaver, Woodhead Street, Dunfermline.
 60. Robert Stevenson, mealdealer, Kirkaldy.
 George Pentland, flesher, Kirkaldy.
 Robert Young, weaver, Links of Abbotshall.
 David Scott, publican, Thornton.
 Alexander Lorimer, plasterer, Bishopgate, Cupar.
 65. James Forsyth, labourer, Spittal.

Perth, September 1850.

INDICTMENT

AGAINST

PETER COUNEY.

*(Assault, to Effusion of Blood, Severe
and Permanent Injury of the Person,
and Danger of Life.)*

7 years Imprisonment.

CHARLES WYNN, railway labourer, present prisoner in the prison of Dunfermline, you are Indicted and Accused, at the instance of ANDREW RUTHERFURD, Esquire, Her Majesty's Advocate for Her Majesty's interest: THAT ALBEIT, by the laws of this and of every other well-governed realm, ASSAULT, especially when committed to the serious injury of the person, is a crime of an heinous nature, and severely punishable: YET TRUE IT IS AND OF VERITY, that you the said Charles Wynn are guilty of the said crime, aggravated as aforesaid, actor, or art and part: IN SO FAR AS, on the

Night of the 22d, or Morning of the 23d, day of June 1850, (Saturday or Sunday)

or on one or other of the days of that month, or of May immediately preceding, or of July immediately following, in or near North Chapel Street, in or near Dunfermline, in the county of Fife, you the said Charles Wynn, along with three, or thereby, other persons to the prosecutor unknown, did, wickedly and feloniously, attack and assault Thomas Chalmers, a weaver, then and now or lately residing in or near North Chapel Street aforesaid, and did, with your fists, and with sticks or bludgeons, or other similar weapons, strike him repeatedly and violently on or about the head and shoulders and other parts of his person, and did repeatedly kick him on or about the head and body; by all which, or part thereof, the said Thomas Chalmers was knocked down, and was bruised and wounded to the serious injury of his person: And you the said Charles Wynn having been apprehended and taken before Charles Shirreff, Esquire, sheriff-substitute of the Western District of Fifeshire, did, in his presence at Dunfermline, on the

25th day of June 1850,

emit a declaration, which was subscribed by him in your presence, you having declared that you could not write: Which Declaration; As also, a stick or bludgeon; As also, a medical report or certificate, bearing to be dated, 'Dunfermline 1 July 1850,' and to be subscribed, 'Ja' Morris Surgeon,' or to be similarly dated and subscribed, being to be used in evidence against you the said Charles Wynn at your trial, will, for that purpose, be in due time lodged in the hands of the Clerk of the Circuit-court of Justiciary before which you are to be tried, that you may have an opportunity

of seeing the same: ALL WHICH, or part thereof, being found proven by the verdict of an Assize, or admitted by the judicial confession of you the said Charles Wynn, before the Lord Justice-General, Lord Justice-Clerk, and Lords Commissioners of Justiciary, in a Circuit-court of Justiciary to be holden by them, or by any one or more of their number, within the burgh of Perth, in the month of September, in this present year 1850, you the said Charles Wynn OUGHT to be punished with the pains of law, to deter others from committing the like crimes in all time coming.

G. YOUNG, A. D.

LIST OF WITNESSES.

1. Charles Shirreff, Esquire, sheriff-substitute of the Western District of Fifeshire.
2. John Macdonald, procurator-fiscal of the Western District of Fifeshire.
3. David Black Templeman, now or lately clerk in the sheriff-clerk's office in Dunfermline.
4. Thomas Lambert, now or lately superintendent of police for the burgh of Dunfermline.
5. Thomas Chalmers, a weaver, now or lately residing in or near North Chapel Street, in or near Dunfermline. ✓
6. George Barnet, a shoemaker, now or lately residing in or near North Chapel Street aforesaid. ✓
7. Andrew M'Laren, a weaver, now or lately residing with his son, James M'Laren, a weaver, in or near North Chapel Street aforesaid.
8. James Spence, a weaver, now or lately residing in or near North Chapel Street aforesaid. ✓
9. George Williamson, lapper, now or lately residing with John Ostler, in or near North Chapel Street aforesaid. ✓
10. William Chalmers, a weaver, now or lately residing with Elizabeth or Betsy Miller or Chalmers, a widow, in or near Pilmuir Street, in or near Dunfermline.
11. Thomas Henderson, a weaver, now or lately residing with Abraham Kirk, a weaver, in or near South Inglis Street, in or near Dunfermline.

12. John Habbick, now or lately a police and town officer of the burgh of Dunfermline.
13. James Laing, now or lately a police-officer of the burgh of Dunfermline.
14. James Morris, surgeon, now or lately residing with Elizabeth Mailler or Adam, in or near High Street of Dunfermline.

G. YOUNG, A. D.

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PERTHSHIRE.

Special Jurors.

- James Grimmond, flax-spinner, Oakbank.
 Robert Stocks, farmer, Kilgraston Mains.
 ✓ Thomas Wylie of Airleywight.
 Andrew Morison, farmer, Wester Inchmichael.
 5. John M'Farlane, founder, Perth.
 Alexander Drummond, farmer, Powgavio.
 Alexander Drummond, land-surveyor, Perth.

Common Jurors.

- James Mailler, feuar, Dunning.
 William Carron, merchant, Perth.
 10. John Keay, farmer, Sheriffston.
 ✓ John Rutherford, farmer, Netherton of Aberargie.
 James Sime, tenant, Bishophall.
 John Cameron, farmer, Bonhard Mill.
 James Clark, farmer, Stanley.
 15. William Walker, farmer, Hatton.
 John Sime, smith, Hillylands.
 William Miller, farmer, Kilspondie.
 James Imrie, wood-merchant, Kinrossie.
 James Allan, tenant, New Ardonachie.
 20. Thomas Jackson, carver and gilder, Perth.
 James Patton, farmer, Redbill.
 John Craig, sawyer, Burreltown.

FORFARSHIRE.

Special Jurors.

- ✓ Alexander Mills, manufacturer, Victoria Street, Dundee.
 ✓ James Spankie, merchant, Constitution Road, Dundee.
 25. James Bell, grocer, Mid Street, Constitution Road, Dundee.
 ✓ Alexander Stewart, Royal Hotel, Nethergate, Dundee.
 John Anderson, farmer, Dod, Monikie.
 James Grant, miller, Iszies, Löntrathen.
 James Ainsworth, Inverrightly House, Kinnettles.
 30. David Cardean, farmer, East Nevey, Eassie and Nevey.

Common Jurors.

- Thomas Martin, farmer, West Coatside, Barry.
 William Moffan, wright, Lochee, Liff.
 George Young, weaver, village of Barry.
 ✓ Adam M'Farlane, currier, Forfar.
 35. Thomas Knight, fisherman, Long Lane, Broughty Ferry, Monifieth.
 Thomas Child, hacklemaker, Reform Street, Dundee.
 John Lamond, farmer, Ghenty, Airlie.
 ✓ Peter Robb, feuar, Northmuir, Kirriemuir.
 George Buchan, merchant and feuar, Charleston, Glammiss.
 40. David Smith, slater, West Townend, Forfar.
 Alexander Fyfe, farmer, Crookhill, Barry.
 George Lyall, farmer, Burnasagart, Edzell.
 ✓ Alexander Thomson, accountant, Kirriemuir.
 ✓ Hector M'Donald, maltman, Gallowhill, Brechin.

FIFESHIRE.

Special Jurors.

45. John Berwick, farmer, Vantage.
 Thomas Bywater, factor, Wemyss Castle.
 James Birrell, merchant, Kirkaldy.
 Robert Hutcheson, corn-merchant, Kirkaldy.
 James Tod, farmer, Easter Cash.
 50. John Phillips, Saint Colubs House.
 ✓ James Ireland, manufacturer, Sichelairtown.

Common Jurors.

- ✓ John Campbell, farmer, Bellfield and Thornton.
 Alexander Brown, farmer, Lochhead.
 John Clark, feuar, Auchtertool.
 55. ✓ David Gardiner, baker, Cupar.
 Walter Heggie, dyer, Kirkaldy.
 ✓ James Mercer, gardener, Priory Gardens.
 William Greig, farmer, Caskie Berran.
 David Traill, weaver, Woodhead Street, Dunfermline.
 60. Robert Stevenson, mealdealer, Kirkaldy.
 George Pentland, flesher, Kirkaldy.
 Robert Young, weaver, Links of Abbotshall.
 ✓ David Scott, publican, Thornton.
 Alexander Lorimer, plasterer, Bishopgate, Cupar.
 65. ✓ James Forsyth, labourer, Spittal.