

Glasgow 25 January 1840

Rodger Kayes

Appeared Rodger Kayes being examined declares that he is 19 years of age, is a chimney sweep, and he resides in the house of his employer Thomson Black, chimney sweep, Gallowgate Street, Glasgow. Declares that he is a Journeyman to Mr Black and besides him, Francis Hughes acts also as a Journeyman and to assist them, each of them has an apprentice under him, and John O'Neill a boy between 8 & 9 years of age was apprentice under Francis Hughes, and Laurence McAllister is apprentice under Declarant.

That the Declarant saw Francis Hughes and John O'Neill between 8 & 9 o'clock morning of Thursday last, 23 January 1840.

When they left the house in quest of work and he saw no more of them till about five o'clock afternoon when Hughes came in alone and in great haste saying 'the damned Cat or Creole (meaning O'Neill) has got into a vent and he would neither come up or down and he wanted the assistance of Hugh McManus, another of Black's apprentices to assist in getting him out.

That Hughes at length came with McManus and having pointed out the vent, as that in which O'Neil was when he left it – and learning from Hughes that he had sent the boy down it from the top, Thomson Black got upon the top of the house and repeatedly called out, but getting no answer, he exclaimed 'Good God my boy is dead!'

That the whole of them had got up to the top of the house by this time, and hearing what Mr Black said as to the boy's being dead, Hughes fell a crying.

That McManus went into the vent and attempted to go down but came up saying it was too strait for him – and that he thought he had heard O'Neil coughing. That they then went to the bottom of the vent in the inside of the building and finding that the bottom the fire place was choked up with stones and lime ...they broke up a piece of the wall till they got an entrance.

That Thomson Black with a long stick cleared away the stones and rubbish and he made a remark that he felt the boy's feet and he knew from the way they were hanging that he must be dead. That McManus was then sent up the vent, and he had not gone up many feet when he called out 'Thomson, Thomson I've got him - he's dead. And he descended with the body on his shoulders.

That O'Neil was quite dead, and when Declarant put his hand upon his heart and the lower part of his body he felt the same quite cold. That there was no foam or blood about the boy's mouth – but the top of his head about his hair was all wet as it had been a very wet stormy day.

That both Black and Hughes burst into crying at seeing the corpse and Black carried it off to the Toll House in the neighbourhood and Mr McIntyre, surgeon, being sent for he opened a vein in the boy's arm but no blood came. And the body was afterwards carried to Mrs McCallum's house in Saltmarket.

That the house in which the vent is consists of four stories he thinks and O'Neil was down as far as the ground story when they found him.

That on examining O'Neil's breast after being taken out of the vent, the Declarant saw that it was all red and scratched as if it had been abraided with squeezing himself down or up the vent.

And the Declarant's impression is this that O'Neil must have been jammed in the vent otherwise he would have got up to the top, and that he must have died of cold from being so long kept in the cold vent. That it is a usual thing of Master sweeps to threaten the climbing boys if they don't succeed in getting up or down the vents, by way of spurring them to make exertions.

Thomson Black

Thomson Black, aged 22 years, a chimney sweeper and resides in Gallowgate Street, Glasgow, declares that the deceased John O'Neill was an apprentice of Declarant and was about eight years old when he died. That Francis Hughes, complained upon, occasionally took employment as a journeyman which he, like others in the trade was authorised to do, accounting to the Declarant as his Master, for the half of his earnings & he was at liberty to take the Declarant's climbing boys if he required them.

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Declares that O'Neil got breakfast on said Thursday but nothing afterwards so far as the Declarant knows. That the Declarant does not consider that O'Neil could be overworked by the sweeping of 37 vents, and the Declarant himself when acting as a climbing boy has swept forty vents in a day. That the Declarant broke up the vent as far as he could reach with the hammer and up to that point the Declarant found that the vent was completely stopped by an accumulation of stones and lime ??? so that O'Neil could not have got down much farther than where he was found and perhaps no farther at all; and as to that tho' Declarant ??? speak for he did not examine the vent above where it was broken up.

That O'Neil was a stout healthy boy while in Declarant's service which was for ??? months. And this he declares to be truth.