

## **Declaration of Francis Hughes**

At Glasgow the 25<sup>th</sup> day of January 1840, appeared Francis Hughes who declares that he is 20 years of age, is a journeyman chimney sweeper in the employment of Thomson Black, a chimney sweeper in Gallowgate Street of Glasgow. Declares that on Thursday last the 23<sup>rd</sup> day of January current, the declarant was employed by Mr Forsyth, a builder, to sweep the vents of a new tenement which he lately erected near the Parkhouse toll bar on the Paisley Road.

That there were 42 vents in said tenement to be swept and Forsyth bargained to pay him two pence for each vent. That the declarant proceeded to the building along with John O'Neil, one of Mr Black's apprenticed boys who is about 9 years of age or thereby. That the boy O'Neil swept or cleared 37 of the vents, and he did it by going up one and down the other. That the boy entered the thirty-eighth vent at the top and descended to the bottom of the vent as declarant believes, but he could not get out from the quantity of hard lime which was accumulated near the bottom.

That the boy called to the declarant that he could not get down altogether, and the declarant told him to come up and they would endeavour to clear away the obstruction from below with a stick. That the boy said he would come up and he ascended to within twelve feet or so of the top and declarant saw a cold chisel which the boy had in his hand to pick the lime and clear the vents.

That there was a crook in the vent at the place where declarant could see the chisel, and the boy did not complain that he could not get past that crook, but said when told to come up 'I am coming, I am coming'.

That the boy however did not come up and after he had been near an hour in the vent the declarant took alarm and ran away as hard as he could for his Master.

That declarant's Master was accompanied by another journeyman of his name Rodger Kayes and declarant himself returned to the building with another climbing boy named McManus. That the Master and Kayes were at the building first & they put McManus down the chimney but it was too strait for him and he could not reach O'Neil who by this time had descended to near the bottom of the vent.

That the evening was dark and a considerable time was lost in getting some light and a hammer to break a hole in the wall of the chimney. That a hole was at last made in the wall near the ceiling of the ground floor and McManus went up a few feet and brought down O'Neil who was quite dead.

That the boy was carried into the toll house and a surgeon sent for who opened a vein in the boy's arm but no blood came and the doctor said he was 'quite dead'.

Declares that the day was very wet and cold and the boy before going down the vent in question asked if that would be the last one he would require to sweep that day, and declarant said he would not ask him to do any more that day. That the boy and declarant were always on good terms, and fond of each other; and the declarant denies that the boy came by his death by any recklessness or culpability on declarant's part.

Declares that when declarant went to his Master's house to tell what happened the declarant said that the 'damned cat' would neither come up nor go down the vent, and the declarant used that expression from being somewhat fretted and angry at O'Neil for not coming out of the vent, and he never complained that it was too strait for him. And all this he declares to be truth and declares that he cannot write.

### **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.

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.