

THE FERMANAGH ASSIZES

The early Fermanagh newspapers contain a wealth of information valuable to genealogists during a period for which other records are scarce. One particularly valuable source is the newspaper coverage given to the trials of the Assizes Courts.

Don't think your ancestor was the criminal type?

Remember that during hard times, jobs were scarce. Some people were forced to turn to petty theft. Making home brew was popular, and despite the fact that it was outlawed, many people made it anyway, and were sometimes caught and charged with illegal distilling. Still others got in trouble at the fairs, where "faction fights" often broke out.

If he was a member of the Gentry, your ancestor may have served on the Grand Jury. Or, regardless of class or social status, he or she may have been a witness. The newspapers often recorded witnesses' exact words, for just as today, trials for murder or mayhem made for entertaining reading and sold newspapers. The testimonies of witnesses at trials contain a wealth of detail about the lives of average people.

About the Enniskillen Assizes

Depending on what crime had been committed, a person in 18th- and 19th-century Ireland was brought to trial in either a Court of Quarter Sessions or an Assizes Court. The Quarter Sessions were convened as needed, but no fewer than four times a year, and presided over by two or more Justices of the Peace. These courts covered all indictable offences except perjury and forgery at common law, but more difficult cases were usually referred to the Assizes.

The Courts of Assize were a system began in 12th-century England and based on the journeys of a group of judges who rode a circuit, with fixed stopping places in the prominent towns. By the beginning of the 18th century the Assizes courts were dealing with all the more serious criminal cases and were also hearing some civil actions. The criminal side of the Assizes was generally presided over by High Court judges and staffed by Clerks of Assize.

The Assizes in Fermanagh were held in Enniskillen twice a year, during Lent (Spring Assizes) and during July or August (Summer Assizes). Those reported on in the Enniskillen newspapers included what we would today consider minor crimes; however punishments of transportation for stealing cloth, or death for stealing a horse were not uncommon.

There was at this time no “public prosecutor.” It was up to the wronged party to prosecute the accused, and presumably, to pay for the prosecution. The reports sometimes note that a person was acquitted because the prosecutor failed to show up at the proceedings. The newspapers sometimes carried notices of rewards, and the names of those contributing money to a fund for prosecuting the wrongdoers.

Lists of those arrested, and the determination of whether indicted (True Bill) or not (No Bill) can be found in the Crown and Peace records in PRONI. The actual court records for the Enniskillen Assize Courts no longer exist. However, the newspapers faithfully reported the more interesting or notorious cases, often giving the townlands of the principals, and quoting the testimony of witnesses in great detail. However, other cases are frustratingly lacking in detail, giving only the name of the accused, the crime, and the verdict. Unfortunately, there is usually no way to further identify a person named.

About the CD

Enniskillen Assizes CD 1, 1809–1820[©]

This CD contains transcriptions of the **Fermanagh Assizes Court trials** as reported in the Enniskillen Chronicle and Erne Packet, a newspaper published weekly.

About the transcription: This transcription was done by a fallible human. At times I used voice recognition software which is prone to interesting mistakes. I made every effort to proofread, but make no claims to perfection. I left spellings of person’s names and place names as they were in the newspaper. Occasionally I suggested an alternative modern spelling in brackets.

All rights reserved: You may copy the information on this CD for your own use only. It may NOT be copied for any commercial use.

My thanks to Vynette Sage for creating the index to this CD.

