

## Enniskillen Assizes

**March 21, 1810**

Our Assizes which commenced here on Monday, ended last night. The Honorable Justice Mayne presided in the Crown Court, and the Hon. Mr. Sergeant Moore on the Civil bills. After reading the commission in the Crown Court, the following gentlemen were sworn on the Grand Jury:

Hon. Colonel Creighton, Foreman

Henry Brooke,	William Tredennick,
George D'Arcy Irvine,	George Lendrum,
Hugh Montgomery,	Hamilton Irvine,
Edward Archdall,	Henry Leslie,
William Stewart,	James Denham,
John Armstrong,	Williams Scott,
John Richardson,	John Aiken,
Gerard Irvine,	Samuel Gamble,
George Nixon,	John D. Johnston,
Richard Dane,	Francis Graham,
Samuel Lyle,	George Hassard, Esquires

His Lordship then addressed the Grand Jury at some length, pointing out the propriety of the economy is the expenditure of the public money and the necessity of strictly scrutinizing the accounts of the Public Works—it was, he said, however, no less incumbent on them to present with becoming liberality, where public improvement required it, but any appeal to the Grand Jury of Fermanagh, was on the subject he thought unnecessary, and paid a handsome complement to their good sense, there liberality and discernment—he however wished to impress upon their minds the many advantages resulting from public improvement, which he said was beneficial to the country at large—it was credible—it was necessary. He then called their attention to the state of the present gaol, a matter which for the sake of humanity [ ? ] seriously demanded the most minute investigation, and which it had then the orders of our humane vice rights to the judges to take particular notice of throughout their circuits. He then it and diverted to the bill pending in parliament, for the improvement of prisons, and pointed out the necessity of separate apartments for the wretched inhabitants of those places many of whom were probably innocent, until contaminated by the immoral conduct of some of their fellow sufferers. The present mode of stowing those unfortunate victims, he said gave rise to conspiracies, a morality is, and in decencies. He then recommended them to proceed with is much dispatch as possible in presenting for the purpose of a new gaol, which had then already begun, and remarked that money presented for this purpose was in the end of public benefit.

The following are the trials which took place:

Patrick McMullan for maliciously stabbing one Patrick Hartin with a bayonet, with an intent to kill him, to be hanged on Thursday the 12th day of April next.

Patrick Cassidy and Michael Cassidy found guilty of rescuing a cow seized under the warrant of the Treasurer for Still Fines, to be imprisoned three months and to pay a fine of 5 £ each.

John Elliott for using an unlicensed still, to be imprisoned three months.

John Kelly, Officer of Excise, found guilty of an insult to be imprisoned for three months and to pay a fine of 20 £.

Nogher McGolrick and Phil Dogherty tried for burglary in the house of John Dunkan of Monidoug acquitted—discharged .

Hugh otherwise Patrick Galaher acquitted of uttering counterfeit two-shilling and six-penny pieces—discharged.

Felix McCaffry for stealing sheep, acquitted.

Alice Story otherwise Pierce, and Henry Pierce, Pat Grennan, and John McMollan, acquitted of different felonies —discharged .

John Kennedy and Irvine Armstrong, acquitted of using an unlicensed still—discharged.

James Reynolds, James Heavy and Katherine Keenan discharged by proclamation.

## **July 21st, 1810**

### **Response to news item**

In the above paper of July 21st, 1810, there is a reply to accounts of the damage to Enniskillen Chapel which have appeared elsewhere but particularly in the Irish Magazine.

#### **CHAPEL OF ENNISKILLEN.**

Having observed in that gross and ill-digested publication entitled the Irish Magazine, an article on the outrage recently committed on the Chapel of this town, we think it incumbent on us to contradict an unfounded supposition made use of, that, "the authors of this violence are the agents of the same party who opposed the erection of this Chapel some short time ago." Had the Editor of that scurrilous compilation taken the trouble of reading the account of that outrage as copied, from the Erne Packet into some of the Dublin newspapers, he would have found that no supposition could reasonably be entertained of the offence being committed through the agency of any party, as every respectable Protestant in the neighbourhood proposed contributing towards a reward for the discovery and prosecution of the offenders, had not some of the persons concerned

acknowledged their transgression. This statement, we think right to publish in justice to the Protestant inhabitants of Enniskillen, an in justice to the country at large, and it is with pleasure we can assure the public that no such disposition as that stated in the Irish Magazine is manifest in the conduct of the Protestants or as he calls them, the Orangemen, towards their Roman Catholic Brethren.

We have also the satisfaction to state that one of the young men concerned in the above mischief, came forward last Sunday on the Altar, and publicly apologized for his misconduct; stating his contrition for the offence, and promising at the same time, to make every recompense in his power. Having requested some of the respectable Protestants to interfere with the Roman Catholics on his behalf; in complement to them, and in justice to his own feelings the apology was well received.

The Irish Magazine is one of those publications which every Irishman should spurn, having no other claim whatsoever to that title than from its being calculated to mislead Irishmen; to create vexation, and to keep alive the cinders of discord which have unfortunately too long blazed throughout the country; but which are almost extinguished through the enlightened liberality of the Irish Government.

Alas to the Irish Magazine, and to such publications, may be attributed the mischievous spirit which now manifests itself in some of the Western counties of Ireland, a spirit which must evidently bring desolation and disgrace on the thoughtless wretches concerned and it is with infinite satisfaction we learn that, the Roman Catholic Clergy have prohibited their hearers in several parts of the Kingdom the reading of that dangerous publication.

### **August 18th, 1810**

From the Enniskillen Chronicle and Erne Packet August 18th, 1810. Per issue price 5 pence.

### **Enniskillen Assizes**

Commenced on Friday 14th. (August 1810). The Hon. Justice Fletcher presided in the Crown Court, and the Hon. Solicitor General in the Civil. The following is a list of the Grand Jury -

Henry Brooke,  
George D'Arcy Irvine,  
Hugh Montgomery,  
William Archdall,

Hamilton Irvine  
James King  
James Nixon  
James Derham

Wm. Stewart,  
John Armstrong,  
John Richardson of Summerhill,  
Edward Archdall,  
Richard Dane,  
Wm. Tredennick,  
Henry Leslie.  
James A. Auchenleck, Esq. Sheriff.

John Aiken  
Francis Graham  
Wm. Montgomery  
James Hall  
John D. Johnston  
Samuel Gamble, Esqrs.

The following are the trials in Crown Court—James Johnston and Gustavus Johnston, for unlawfully breaking and entering the Parish Schoolhouse of Inishmacsaint, and keeping possession, to be one week, and fined one Mark.

Malcolm Foster and James Arnot, for perjury at last Assizes, on a trial wherein James Buchannan was Plaintiff, and Michael McDonald, Defendant. In justice to the character of the traversers, we think it our duty to remark, that they are men of respectable property and connections in the neighbourhood of Lisnaskea, and that this trial was brought, in order, that by impeaching their testimony, grounds might be had to lay aside the verdict of the former trial, wherein the Plaintiff recovered damages against the defendant (McDonald) for which he is at present confined in gaol. Mc Donald himself was the principal evidence on the prosecution, and had many others produced to prove the raising an embankment at a stream to convey water to a mill, had not the effect of flooding the adjoining grounds for which the damages had been recovered: but evidence of the greatest respectability proved that the rampart or embankment above alluded to had this effect, which indeed to common sense must appear obvious; and they further proved that a road adjoining the water, which had been known to them for 40 years, and had never been flooded entirely across by the greatest floods during that time, had since the raising of the rampart been impassible by means of the water covering it. Many other evidences could have been produced to corroborate the testimony of the latter, but the Learned Judge thought them unnecessary, and here the defence closed.

His Lordship then proceeded to charge the Jury, and impressively pointed out to them the impropriety of encouraging such prosecutions—The traversers were without any hesitation, acquitted and ordered to be instantly discharged.

Mary Kelly, was next put on trial for stealing a piece of callico from John Kerr - to be transported for 7 years.

Thomas Caldwell, for stealing Bank Notes from William Cox of Garrison; to be transported for 7 years.

Margaret Crook, for stealing clothes from Blanche Balfour—to be transported for 7 years.

John Beatty, Andrew Beatty, and Robert Cawdon for private distilling—to be imprisoned for 3 months and fined in £5 each.

John McGoldrick, Francis Brandon, Terence McGoldrick and Thomas McGoldrick, for private distilling—to be imprisoned for 4 months.

John Hall, for breaking the Chapel of Enniskillen, taking out the Priest's vestments, and trampling them in a sink, and other outrages on the place. — Acquitted, but ordered to give security to be of the peace for 7 years, himself in £100, and two sureties in £50 each. On this the Learned Judge delivered a most excellent and impressive charge to the Jury, fraught indeed, with eloquence and feeling, which does honour to his heart and understanding. The Grand Jury, we have authority to state, seemed highly pleased with his Lordship's politeness? and attention throughout the course of the Assizes.

At the Assizes in Monaghan, we understand three persons have been totally convicted and are sentenced for execution. Bernard Mc Mahon for stealing a cow, Bernard Maguire, for stealing a horse, and John Daily for conspiring to shoot Owen O'Callaghan, Esq.

At Cavan Assizes the following were the convictions which took place:—Rose Lee, for stealing goods from Patrick Sheridan, to be burned in the hand and imprisoned for one month, and to give security to be of the peace for 7 years.

Terence Fitzpatrick, for cow stealing, to be burned in the hand and imprisoned three months.

Patrick Clarke, for rescuing a still from Officers of Excise, to be imprisoned a week, and give security to be of the peace 7 years.