

Newspaper References to
Irish language court interpreters 1796-1922

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The newspaper clippings in this database formed a corpus of background information on Irish language court interpreters in the monograph *Irish Speakers, Interpreters and the Courts* by Mary Phelan, published in 2019 by Four Courts Press and the Irish Legal History Society. While many examples were cited in the book, many others providing supplementary information were not. The extracts are in chronological order and many are very brief, focusing solely on mentions of interpreters. This database will be useful interested in further details on interpreter provision in the nineteenth century and the early twentieth century.

All clippings have been transcribed from digitized newspapers Irish Newspaper Archive, British Newspaper Archive, newspapers.com and the Irish Times Digital Archive. The articles were found by carrying out searches for 'interpreter' and 'court' or 'assizes' or 'sessions'.

To cite items in this document please use:

Phelan, Mary (2019) Newspaper Extracts about Irish language court interpreters 1796-1921 DOI 10.5281/zenodo.3347971

Saturday, March 19

On the order of the day being read for the house to resolve into a committee for the consideration of the amendments made in the lords to the election bill.

Hon F Hutchinson, at the same time that he deprecated all warmth of discussion upon these amendments, sincerely wished they had not been made, and was desirous that the friends of those amendments in this house would not resist their being withdrawn. The nature of the amendment to which he objected, was, that it obliged the freeholder registering his freehold, **to take the oath in the English words**; the operation of which would be to disenfranchise three-fourths of that class of people in Connaught, and a very large body in Ulster, who, under the Roman Catholic bill were admitted to the franchise of election.

If this amendment should pass into a law, the consequences would be the excitement of new agitation in the country, at a time when it was the duty and wish of every man in the house, to conciliate the popular mind, and endeavour to tranquillize instead of irritating it. For if the house adopted this amendment, it would not be in the power of human ingenuity to persuade the great body of the Catholics of Ireland that it was not the intention of parliament to nibble away, by degrees, every indulgence which had already been granted to them according as times and circumstances made it convenient.

Mr T Jones, convinced of the propriety of the amendments, signified his intention to support them, disclaiming however any wish to take the house by surprise, or to carry any measure by a side wind.

Mr Vandeleur deprecated the amendment, as going to revive in this country the tyrannical edicts of Edw III to re-elect the tyrannical barrier of an English pale, and exclude from the rights of franchise the natives of Ireland, for no other reason than that of speaking in their mother tongue.

The Right Hon Mr Grattan, roused to indignation by the tenour of the amendment, reprobated in the strongest degree such an attempt to violate the faith of parliament to the people of Ireland, by the grossest insult on the Irish name, fame, and nation. It was an attempt to revive that obnoxious and tyrannical principle under which Ireland had for centuries groaned; it was an attempt to turn the venerated antiquity of the country into an instrument of slavery and disenfranchisement; it was an attempt to filch from the Catholics of Ireland, by a side wind, all that the legislature had conferred upon their loyalty. He trusted, therefore gentlemen would consider, before they ventured to urge such a principle – and if it was calmly withdrawn it was not his wish to go into discussion upon the subject. But if members on the other side of the house should persist in this breach of faith with gentlemen on this side, and with the grand body of Catholics in Ireland, he pledged himself for those friends of Ireland with whom he had the honour to act, that not only now, but after the bill should pass, so long as such a principle should continue to disgrace the statute books, and insult the nation, would he and his friends continue to reprobate and decry it session after session, in eternal deprecation, until it should be repealed.

Colonel Blaquiere was convinced the bill would tend to acts of insurrection throughout the kingdom. Chancellor of the Exchequer said the amendment which had given so much alarm to some gentlemen, appeared to him perfectly innocent; for though it might be permitted for the ascertainment of truth, that the person who gives evidence should use an interpreter if he could not speak in intelligible language, yet it did seem fair that when a man came forward to avail himself of a benefit under a statute he should be obliged to take such oaths as should be required of him by the act in an intelligible language. Yet, as the idea had gone abroad, and gentlemen seemed disinclined to enter a debate on the amendment, he was willing rather to give it up than venture upon the possible offence which any individual might feel from a discussion on the subject. If, however, gentlemen had changed their minds, and were willing to try the question on its merits, he was ready to meet the discussion – otherwise he would move that the consideration of the amendments should be postponed to the 1st day of May next.

Mr Daly expressed his desire rather to give up the bill than admit the amendment.

Mr Grattan concurred with his honourable friend that it were better to give up the bill however necessary or useful than submit to such an amendment. He would be sorry that such an amendment should be made a subject of debate; he hoped it never would be debated in that house. If it should ever be discussed, sure he was that the right honourable bart. would be convinced that such an amendment was founded in no one principle of honesty, religion, justice or policy. An expression had dropped from the right honourable baronet, which he confessed he was at a loss to understand – he had said that the oath prescribed by any statute should be taken in an *intelligible language*. What did the right honourable baronet mean by intelligible language? Did he mean that Welsh-English was the intelligible language? Or did he mean that Irish-English was that intelligible language? There were a great many worthy Irish gentlemen whom, the right honble baronet might be very intimately acquainted with, who, when they went to England were considered to speak but very bad English. The Scotch regiments which were here at this moment, he doubted not were brave soldiers and very worthy men – would it not be very hard if any of these gentlemen should be deprived of valuable rights because it happens that they may not speak English? He agreed, however, in the motion very heartily for postponing the consideration of the amendment to the 1st of May.

Chancellor of Exchequer said a few words in reply – the motion was then put and carried *nem. con.*

Dublin Evening Post 22 November 1796 page 3

The alteration in the election bill brought, forward by Mr. Daly, went to disable any freeholder from registering by means of an **interpreter**, if he spoke only Irish. This certainly must have appeared very extraordinary to all foreign nations. To impose a penalty on the language spoken by the ab Original inhabitants of a country— and to make the mother-tongue of a people, a sufficient ground of disqualification or civil capacity, are things not very easily reconcilable to justice or morality, which ought to be the basis of all laws. The idea seems to be borrowed from the times when it was customary for a judge 'to fine an Englishman of the Pale three marks for the murder of an Irifhman homo Hibernicus as they were called by way of distinction from other superior mortals.

1797

Freeman's Journal 28 December 1797 'Dublin, Dec 27, Clonmel, Dec 23', 2.

Yesterday, at the request of the inhabitants of the Barony of Glenahiry, in the county of Waterford, one of the five Baronies of that county lately proclaimed, Lord Viscount Donoughmore, accompanied by the Hon. Captain Hutchinson, of the Western Iffa and Offa cavalry, proceeded to Four Mile Water, in that Barony; to administer the Oath of Allegiance. So great a number attended to take oath, that the business was not concluded until six o'clock in the evening. Amongst the foremost at this loyal meeting were Mr Prendergast and Mr Walsh, the very respectable Catholic Clergy of the Parish; by the latter of whom **the oath was interpreted into the Irish language** for those whom this was necessary, and its import and tendency commented upon very forcibly. When the spirit of insurrection first broke out in the neighbouring counties, Lord Donoughmore had paid early visits to this barony; with parties of the army, both by day and by night. It is a matter of singular pleasure to find that those timely exertions have been attended with success, without having subjected the inhabitants of the barony to any of the inconveniences of the insurrection act.

The following is the oath which was prepared by Lord Donoughmore for this occasion.

"I, _____ do sincerely promise and swear, that I will be faithful and bear true allegiance to his Majesty King George the third, and that I will faithfully support and maintain the laws and constitution of the kingdom, and the succession to the Throne in his Majesty's illustrious house. And I do further promise and swear, that I will keep the peace myself, and do my utmost, that it shall be kept by all others; that I will not be present at any unlawful assembly either by day or

by night, nor enter into any unlawful confederacy or combination, nor endeavour to induce others so to do, that I will not take any unlawful oath, nor administer, nor be present, aiding, or assisting in administering any such; and if any attempt shall be made by ????

1807

Belfast commercial Chronicle 28 November 1807 page 2 The Wreck – Coroner’s Inquest

Boyle, another volunteer from the south Mayo militia, contradicted McEntire as to the circumstances of hauling up the ladder, in order to prevent the soldiers from coming on deck. He deposed that such an attempt was made, but the persons below held down the ladder by force; he heard nothing uttered by the captain such as deposed to by McEntire – he was of opinion that the exertions to save both soldiers and crew were equally impartial and unremitting. This witness was examined through the medium of an Irish **interpreter**. The jury, consisting of 15 respectable persons in that vicinity, returned a verdict – casual death by shipwreck, having previously viewed the bodies in Sir John Lee’s coach house.

1815

Freeman’s Journal 27 October 1815 page 4

Mary Ryan, an **Irish witness**, and sister-in-law to Griffin, produced on the defence....

1816

Freeman’s Journal 3 April 1816 page 6 Crown case

Case of James Leary Waterford Lent Assizes. The King, at the prosecution of Jeremiah Ryan, against James Leary.

The prisoner stood charged in two distinct indictments. The first for forcibly carrying away Catherine Ryan, the daughter of the prosecutor, from his house, on the night of the 14th of September last. Second count in the indictment, for assaulting and otherwise abusing the said Catherine Ryan after she had been carried away. The traverser was also indicted for firing at the dwelling of the said Ryan, after sun-set and before sun rise; and the second count in this indictment charged the prisoner with having attacked and broken open, in company with divers others, unknown, the habitation of the prosecutor, between the hours before stated. To these several indictments the prisoner pleaded not guilty.

Jeremiah Ryan sworn – (Could not speak English; the questions and answers were therefore given by **interpretation**. Examined by Counsellor Prendergast.....

Sentence of death. To be executed on Saturday next.

1818

Dublin Journal 31 July 1818 page 4 Tralee Assizes

Murder of the Rev Fitzgerald Tisdall

Atrocious murder....

Stephen Sullivan This witness was examined in Irish, but no difficulty was experienced in comprehending his answers from the extreme intelligence of the **Interpreter**. He stated that he had recollected when Mr Tisdall was murdered, because he saw the body when ‘twas found. – He also remembered the Palm Sunday before it was found, and lived at that time at a place called

Geranagare at the foot of the Priest's Leap, within about a half a mile of which the body was found. A few days before Palm Sunday two persons came to his house: one of them was armed with a blunderbuss or carbine; this was Murphy, whom he very well knew, and who was since hanged for Mr Tisdall's murder, he had also a belt around his body. The two men slept at this house, and the next morning they went to the South towards Bantry. In a short time they returned, when witness and his people were making a ditch. Mr Tisdall had passed in the mean time and Murphy asked, who was the person that had gone to the Southward? One of the men said 'twas Mr Tisdall, this took place two or three days before Palm Sunday. The witness was asked how Murphy was dressed on that day, but he could not tell; the other man, he said, wore a coat of the same colour as that which he the witness now had on (grey) and a corduroy breeches. He was next asked if he would know the person who was with Murphy, and whose dress he had just described? He replied, if the man had the same appearance (countenance) now that he had then, he would. He was then desired to look in the direction of the Dock, and if he saw the person to place the rod upon his head, but cautioned, at the same time, not to identify any one that he was not quite certain of. "It is difficult to be certain" said the witness in his own language, and then waiting about a minute, he pointed to the prisoner and said "I believe that is the man, but I am not certain". The Interpreter was desired to repeat, explicitly and literally, what the witness had said. He repeated it accordingly, and once more addressing the witness, said in Irish to him – "Is that the man that you believe, but can't be certain, was with Murphy?" "The very thing you say" was the reply. Prisoner found not guilty.

1821

Dublin Evening Post 22 december 1821 Special Commission fourth day

Thomas Hinchy was next placed at the Bar – The prisoner stood indicted for that he, on the 23d of September at Ardagh, in the county of Limerick, did assault with a stick James Buckley and inflict on the said James Buckley various wounds and bruises, of which he died on the ? of September.

Patrick Ward sworn – **Did not speak English. Mr T Ryan, at the request of the Court, acted as interpreter in the absence of the Officer of the Court.**

Dublin Evening Post 22 December 1821 Special Commission – Limerick - Murder of James Buckley

Patrick Ward sworn – did not speak English. **Mr T Ryan, at the request of the court acted as interpreter, in the absence of that officer of the court.** His testimony was to the effect, that Hinchy is his sister's son, and that he had slept in the same bed with himself, and did so every night he slept in his house; he was knocked up with sickness, and from the time that he got there he was ill, and confined to his bed for 10 days and nights; upon his oath, on the Sunday that Buckley was killed, prisoner was ill and not out of his bed in his house.

Freeman's Journal 24 December 1821 page 4 Special Commission Limerick

This trial continued at great length; a number of witnesses were examined, among whom was Joan Reilly, the daughter of the prosecutor. This witness could not speak English; **an interpreter was procured**, who swore her in Irish, and translated her evidence, the substance of which was, that she took refuge at the time of the outrage in the house of the prisoner, Hlstor, who, she swore, did not stir out all the time.

Public Ledger and Daily Advertiser 25 December 1821 page 2

Special Commission, Limerick

Charged with taking arms

Thomas Kiely and Michael Kelly were then arraigned, for that they, on the night of the 16th day of July, in the second year of the reign of his present Majesty, at a place called Rooska, in the county of Limerick, did feloniously take two guns, the property of Christopher Sparling.

The prisoners pleaded Not Guilty.

A new Jury being about to be sworn, the prisoners, on the panel having been called over, challenged 20.

Previous to the calling of the first witness, the Solicitor-General addressed the following observations to the Jury: -

"Gentlemen of the Jury – the prisoners at the bar are not charged with murder, but they are capitally indicted: the crime they are charged with is for taking arms; and you see, Gentlemen, by the two last trials, the use that is made of arms when taken. I shall make no further observation, Gentlemen; I think it unnecessary."

Witnesses were then called to prove the facts, as stated in the indictment.

The defence of the prisoners was an attempt to prove an *alibi*. A witness, called on the part of Kiely, named Cathlen Maher, could not speak a word of English: **an Irish interpreter was procured**, who swore in Irish, and interpreted her evidence. The prisoners produced respectable witnesses as to character.

Baron McClelland – charged the Jury, who retired for about half an hour, and returned with a verdict finding both the prisoners – Guilty.

They were then removed from the Bar, without sentence being pronounced.

1823

Waterford Mirror 18 October 1823

Recorder's court, Dublin

Martha Mansergh and the celebrated interpreter Lewy O'Halloran

Connaught Journal Galway, Thursday, 2 October 1823

Martha Mansergh, an elderly woman, whose air, and particularly her address, bespoke her having mixed in genteel society, was indicted for having stolen some childrens' wearing apparel, the property of Catherine Griffin. The prisoner had lodged in a room in Copper-alley, with some of the Mendicants, where also the prosecutrix lodged, who was an interesting looking brunette from the "Kingdom of Kerry," she appeared on the table with an infant in her arms, but could not speak a word of English, and **the celebrated Lewy O'Halloran was sworn as interpreter**. The case was proved against the prisoner by the prosecutrix and two other witnesses. The replies of the prosecutrix to some questions were strikingly characteristic of national peculiarities, and the naturally poetic and figurative idiom of the Irish language. When asked the cause of her visit to Dublin, she replied, "to seek the father of this child of whom I'm the wedded mother, two years ago." From further examination, it appeared she left Kerry on her way to England to seek her husband, and her money being run out on her arrival in Dublin, she sought shelter at the Mendicity Asylum, in a room of which the prisoner lodged, who took every article of the mother's and child's, except what was on them. The prisoner is the wife of a Gentleman holding a situation in a public office, and has an allowance of tenpence per day, and two pennies on Saturday, which she spends on drink.- Guilty- To be imprisoned three months.
<http://www.irelandoldnews.com/index.html>

1824

The Waterford Mirror 21 August 1824 page 1 Monday Aug 16 Clonmel Assizes Third Day

William O'Donnell, a respectable farmer, Patrick Tuohill and William Ryan, the latter two rather young, were tried before Judge Johnson, for the murder of Michael, Martin, and William Kinnealy, at Knockgraffon, 11th July.

John Kinnealy, the first witness that appeared on the table, with his head and knee tied up, bore evident marks of the ill treatment he received on the night his brothers were murdered. He was examined by Mr Serjeant Lloyd **through an interpreter**, and positively swore that the prisoners belonged to a party of fourteen or fifteen persons who attacked his brother's house, on Sunday evening, the 11th July. The witness and three of his brothers had been in bed, and the fourth brother had been eating his supper with the light afforded from the door (it not being quite dark) when the party entered, one of whom, the prisoner O'Donnell, struck at witness in bed, and exclaimed if he would not cover his head he would blow his brains out with his pistol; the witness did so, and immediately after he was struck, after which he saw the prisoner Ryan, with three others, beat his brothers at the foot of the bed....

Not guilty

1825

Roscommon & Leitrim Gazette 23 July 1825 page 3 Leitrim Assizes

Michael Kilfedder was indicted for a Rape on Ann McGowan.

This witness (Ann McGowan) said she could speak English, but not fluently! An interpreter attended.

Not guilty

Southern Reporter and Cork Commercial Courier 26 July 1825 Ennis Assizes Important trial for a rape Baron Pennefather

Connor Hogan and Margaret McNamara

were then put forward, the former, for having willfully and feloniously violated the person of Bridget McNamara, and the latter for having aided and abetted in the said act on the 21st October last, in Kilkehane, in this county.

Bridget McNamara, the prosecutrix, was then sworn and examined by Mr Bennett QC. **After considerable efforts to ascertain whether or not she could speak English, she had to be examined through an interpreter. She declared upon her solemn oath, that she could not speak English, which fact was of importance in shaking her testimony.** The witness deposed having lived near Kilmurry, in this county, and remembered the 21st of last October, on which day she was employed in gathering potatoes after her brothers, who were digging. A woman named Margaret McNamara, the female prisoner, had called on her to come to her house and assist her in making two shirts. The prosecutrix having accompanied the woman to her house, the other prisoner, Connor Hogan, was there before her, sitting in a chair; there were six persons present, men and women; one of these women, Jona McEnery, laid hold of prosecutrix, and pursued her into the lap of Connor Hogan, saying to the prisoner "keep your hold now, as you may not get it again when you want it; at this moment the whole party left the kitchen and went outside the door, abandoning her to the licentiousness of Hogan, and indulging themselves in laughing. The prosecutrix next deposed as to the particular facts which occurred under her view. Prisoner swore by the Almighty, in addressing himself to Cunningham, one of the party, that if he allowed any person into the house, he *(the prisoner) would split his skull.....

[...] Mr Freeman, with great ability, cross-examined the prosecutrix at great length. She solemnly swore that she did not know the import of a "Yes" or "No" in English; that she had been at school, but could not swear that her primer (sic) was in English or Irish; that she had never known the prisoner before this occurrence; had never agreed to marry him, if he thought proper, and denied in toto any knowledge of his character.

She was found guilty of perjury

Southern Reporter and Cork Commercial Courier 2 August 1825 Limerick Assizes County Criminal Court murder of Mr Edward Hurst

Mary Kirby, sister to the prisoner, **as she could not speak English, was examined through the medium of an interpreter**, but she proved nothing; on her cross-examination, she said, they had the hatchet which was old and rusty, seven years.

Cumberland Pacquet, and Ware's Whitehaven Advertiser 30 August 1825 page 1 Cork, August 13

John Hearne was capitally indicted for abusing the person of Mary Connolly, on Sunday the 29th May last, at Rath, near Cloyne.

The prisoner was a decent and rather respectable –looking girl, apparently about 20 years of age, and appeared to be quite capable of defending herself. When she gave her evidence, she had on her three large shawls, a thick stuff gown, a linsey-woolsey apron, a cap, without a bonnet, and a large blue cloak, the head of which was thrown over her head. Her face was not disagreeable, but wanted delicacy of expression.

Mary Connolly, examined by the prosecuting attorney, through the medium of an Irish interpreter

– I know the prisoner, and I am sorry I do know him. I have known him twelve months. I lived in service at his brother's home; the prisoner lived there, and had part of the farm. I recollect the 29th of May, and have good reason to recollect it (pretending to cry). I did not go to mass; my master and mistress did. Prisoner did not go to mass; he stopped in the house with me. There was nobody in the house but I and the prisoner, and a one-year old child that I was minding. It was about twelve o'clock. Prisoner bolted the door. There is but one door to the house. He got hold of me, and I struggled with him. (Here witness made some wry faces, and pretended to cry). I did not struggle much. When he bolted the door all my spirits and courage went out of me. What's the good of telling it? Why should he not? I had rather he had killed me. Any body may understand (more attempts at crying). I pray God to take my life (After a good deal of this sort of parrying she was brought to describe the offence). I saw nobody after he wronged me before my mother. I unbolted the door, went out, and met my mother, and told her how I had been used. She told me to go back and stay till my mistress came home, to see if I could get any recompense for the ill usage I had got on a Sunday. I waited till my mistress came home, but I did not tell her, for fear I should be turned out of the house, and lose my character. I told my mistress on the Monday that I did not want to stay with her any longer, and she gave me a good character. I then told here that I would go after another place in the morning, but I went and laid informations against the prisoner. I came back and slept there again all night, and on the Wednesday the prisoner was taken into custody.

... Ellen Connelly, a wild-looking half-dressed woman, with a blue cloak hanging from her head loosely over ther shoulder, and with a large glibhe, or roll of hair on her forehead, was then examined. She deposed in Irish as follows...

Couple were married by a priest. Wife started speaking English.

Jury found him not guilty but jury did not know about wedding.

1826

Belfast Newsletter 17 February 1826 page 4 A Kerry Witness

A few years since, at the Kerry Assizes, a hedge schoolmaster mounted the table as a witness. He could not speak English; Irish and Latin were the only languages with which he was acquainted. The lawyers, most of whom were ignorant of the one, and had forgotten the other, hesitated about the mode of examination. At length, **Counsellor O'Connell, ever willing to distinguish himself, stepped forward, and expressed his readiness to interrogate the witness. "Quis es tu?" said the Counsellor, looking bigger than ever. "Ego sum quod eret avus tuus, pauper pedagogous et tu es quo erat avus mesus, dives stultus"** replied the school-master. **"I am what you grand-father was, a poor**

pedagogue – and you are what my grand-father was, a rich fool.” “You may go down” said O’Connell in Irish, to witness; having thus proved, to the entire satisfaction of the court, his superior knowledge of languages!

Dublin Evening Post 23 March 1826 page 3

Omagh [Tyrone] Assizes Crown prosecution – March 17

The prisoners were indicted for the murder of Francis McCullagh, at Bannyfagher, in the Co Tyrone, on the night of 6 Nov 1825 and tried before the Hon Mr Justice Jebb.

Evidence on the part of the prosecution

Alicia McCullagh examined by Mr R Johnson – **Witness could not speak English, and was examined by one of the Turnkeys of the Gaol, as an interpreter.....**[widow of deceased]

The jury, after two hours deliberation, found the prisoners Peter and James Devlin and Owen Clarke guilty and found Henry Devlin and James Clarke not guilty. prisoners sentenced to be hanged on Monday next, the 20th inst.

Cork Constitution 8 April 1826 page 3 Letter to editor from ‘Election’

Now Sir, it is hardly possible that an Irish Member representing a large city in Ireland, and too for the fourth or fifth time should be so grossly ignorant of his own country, as not to know that there are many thousands more of the county of Cork population who cannot speak a word of English – he might learn it in the very Courts of Assizes in Cork, where an Irish **interpreter** is in hourly demand, and he might learn it still better from the Justices of Peace at Petty Sessions – or from the Assistant Barrister of the General Sessions. Of the others, the number of those who can read or write bears no sort of proportion to those who can do neither and for this general ignorance he accounts very satisfactorily to himself at least, by throwing the blame on old penal laws to retard the progress of knowledge, nearly the same ignorance should be found as that which degrades and debases Ireland?

Belfast Newsletter 27 June 1826 ‘County of Armagh Election’ 4.

Court-house, Thursday

This morning presented a very busy scene. Within the Court-House, the host of Attorneys engaged by the candidates with their clerks and deputy-clerks, &c, were thronging with the preliminary arrangements for the poll; while, from every road leading into the city, conveyances of every description continued arriving laden with freeholders.

Between ten and eleven o’clock a procession headed by Sir Capel Molyneux, consisting of upwards of 100 of his respectable tenantry, all mounted, rode up to Colonel Caulfield’s tally-rooms. The welkin rung with the cheers of the crowd. In Sir Capel’s carriage was Mrs Caulfield, who repeatedly acknowledged the hearty cheers of the tenantry by waving her scarf. Mr Brownlow entered the throng, followed by a vast number of cheering adherents, and entered the carriage, amid the most tremendous shouts of applause.

Sir C. Molyneux briefly but energetically addressed the freeholders. “We have been too long divided (said the worthy Baronet) let us now be unanimous, firm and decided, and we will soon be a great nation,” at the same time bowing towards Mr Brownlow. The carriage afterwards went around the town followed by the numerous tenantry and a vast throng of spectators. Several long lines of voters proceeded to Mr Brownlow’s tally-rooms, each with a green leaf in his hat, and many with strong shillelaghs in their fists, which they flourished round their heads at every hearty cheer.

Col Verner now appeared in the centre of an open landau, drawn by four horses, surrounded by hundreds apparently ardent in his interest. His commanding figure, untied to his warlike medal and animated air, seemed to excite interest and respect even in his antagonists. He addressed the crowd opposite his committee-rooms, cautioning them not to believe insidious reports of it being his intention to resign the contest. “Boys (said the gallant Colonel) the result depends entirely upon yourselves – I’ll remain by you while I find one of you remaining by me”. The carriage and procession then traversed the city, amid deafening shouts.

At a quarter after twelve the High Sheriff entered the county Court, accompanied by Counsellor Mayne, his Assessor, Counsellors Gilmore, Scriven, Craig, &c. when the various oaths were administered to the Sheriff, Magistrates, Clerks, Deputy-Clerks, Interpreter, &c. The Civil Court and part of the Crown Court had been railed off into booths for the several baronies, each barony having its official and private agents for correctly taking the poll, and about three o'clock the poll commenced. Objections (which at first were numerous), to the registries and proceedings in the baronial booths, were immediately taken before the Sheriff and his Assessor, and determined, in presence of the candidates' Counsel. In the course of the day, James Ynyr Burgess, Esq., was proposed as a fourth candidate by Captain Turner.

The poll proceeded very slowly, and remained open until half-past six, when the numbers were declared to be

Mr Caulfield 151

Mr Brownlow 141

Mr Verner 85

Mr Burgess 8

At the conclusion of the proceedings the several candidates addressed the freeholders, returning thanks and each expressing the utmost confidence as to the result.

The city up to the close of the poll, remained remarkably quiet, the various partisans cheering with natural good humour; but towards dusk a riot, which threatened to be serious, commenced in Dobbins-street; it was speedily suppressed by the very efficient body of horse and foot constabulary, which patrol night and day to preserve the peace of the city.

Almost every tavern and pot-house is engaged to entertain the friends of the several candidates – Colonel Caulfield's friends here" and "Mr Brownlow's friends here!" "Colonel Verner's friends here" – meet the eye, in placards, at every turning. A car to bring up four voters has a guinea a trip. The daily expenses to each candidate must be very great.

Friday, June 23

Col. Verner continues to use every personal exertion to add to the number of his friends. Although his tally-rooms are at an inconvenient distance from the poll-booths, yet by his remarkable activity he goes near to realize the Irish Senator's notion of the capabilities of a bird, of "being in two places at once". He is to be seen at one instant on the hustings listening to the objections of a disputed registry – anon he is looking over the railing of a baronial booth, spurring his voters to come forward before the ten minutes allowed for bringing up a tally are expired – and *citius dicto* he is in his committee-rooms at a considerable distance, begging his voters to hasten their tallies and cease their shouting. – Shouting, lads (says the gallant Colonel) cannot put me into Parliament – your votes will – come on, then – now or never." He this day repeatedly harangued his adherents, and was most unsparing in the friendly offer of his hand to the forty-shilling boys. At an early period of the day he seemed to be the popular candidate – if such a fact could be estimated from the loud and continuous shouts of "Verner for ever."

Mr Brownlow appears to be more indebted to the increasing active energies of his friends, in managing the details of electioneering, than to his own exertions. We would imagine him to be chiefly useful in counseling – he also displays remarkable coolness occasionally; - although, in crossing from the booths to the Committee-rooms, he may unluckily find himself in a crowd of foes, where sticks and stones seem the *ultima ratio*, he manages the mob with great dexterity – boldly turns his open and manly countenance towards his assailants, says something good-humouredly, and thereby considerably blunts the keen edge of a rancorous and determined hostility. – He, this day, addressed his friends, expressing his most sanguine expectation that the result of the election would be favourable to their common cause. Towards the evening his party seemed to have the ascendancy, and nothing could be heard but "Brownlow for ever!"

Colonel Verner's voters came up very spiritedly at the commencement of the poll this morning, which gave rise to a rumour that he was ahead of Mr Brownlow; but the result by its amount showed contrarily, and even astonished the friends of the latter gentleman. His voters seem to

manage the matter with less noise and more determination and concert than the friends of Col. Verner. Very little rioting occurred to-day, which must be attributed to the very excellent municipal arrangements of the civil authorities, and the great activity....

It is now perfectly plain that Mr Brownlow has Lord Charlemont's interest. Although Mrs Caulfeild said yesterday from the carriage, "we do not want any man to give a vote contrary to his conscience" – **yet the agents seem to take especial care that no man's conscience shall prevent him from voting for Mr Brownlow.** Many assert that this fact decides the issue of the contest.

The squibs thrown out have been numerous; but generally of a feeble description – doggrel (sic) verse, and ungrammatical abusive prose. Placards have been stuck up with "Waterloo hero" – "Protestant interest" – "Now or never". A printed paper was distributed, headed "respectability", containing a list of the gentlemen of the county who attended Col Verner at the hustings on the first day, and concluding with "Qv Who attended Mr Brownlow?" – It was immediately answered by a penciled caricature representing a ragged peasant with his hand groping in his bosom, and shouting "Vermin for ever" – inscribed "respectability" – one of Colonel V—'s Voters".

The result of this day's poll is as follows :-

Caulfeild 484

Brownlow 450

Verner 299

Burgess 114

The friends of Col Verner assert, that their candidate will have a majority on Tuesday evening, as they will by that time have been able to bring up a great body of their voters to the hustings. The Colonel still expressed his determination to poll to the last hour.

Saturday, June 24

The poll commenced this morning, at 11 o'clock – Col. Verner entered the town at the head of a large body of the Richhill tenantry, so numerous, indeed, that every spectator imagined he would be second on the poll this day.

About half-past twelve, a crowd left the vicinity of Mr Brownlow's tally-rooms, and marched, in a very threatening manner, towards Mr Verner's committee rooms, in English-street. When within a few yards of the rooms, they halted on perceiving a powerful muster of the true blues; each party eyed the other with a most deadly scowl, and rushed to the attack with sticks, stones, horse-whips &c., when a scene of the most warlike description was presented – several accidents were the consequence – two men with fractured skulls were carried to the hospital, where they are said to be in a very precarious condition. The green party gave way, and were pursued to Mr Brownlow's tally-rooms, and driving out every voter they could meet – some had to escape over walls, from their height, almost unscaleable. Mr Little, the Attorney, it is said, received a severe fracture on the knee. A party of the 72^d regiment, assisted by the police, soon succeeded in restoring order.

The number polled this day were: -

Caulfeild 635 (day's poll) 1453 (gross poll)

Brownlow 573 1305

Verner 43- 940

Burgess 187 384

At the conclusion of the poll, Col Verner addressed the electors, in a style quite military, assuring them that at present he was only skirmishing a little to induce the opposite party to come out; but on Monday, and following days, he would bring up his heavy artillery, and sweep the enemy off the field.

Mr Brownlow also addressed the electors. "If (said he) any of the gallant Colonel's friends are present, I have but melancholy news for them: - I have obtained a vote for every day in the year more than their candidate has brought up; and I can assure him and them that it will require all the days of their lives to bring me down from the proud station I now occupy, I will only require the steady aid of my friends for a few days longer to make "the enemy" despair of ever occupying this field"

The several candidates were loudly cheered; - and all remained quiet at the hour of post (six o'clock). - *Commercial Chronicle*.

Cork Constitution 10 October 1826 city sessions court

Patrick McCarthy, a young fellow with a County Limerick accent, was put to the bar, charged with picking the pocket of a miserable poor countryman, named Patrick McCarthy (sic). **The prosecutor who could not speak English through the means of an interpreter** deposed that he, in company with two of his brothers, from Timoleague, was purchasing a pair of shoes on the coal-quay, and on Saturday last – they had their spades with them to try and get employment – and while they were bargaining with a woman the prosecutor caught the prisoner's hand in his pocket, and the little purse in which he had 3s 5d to pay for the shoes was taken.....

Acquitted but sent to East India Recruiting Service in charge of a peace officer – scampered off!

A collection was made for the poor countryman

1827

Finns Leinster Journal 21 March 1827 'Ennis Assizes', 2.

John, Thomas, and Michael Downes, were tried for the murder of Timothy Angling. It proved, however, to be a manslaughter. One of the witnesses, who could not speak English, was examined through an **interpreter**. The question was, whether the witness belonged to the party of the Downes, or the party of the Anglings, and the interpreter, in putting the question in Irish, omitted to give any Irish word for party, but repeated the English word itself, which did not escape the notice of the Learned Judge.

Mr Justice Torrens – Interpreter, have you no Irish word for party?

Interpreter – No, my Lord, there is none in the language.

Mr Justice Torrens – That is very extraordinary indeed. (A laugh).

Counsellor O'Gorman – Neither, my Lord, is there any Irish for the English word ingratitude. (A laugh).

The prisoners were convicted of manslaughter, and sentenced to transportation for seven years.

Freemans Journal 29 March 1827, 'Circuit Intelligence', 4.

Mary Rowlett, wife of last witness, not knowing English, an **interpreter** was sworn.

1828

Finns Leinster Journal 29 March 1828 'Kilkenny Assizes', 4.

Lawrence Connolly, an Irish witness, **Richard O'Donnell interpreter**, examined by Mr Sheil.

Dublin Morning Register 31 March 1828 page 4 circuit intelligence

Kilkenny Assizes Noble case – important to sheriffs Harvey Pratt Esq plaintiff, William Humphries Esq defendant this was an action of deceit, tried on Tuesday last before Judge Moore and a special jury, to recover from defendant the amount of the verdict and costs against said plaintiff by a jury on an enquiry....

Lawrence Connolly sworn – (an **Irish interpreter** was obliged to be procured for this witness) – is married to J Powers sister; recollects the time when he took Strang's farm; it was in April 1826; witness made him a present of two heifers, and sold one cow; since that time the cattle received; saw Power by two cows at Waterford after he took the land.

Freeman's Journal 15 August 1828 'Circuit Intelligence' 4.

Tralee Assizes

James Connor was indicted for a felonious assault upon the person of Biddy Regan, in February last. For the defence the following witnesses were called –

Anne Carmody, a handsome, pert, young girl, said, she could not speak English, and wished to be examined in Irish.

The prosecutrix here exclaimed – Oh! My Lord, she can speak English as well as I can; don't mind her – she is telling a big lie.

Judge – Indeed; if she does, that is fluent enough.

The witness during this time had her head enveloped in the hood of a large cloak, and her countenance was barely visible.

Judge – Come, young woman, pull off that wig (a laugh) of yours and let us see your face.

(The witness having removed her hood) – Hah, 'pon my word, I wonder the prisoner had not better taste.

The witness, having persisted in saying she was not a good hand at English, was examined through an interpreter.

1829

Dublin Evening Post 23 April 1829 page 4

Cork ASSIZES— April 8. Jeremiah Murphy was indicted for capital assault upon the person of Margaret Corcoran the 20th of September last. Margaret Corcoran, a healthy, ruddy-faced, good-humoured looking girl, appeared on the table. Her head was modestly enveloped in the hood of her cloak. The Attorney who conducted the prosecution—Margaret, you must uncover your head and show your face to the Jury. I know you need not be ashamed of it. dumb—appeared not to understand what was said. Judge— Perhaps she does not speak English. **Call interpreter. Interpreter (in Irish)** —Do you speak English?—Margaret—No. Judge—Ask her if she did not speak English to the Grand Jury. Margaret (in Irish)— She did, but badly. She could speak a little English, but she could not tell story in it. **Interpreter—My Lord, I have heard her speak English well.** Judge— This will go to her credit with the Jury, if she refuses to speak English. Ask her, on her oath, if she can tell her name in English. She gave her name in English at once. Judge— Ask her, on her oath, tell, in English, where she lives. Margaret (in English)—In Blarney-lane. Judge —Live in Blarney-lane, and not speak English. Impossible. I find the informations were read to her in English also.— She must speak English. Margaret was then examined in English, and was found to speak it as fluently as any person in Court—Lived Blarney-lane—remembers the 20th of September last—it was the Saturday before Christmas—had occasion to go into town to buy some things, and ah# to carry their suppers her three brothers, who worked at Mr. Wisers distillery—it was dark—it was after night fall—after quitting the distillery, was on her way home—knew the prisoner met him that night the city gaol—that was my way home—he lived next door to me but one Blarney-lane—there was quarry near the road Blarney-lam—he saluted me, and I the same—we walked little way together then. What did do then? broke in upon my character.— (laughter.) Look round, Margaret, and point to him. Taking the wand in her hand, she laid it gently on his head, and smiled. Would you be glad to marry him? On oath I would not; he proposed marry me, and I refused. Well, Margaret, come now, tell us what he did? I cannot tell it in English. But you must.—Well then if I must, I must; he caught hold of me, and drew out knife, saying he would have my life if I resisted. then had his will me. No home was near—I screeched, aad he said would have life if I screeched ; also took half-a-crown out pocket. Judge —For the sake of decency, is better not to examine her more particularly till is seen what case this may turn out on the cross-examination, for further direct examination may be rendered unnecessary. [...]. Verdict—Not guilty.

Freeman's Journal 20 June 1829 Untitled, 3.

Clare Registries Kilrush

The barrister entered the court this morning at a very early hour – nine o'clock.

Thomas Crowe was the last person called. His lease was dated June 1826; had the house and land in his possession; he built a new house which cost him 20/- and he drained and manured the land; he would not now give it for 40s an acre to a man taking a lease of it.

Cross-examined by Mr Greene – Witness had no English.

Barrister – Mr Greene, will you take down the witness's answer? I must find out the meaning of all this.

Mr Cullinane was then sworn by the court as an Irish interpreter.

The following examination took place: -

Ask him his name? Thomas Crowe.

How many acres has he? To the best of his opinion he has 12 acres.

Freeman's Journal 23 June 1829 page 2 Clare Registries Kilrush

[In 1829, the Catholic Relief Bill was passed, stripping 40 shilling freeholders of their right to vote. Eligible freeholders were then required to give notice of their intention to register, by a given deadline. Only freeholders had the right to vote. Minimum of £10 freehold].

The last man, Cunnedy, upon coming on the table, said he could not speak English. In the course of his examination it appeared he could do so, and the barrister ordered him to be committed for 14 days, for prevarication.

Matthew Coghlan next claimed his freehold. He was asked by Mr Cullinane, upon coming on the table, whether he could speak English? He said he could not, except a word here and there. After proving his qualification, Mr M Greene said he could prove, by the evidence of Rev Mr Martin, the rector of Kilmurry, that Matthew Coghlan, the man who had been on the table, could speak English.

Barrister- If you can do so, I will not allow him to register, and I will commit him for fourteen days.

The Rev Mr Martin, the Protestant clergyman alluded to, was then sworn. He had been for the last two days sitting beside Mr Michael Greene, and appeared to be giving that gentleman information as every case was called on; at the same time, that he was carefully comparing the amount of tithe paid on land possessed by each claimant, with that which was in the return of the tithe composition.

The following examination of this clergyman then took place: -

Mr M Greene – Had you any conversations in English with the last witness, Matthew Coghlan? I had several. Coghlan always paid me my tithe, and when he did so, he always spoke in English to me.

Barrister – Can he converse in English?

Rev Mr Martin – I think he can. I am very certain he can.

Barrister – About what length of time did he hold conversation with you?

Rev Mr Martin – For five minutes.

Barrister – Has he often done so?

Rev Mr Martin – He often did so.

Barrister – The very first answer he gave was, that he could not speak English' I most certainly will not allow that man to register.

Rev Mr Martin was cross-examined by Mr O'Gorman. – Do you, Mr Martin, recollect ever having a conversation with Coghlan, on any subject but that of tithes?

Rev Mr Martin – I do.

Mr O'Gorman – Can you now tell me on what subject it was?

Rev Mr Martin – No, I do not know what it was about, but the conversation was in English.

Mr O'Gorman – For what time was he speaking to you?

Rev Mr Martin – For three minutes.

Mr O'Gorman – it is of importance in this investigation to know, what these conversations were about; perhaps you may recollect any one subject on which he conversed in English with you. Can you tell, on what he was speaking to you?

Rev Mr Martin – I cannot; these conversations made no impression on my mind at the time.

Mr O’Gorman – Was there one of them that was not about tithes?

Rev Mr Martin – I recollect that one which lasted for three minutes, was not about tithes.

Barrister- This man certainly should be committed.

Mr Cullinane – Now, I will produce to your worship not only the poor man’s parish priest, but many of his neighbours who are ready to swear that Coghlan cannot speak English.

Mr Cullinane – I now ask Mr Martin, if he can tell in the three minutes conversation he had with this man, how much of the time was occupied by his own observations.

Rev Mr Martin – I cannot tell that.

Mr Cullinane- I also ask Mr Martin if he will take upon himself to say that in any one of the conversations that he has had with Coghlan, there was one of them in which Coghlan attempted a sentence in English, that he was not obliged to finish in Irish?

Rev Mr Martin – I cannot say that there was.

Mr Cullinane – This was a point of the utmost importance, and it is one which Mr Martin should have had the candour to disclose on his direct examination. The reverend gentleman should have recollected that he was sworn to tell the truth, the whole truth, and nothing but the truth.

Barrister – I will not allow either side to throw out imputations of this kind.

Mr Cullinane was about putting the Catholic clergyman the Rev Mr Sheehy on the table, when the Barrister said he [was] satisfied the man could not speak English. The conversation was here dropped, and poor Coghlan was not only preserved from prison, but allowed to register his freehold.

Limerick Evening Post 31 July 1829 page 2 Quarter sessions

Mr Cruise on Monday evening, finished the Bruff Sessions (Limerick). We are extremely happy to give the meed of our praise to the excellent and judicious arrangement of the learned Gentleman. He seems to have excelled in earning for himself the good wishes of all classes. Bland and urbane to the suitors yet administering justice with an even hand, it might be said of him that he gives equal satisfaction both to plaintiff and defendant.

Mr Cruise’s Crier, by his general good conduct, has also given the utmost satisfaction both in his capacity of Crier and that of Interpreter.

Bruff sessions – convictions for riots and assaults. (Bruff quarter sessions?) Yes, seems to be quarter sessions

Drogheda Journal or Meath & Louth Advertiser County of Louth Assizes (from the Newry Telegraph) 5 August 1829

Owen Byrne was indicted for assaulting and robbing Owen Hamill, on the King’s highway, of a purse and £9 in bank-notes, near Dundalk, in December last.

Hamill, the prosecutor, was called, and shortly after made his appearance on the table; he had but one eye, and that one apparently not a piercer. He disavowed having any knowledge of the English language. After many sly interrogatories having been directed to him by the Bar, to all of which he lent a deaf ear, he was at length examined by Mr Staples KC through the medium of an interpreter. He deposed that he sold oats in December last to Mr John Getty of Dundalk; got £10 1s 4d for the oats; left town at night; had £9 with him when he left town; went home by Rossamore road; three men came up to him; knew one of them; the prisoner at the bar laid a pistol to his breast, and took the purse out of his side coat-pocket; there were £9 in the purse; after taking the money out of the purse he threw it at witness; prisoner desired him to deliver up when he presented the pistol at him; witness stopped at Myers’s public house on his way home; saw the prisoner there; is not sure which left the house first; swore examinations the day after he was robbed.

Cross-examined by Mr Mayne – **Cannot speak English; knows Sergeant Armstrong; spoke a few words to Armstrong in English;**

Thomas Armstrong cross-examined by Mr Mayne – Had a conversation with Hamill in English; witness talks no Irish; perfectly understood all that Hamill said to him. jury retired and a bailiff was sworn to keep them in charge.

Freeman's Journal 6 August 1829 'Assizes Intelligence', 4.

Ennis Assizes

Thomas Moriarty, charged with the murder of Anthony Talty, at Clareen Bridge, near Ennis, on the 5th of April 1828, pleaded not guilty. This being the third postponement of the case the trial should, of course, be proceeded with.

Timothy Lynch, for the prosecution, sworn. – He did not speak English, but was examined through an **interpreter....**

John Crowe, examined by Counsellor Plunkett, for the crown. **This witness was also examined in Irish.**

Southern Reporter and Cork Commercial Chronicle 8 August 1829 Ennis Assizes

Wm Ferguson, Police Constable, stood charged with willful murder, committed on the body of Daniel Nealan, on the morning of the 29th of June last, at Miltown Malbay.

Michael Loyd, **examined (thro' an interpreter)** – Heard and saw a shot, and knew well who fired it....

Freeman's Journal 14 August 1829 'County Waterford Assizes', 4.

Daniel Riordan sworn – (This witness is a dwarf of the most extraordinary appearance, aged about 50, about three feet four inches high, with a large head, but like that of an ordinary man; his body was long in proportion, but his legs, arms, hands, and feet, were like those of a child of five years of age. He spoke the Irish only, and very fluently, and did not appear at all deficient in intellect). **(Through an interpreter)** I was at Lismore.....

Cork Constitution 27 August 1829 Cork Assizes county criminal court

Daniel Ryan was charged with stealing sheep from Denis Ryan, **who on being sworn refused to speak English. His Lordship ordered him into the dock,** and a verdict of not guilty was returned by the jury.

Freeman's Journal 29 October 1829 Special Commission – Cork [Doneraile Conspiracy case]

Mr O'Connell – You are a great fellow at recollection; you are a perfect *non mi ricordo*.[.....]

Thomas Murphy, an Irish witness, examined by Mr Greene, KC, I remember the Mallow fair day, where and when I saw James Mcgrath, his brother James Roche, and Pat Lynch (the witness here identified the prisoner Lynch). Having got into their company we went into a public house, where we had a pint of whiskey. We had not been there long when an oath was administered to me, binding me not to divulge what I should hear, and I took the oath accordingly; upon which they told me that Mr Low, who was then in the fair, would soon leave it, and that they would be before him in Mr Glover's shrubbery – their object being money and arms – where they would shoot him; they soon after left the public house, and I don't know what became of them afterwards, particularly Lynch and Magrath; the latter had a pistol about him at the time; what I should have stated awhile ago was, that they professed to want money and life, not money and arms.

Mr O'Connell – Upon your oath can you speak English? A little, sir.

Mr O'Connell – Did you not swear you could not speak English? I don't know, sir.

How long have you been at school – one year, two, three, five years? I don't know.

Mr O'Connell – Have you ever been at school? – Oh, yes.

Mr O'Connell – What did you learn there? My ABC (loud laughter)

Mr O'Connell – Were you ever a whiteboy? Never until the day I was sworn at Mallow.

1830

Waterford Chronicle 20 March 1830 page 3 Waterford Spring Assizes County Court appeals from quarter sessions

Court – How long is the man in possession of the ground?

Counsellor Ronayne – My Lord, the man is 40 years in possession of the lands.

Mr Dennehy produced the original lease granted by the late Lord Grandison to Piers George Barron and Roger Dalton.

Court – Let the man be sworn.

James McGrath sworn through an interpreter.

Court – Who will you vote for at the next election, if we give you your vote? A laugh.

Identified the lease as the one he received from Piers George Barron; held forty acres of the land of Coolore, on the mountain at Slievegrine; himself and his father were thirty-six years in possession of the lands; it was well worth £10 a year, clear of rent and taxes, and they had *thirty* cows on the land; his father had a lease of the ground for thirty-one years; could not speak English.

Court – tell him he will not be allowed to vote at the next election if he do not speak English. A laugh.

He knew the 300 acres leased by Lord Grandfern to Piers George Barron and Roger Dalton; his forty acres were part of these lands; was quite sure they were; grew neither oats nor potatoes on the lands – let them out for pasture; would not sell his interest in the lease for £100.

Court – I can see no objection against this man – let him be registered.

Southern Reporter and Cork Commercial Courier 27 March 1830 County Criminal court (Baron Pennefather) capital conviction – murder

Jeremiah McCarthy was given in charge, for that he, on the 31st January, at Inniskeane, in this County, did feloniously kill and murder Honora Hennessy.

Johanna Hennessy, a young girl, was produced, and on being asked by the court respecting the nature of an oath, and of the existence of another world, she appeared. However, on the questions being put to her in Irish by the interpreter, she showed a sufficient knowledge of the subject to induce the court to direct her to be sworn. She deposed that her mother was murdered seven weeks last Sunday. On the evening of the murder, her sister went out for a short time, leaving only her mother and herself, together with more He, wholly and John Canty, who went out shortly after; they had been gone only a few minutes, when the prisoner came, and asked for her brother, was not then there; she recollected seeing the prisoner on that day before; he had been looking for him three weeks previously; her mother asked him, on his entering the house, if he now resided at his aunts? And he said of it on he had Hurley into in his hand with which he instantly struck witness in the cheek, and knocked her down, she cannot tell if he repeated the blow, as she was stunned; when she came to her senses she perceived her mother lying dead on the ground, covered with blood, and the house full of people; when the prisoner entered the house, it was a little after night fall; her poor mother had a splinter lighting in your hand; she knew her mother to have had money in our pockets.

The Pilot 5 April 1830, Clonmel Assizes murder Tipperary landlords and tenants

Felix Deary, Denis Leary and Martin Ahern were put to the bar, charged with the wilful murder of John Cantwell, at least the Doppler, in the month of January last at the trial excited deep interest.

... John Ryan, police man – I was with the deceased in the hospital of Carrick on Suir a day or two previous to his death; and Dr Fitzgerald, Mr Pearce, and **one of my comrades were present; and interpreted truly and fairly;** I asked the deceased if he was dying? He replied in the affirmative; I then questioned him as to his hopes of recovery; he said he had no hopes whatever of surviving; his informations was then reduced into writing by Dr Fitzgerald, to which the deceased's Mark was affixed.

Southern Reporter 5 April 1830 [Same case and date as The Pilot above] Clonmel Assizes

Dr Fitzgerald – I took down the affirmations of Cantwell; I reduced them to writing truly, after which I read them over to him, sentence by sentence – his mark was then affixed to them; the deceased did not speak English, in consequence of which **I ordered a policeman to attend as an interpreter and lest there might be any difficulty in the matter, I caused a second interpreter to be in attendance.**

Southern Reporter and Cork Commercial Courier 24 August 1830 Cork City grand jury

All the other Presentments were fiatd with the exception of one appointing Mr James Wherland interpreter of the Irish language. It having been stated that Mr Wherland did not understand the language, and intended to perform the duty by Deputy, Baron Foster refused to fiat it, but observed that the Grand Jury may appoint a competent person at the commencement of the next assizes.

1831

Londonderry Sentinel 6 August 1831 page 2 Tyrone Assizes – Omagh

Peter Drugan was put forward, for an assault and robbery on the person of James McNamee, near Pomroy on 24th March last.

Kitty McNamee, **through a sworn interpreter, (not being able to speak English)**, fully corroborated her husband, and the Jury immediately found the prisoner guilty. Sentence of death recorded.

Mayo Constitution 8 August 1831 page 2

James O’Hara was indicted for appearing armed by night, and for wearing a certain badge, to wit, a white scarf, around his neck

Lawrence O’Hara, **an Irish witness**, father to the prisoner, deposed that his son got married in Spring, and afterwards separated from his wife....

James Commy, **an Irish witness** – lives near the prisoner’s house [Mr Ellis said three of the police would prove that this man could speak very good English] Witness denied this – the people came to his house last nigh....

Patrick quin was indicted for breaking into the dwelling house of Edward Fergus, and robbing him of money and wearing apparel....

Catherine Nelson (this witness refused to speak English, but the Governor of the gaol and others stated that she could speak it very well) Is servant maid to last witness.

Court – Oh, you speak beautiful English, and it is much prettier than Irish.

Mayo Constitution 8 August 1831 page 1 Crown Court

Mary Kelly was indicted for receiving a base half crown, and also uttering same, knowing it to be base

Thomas Browne – know the prisoner at the bar – saw her in Castlebar, on the 11th May last; never saw her before; she came into witness’s house that day, and called for some bread and beer.

[The court enquired if the prisoner knew what was swearing against her? She replied she had no English. **The interpreter was desired to repeat the answers to her**]. The prisoner gave witness a half crown, which he said was bad.

Guilty

Cork Constitution 9 August 1831 County Criminal Court Charge of murder of a wife Thomas Brien, a man of ill-favoured appearance, was indicted for the murder of his wife Honora Brien, on the 23rd April, near Castletownroche. The evidence for the Crown commenced with stating that the deceased was found on the above day on Glencoura bridge, near Glanworth, dreadfully mangled, with her

cloak covering her, and that just at the same time a car with two persons in it was seen driving at a furious rate in the direction of Glanworth....

For the Defence – Stephen O’Neil was called, **who pretended he could not speak English, and was examined through an interpreter, but who before his examination was over, replied to the questions put to him in English with much fluency and clearness.....**

Verdict of not guilty

Mayo Constitution 22 August 1831 page 3 Castlebar petit sessions

Magistrates present - Sir Samuel O’Malley Bart and George Knox ESq

The next was Owen Cunningham against his brother, James, which Mr Kelly observed was also a case of “craws and cross-craws” (Loud laughter)

It appeared that the two brothers had a dispute about a ditch, and that they struck one another. The case was dismissed by the Magistrates, who stated that they would not encourage the people to bring forward such trifling quarrels by entertaining the case.

The Interpreter also expressed a good deal of honest indignation at the stupidity of the parties.

1832

Clare Journal 1 March 1832

Peter Macken was indicted for the murder of Pat Molony (one of five policemen killed) at Kilmore

The witness requested to be examined in Irish, as he would tell his story better. He spoke so low that Mr Bennett agreed to have him sworn in Irish. Mr Gibson thought it would be difficult for to cross-examine him in Irish. He suggested that if the witness was put into the dock for a few minutes, he would speak loud. He said he saw it done with success. Judge Moore did not think any Judge had a right to do so. Examination continued Prisoner acquitted.

Limerick evening post 2 March 1832 Ennis Assizes atrocious and premeditated murder of Applevale on the night of the 21 January 1831

for the defence of the prisoners an alibi was attempted by five witnesses.... Some of them **professed not to understand English, in order to evade the direct and pertinent questions put on cross-examination; and they were examined in Irish through an interpreter.**

Judge Moore recapitulated all the evidence to the jury in a very clear and impartial charge, after which they withdrew the 10 min, and then return to court with a verdict of guilty against all the prisoners.

Sligo Journal 2 March 1832 Ennis Assizes – Feb 29

Murder of Mr Blood – George Casey, Michael Casey, John Burke, and John Brody were arraigned for the murder of Mr Wm. Blood of Applevale, on the 21st of January, 1831.

... For the defence of the prisoners an alibi was attempted by five witnesses, Michael Kelliher, Michael McMahon, Bridget Quinlan, and Catherine Carroll, which proved a total failure. – **Some of them professed not to understand English; and were examined through an interpreter in the Irish language, in order to evade the direct and pertinent questions put on the cross examination.**

..death sentence

Kerry Evening Post 22 September 1832 page 3

Tralee Quarter Sessions – Sept 20

The King at the prosecution of Denis Leonard Esq, v Edward Stokes Esq and John Colman, Edward Stokes v Denis Leonard

This was, to use a technical phrase, a cause and cross-cause. Mr Leonard indicted Mr Stokes, and John Colman, for having, on the 12th of July last, violently assaulted him, so as to endanger his life,

and Mr Stokes indicted Mr Leonard, for having, on the 9th of July, struck him in the Petty Sessions Court at Ballylongford. [.....] [Ballylongford is a village near Listowel]

Mr O'Connell – Your worship, I am credibly informed there are a host of witnesses in court to disprove what the witness has sworn to, and I hope your worship will hear Mr Leonard's evidence before you attach criminality to him. – Mr Leonard sworn. The court begged Mr Leonard would give a detail off the whole proceeding.

[Mr Leonard] "Some time in the latter end of June or beginning of July, in the Petty Sessions of Ballylongford, I was concerned for a person who, it was alleged had stolen a shovel - the case I wanted to establish was that the shovel was taken in jest. For the prosecution an Irish witness was examined and a Policeman, named **Mannix, appointed Interpreter** – A question was put from the bench – Did the prisoner tell you he had taken the shovel? – The witness replied in detail, the substance of which was, as I could collect (and I profess to know a little Irish) that he, witness and the prisoner were working together in field near to that, from which the shovel was taken – on this the complainant who was the *fool* of the neighbourhood, came on top of the ditch, and once or twice looked around to see if he were observed & then hid the shovel, when he left the garden he took the shovel & hid it in another part for the purpose of vexing him; the answer as interpreted by the policeman was: "he acknowledges, your worship, that the prisoner told him he took the shovel" – upon hearing this, I thought it my duty, to object to the way the answer was interpreted – Mannix said he interpreted right - I still objected, when Mr Stokes got up and said the answer was properly interpreted. I begged their workships would again put the question and have the answer *verbum verbo*, it was then properly interpreted, and the case dismissed, upon my client paying the price of the shovel. Next day, having occasion to be in Ballylongford, Mannix came up to me, and asked why I misrepresented him to the Court, as having interpreted falsely, the day before, this I entered into explanation of, unwilling that any person, however humble, should think I would be capable of hurting his feelings, and pointed out the difference of effect, his version of the evidence and mine would have; not satisfied with this explanation, he said I had acted ungentlemanly and afterwards added "like a blackguard". I parted from him of course, annoyed at such an expression, and on the subsequent court day lodged a complaint with Mr Jacksonn CC Police, requesting he would have him severely reprimanded for his conduct. F Crosbie Esq was that day on the bench and said he would investigate it, a person was required by him to prove the interpretation was correct, and Mr Stokes offered to be sworn; he was so and deposed that in the first instance the interpretation was correct. I was then sworn and declared that the paper containing the complaint contained nothing but truth, the matter in issue then being whether Mannix interpreted correctly and verbatim in the first instance. I proposed to have him sworn, he was so, and deposed that he did not give it *verbum verbo* in the first instance, but did afterwards – and would never speak so to me in the street, but was told I misrepresented him, while he was out of Court, as having interpreted falsely, the which, your Worship, I solemnly swear I never did – I then put it to him who told him this: and upon his refusal and my pressing Mr Stokes, declared he was speaking to Mannix on the business – I then quietly asked Mr Stokes, and the Bench, whether such conduct, to say the least of it, was not wrong, how he could interfere with me in my execution of my duty in the Court. – while so appealing, he suddenly put his hand to his mouth, and said to me "you lie" irritated extremely at this insult I struck him on the face.

Mr Leonard ended up shaking hands with Mr Stokes

Mayo Constitution 11 October 1832 page 3 Mayo Assizes crown court

Luke Gibbons was indicted for assaulting the house of John Corcoran – for appearing at night, armed and for assaulting MI and John Corcoran...

Michael Corcoran, **who gave his testimony through the interpreter.....**

Leinster Express 20 October 1832 page 4 Logic

At the assizes for our county, just terminated, an Irish witness was presented for examination; but the opposite counsel being disinclined to this mode of giving evidence, asked the interpreter, whether the witness could speak English; the interpreter assured the gentleman that he could. – The witness however persisted in saying he could not, and Baron Pennefeather demanded of the interpreter, why he considered the witness could speak English; he replied, because, my Lord, he has a very *expressive* countenance. – Limerick Herald.

1833

Mayo Constitution 7 March 1833 page 3 Castlebar petit sessions assault and robbery

Magistrates present – Sir Samuel O'Malley, Theobald Bourke, Edward Deane, Charles O'Malley, and Lewis O'Donel Esqrs

Anthony Gallagher a John McGreal, John Mitchell, and Pat Quinn

The parties were from Ballyhane, and the prosecutor, who was examined through the medium of the **interpreter**, stated that he was beaten, and robbed of 55 hanks of yarn, on the road from Ballinrobe by the defendants; he knew them for many years.

The witness was cross examined by Mr O'Donel, who said he would shew the Bench what a lad he was, and **Staunton, the interpreter**, being about to put him a question before Mr O'Donel had concluded it, he said "you are the stupidest interpreter in Ireland, and the most forward." (Great laughter).

Staunton – (with a profound bow) Thank you, sir.

Sir Charles O'Malley in the course of his examination asked was the prosecutor beaten or robbed when he was met by another man.

Staunton (very angrily) – No Sir – don't you hear what he says? (laughter)

Mr O'Donel – Why you are one of the worst interpreters in Europe. I don't think you are dishonest, but you are a bad interpreter.

Staunton – I am better than you.

Mr O'Donel – the fellow likes to hear himself make speeches.

Case sent for trial by jury

Waterford Chronicle 9 March 1833

John Hayes was indicted for feloniously aiding and assisting in the murder of Thomas Hayes, at Slievegrine, on 13 October last. This person was a very old man, and did not seem to feel much about his situation....

Sgt Glin examined by Mr O Dwyer – saw Thomas Hayes a day and a half before his death asked him about his health; he told witness that he thought he would die of the wound; took his words down in writing; read the document; also stated the names of those who attacked him; the wound was inflicted by one Edmund Walsh, who has absconded.

Cross examined by counsellor Walsh – the words in the document with the same as those expressed by the deceased; **deceased did not understand English well; nor did he understand Irish well;** brought the folder to the bedside of the deceased; ask the sun was he going to deliver his folder for the attack; deceased said if you were not his folder the attack would not take place....

The police man was again called in, and ordered to be examined in Irish – the **interpreter** questioned him. The judge suggested a question, but witness could not understand it. A jury man also questioned him, but it was in vain, he did not understand him.

Daniel Hagerty, police man was present when deceased spoke to sergeant Glynn; understands Irish; knew what Thomas Hayes said; he said that prisoner and his son were at the attack; that the son was the first that struck him; deceased also said he did not expect to live at different times; a man named Brennan took down the declaration; asked witness to look at the wound; witness told him that with the assistance of God he might live, but deceased said he would not; said there was

quarrelling outside the door; heard his wife scream, went to her assistance; he was struck by his brother, his children were crying; he ran towards the door; on turning back he was struck with a hick in the head; deceased said before he stated these facts, that he was certain he would not live.

Mayo Consitution 22 March 1833 Sligo Assizes

Murder of Mary Brenan

The **interpreter, Mr Owen Goldrick, was in constant requisition**, and seemed to have an arduous task to perform, being a good deal badgered on all sides.

Mayo Constitution 28 March 1833 page 1 Mayo Assizes Crown Court

James Mc Ginnis, William Muldooney, Patt Ginnelly Anthony Filbin were indicted for appearing armed one day. They were also indicted for administering an unlawful oath, and breaking into the dwelling house of Daniel O'Hara.....

Tuffy an Irish witness (**whose evidence was interpreted by Mr Deane, the magistrate** (from Castlebar petty sessions), as the interpreter of the court was not in attendance) stated that he lives in the same village with O'Hara, recollects the time his house was attacked....

Guilty

Edward Deane esq magistrate at Castlebar petty sessions

Kilkenny Journal 30 March 1833 page 2 Baron Smith's last charge

At assizes of Down – Baron Smith used list of Latin phrases

The learned Judge, should, in future, do one or two things when he makes his next charge. First, he should employ our worthy friend **Mr Anderson** as an interpreter between him and the grand jury – or he should take care to provide all the good men and true with a copy of a polyglot dictionary. The interpreter, however, would be the readiest, and our friend Mr John Anderson is the man.

Mayo Constitution 27 May 1833 Castlebar petty sessions husband hunting

Mary Murphy, a hulking round about country lass, who appeared to have passed her grand climacteric, came forward to complain of a capital assault committed upon her by a man named Edward Joyce.

The defendant did not appear, and the summons server stated that he told him he would not attend.

The aggrieved party was about to enter into a detail of the facts in very fluent Irish, when one of the magistrates desired the **interpreter** to ask her if she was not in the family way from Joyce, and she stated that she was.

Magistrate – The case is dismissed.

Interpreter – She says he won't marry her if ye don't give her a warrant (great laughter)

Magistrate: Turn her off the table.

Enniskillen Chronicle and Erne packet 8 August 1833. Donegal Assizes.

Daniel Doherty was indicted for having on 23rd January 1832, at Glenboure, riotously assembled with many others, and with flags and banners, in order, by threats and menaces, to compel Michael Doherty to reduce his rents.

As the Traverser was ignorant of the English language, Mr Mulherran, the interpreter, was directed to translate the indictment for him, piecemeal, as the clerk read it, into Irish; but as the inventors of that dialect had not made due provision for the pleonasm and tautologies of courts of law, Mr Mulherran felt no small difficulty in executing this task. Having repeatedly paused in the course of the process, as if at a great loss, the crown solicitor proposed that another interpreter should be obtained; on which Mr Mulherran assumed an air of offended dignity, and seemed as if about to throw up his commission; but on second thoughts, he resumed his office, and went through the translation with astonishing volubility.

The Traverser being called on to plead, made a long and apparently energetic defence in Irish, which the interpreter, with a becoming horror of circumlocution, translated into the two words 'not guilty.'

Mr Michael Doherty, the prosecutor, being sworn, **described, both in English and Irish**, the assemblage in question, the particulars of which have been so often before the public, and identified the Traverser as one of those who were present on the occasion.

The Traverser called two witnesses, who spoke to the peacefulness of his character, but admitted that they themselves stood charged with a rescue.

The jury, after deliberating fully two hours, returned a verdict of guilty. Months imprisonment and hard Labour.

Mayo Constitution 12 August 1833 page 3 Assault Castlebar petty sessions

Staunton the summons server submitted to the Bench that the summons had not been served by a person duly authorized, and therefore the case should not be heard. [also stupidest interpreter in Europe]

Southern Reporter and Cork Commercial Courier 17 August 1833 Cork Assizes

Catherine McCarthy was examined through **the Irish interpreter**. She said she had a right to remember the night....

Mayo Constitution 19 August 1833 Assault Westport petty sessions

Catherine Needham a Thomas Toole of Aughany

The complainant deposed that on Sunday last Thomas Toole who is her own brother, came behind her and pelted stones at her and called her all manner of bad names.

... The complainant when called on to give testimony **addressed the interpreter in Irish, saying she could not speak English.**

Chairman –Come, madam, you can speak English very well.

Witness – no Sir indeed I cant

Chairman – Is not that English you are speaking now.

Witness – I have no English, Sir, and if you let me speak Irish I won't tell one word of lies (laughter)

The witness then proceeded to explain how she was beaten last Sunday eight days by the accused (a week previous to the assault alleged against herself) the Magistrates considered it a got up affair to meet the other charges, and bound both parties to keep the peace to each other.

Southern Reporter and Cork Commerical Courier 22 August 1833 Cork County Criminal Court tithe trials

Richard Sheehy – This **witness gave his evidence through an interpreter.**

Mayo Constitution 26 August 1833 Westport petit sessions 22 Aug Assault

Anthony Hughes a Daniel Philbin and John Malley, Westport quay

Complainant stated that he resides 6 or 7 miles from Westport; he was coming into that town, when the accused parties followed him; one of them went before him, and another after him; when Malley came up he knocked witness down with a stone, and when he got up, Philbin knocked him down with another stone, and they followed him into Miley Gibson's house.

Gibbons deposed that the man ran into his house for protection; Philbin followed him in with a stick; witness took the stick from him, but he gave Hughes a fist in the face.

Tom Ready, an old fellow with a wig, to all appearances made of a fox's skin, was handed the book.

Ready (to the **interpreter**) - Wait a bit till I get my wages.

Interpreter – What wages?

Ready – Devil a word I'll speak, till I get the half crown in my fist (laughter). He was paid the half-crown. When the book was again handed to him the interpreter said he did not kiss it.

Ready – What do you want me to do? Do you want me to kiss the print out of it?

After a few hems and haws, he could prove nothing, and he was ordered off the table. Mr Chas Higgins said he was not worth the half crown he cost (great laughter).

The accused Philbin (for Malley was non est) declared that it was Hughes struck him and Malley first.

The magistrates said it was a very wanton outrage, and ordered Philbin to pay £1, and Malley 5s, or six weeks' imprisonment.

Southern Reporter 19 October 1833 Cork Corporation Enquiry

Does Mr Wherland hold any other office? ...Yes, he is a Conservator.

What is a conservator? A person appointed to prevent nuisances.

Is he not also a Parish Constable? I believe he is.

Is he not an Irish interpreter? I believe he was originally appointed to that situation, but he only fills it nominally.

Mr Meagher – He was appointed an Irish **interpreter** and was not displaced until it was discovered that he did not know a word of Irish. He knew no more of Irish than I do of high Dutch (a laugh).

Connaught Telegraph 20 November 1833 Castlebar Petit Sessions English v Irish

In John O'Donel v Pat Garvey, **complainant was ordered off the table because he would not speak English.** Cholera Jack declared to their worships upon his word and honesty, tht "he dealt in the English tongue. Heaven save Master Sincler, if he was her he could tell your workships the same thing." Altho' O'Donel swore he never spoke English, he was sent down and his case was not heard.

Cholera Jack – Now, my good fellow go home, and smoke your dhudeen.

1834

Cork Constitution 16 January 1834 page 4 Kilrush petty sessions Duck v Drubbing

Mary Reidy ascended blushing, and after asserting in tolerable English that she couldn't' "Spake at all, at all" was examined through the interpreter, and deposed, that Honor Loughlin had thought proper to make free with a duck of her's, and would give her no satisfaction on it, by any manner o' means, and that all she wanted was justice and the crathur of a bird.

Magistrate – well my good woman, you heard what the witness says, what have you to say?

Mayo Constitution 3 March 1834 Castlebar pettit sessions page 3 Fitzstephen a Hart and his Mother

This was a cause and cross cause. Fitzstephen swore he never spoke English, nor was he at school. He was then examined by an **interpreter**.

Clonmel herald 8 March 1834 page 4 Ennis Assizes

Murder of Michael Molony and of Wm Blood of Applevale

Mary Molony, the widow of the deceased, sworn and examined by Mr Woulfe, through an **interpreter** – Her husband was four years herdsman to Mr O'Donoghue....

Mayo Constitution 3 April 1834 Castlebar Petit Sessions Carney a Clyde, Conry and others

When Carney came on the table he could not speak English, and persisted in his refusal till the Bench threatened to dismiss his case. The Summons-Server then rebuked him, and informed the Magistrates that he had some days before instructed him to speak as well as he could; upon which Carney made his complaint....

Waterford Chronicle 31 May 1834 page 6 Dungarvan petty sessions

Our correspondent "Observer" gives vent to the public complaint against the Irish interpreter at the Dungarvan petty sessions, whom he characterises as stupid, ignorant, and incompetent to translate the language of an Irish witness. We trust the magistrates will attend to this notice, and remedy the evil. – Tipperary free press

Drogheda Journal or Meath & Louth Advertiser 15 July 1834 Assizes

Malicious attack on house of John Mc Cabe, two shots fired, John McCabe feloniously levelled to the ground

Mary Lamb sworn – Could not speak English.

Mr Joseph Filgate sworn as interpreter.

Southern Reporter and Cork Commercial Courier 19 July 1834 Ennis Assizes, Trial of Galvin, the murderer

Mary Lamb, mother of the prisoners of that name, was examined through an interpreter. She deposed that, on seeing her sons dragged out, she fainted, and knew or saw no more.

Sligo Journal 18 July 1834 page 3 Sligo Assizes

James Davy was tried for stealing on 4th July two asses, the property of Mr Darby Mulrooney, who proved that Sergeant Moffat had brought prisoners and the asses to his door, having found him and another boy who escaped, driving the animals on a road near Ballintogher.

Owen Goldrick, the Irish interpreter, proved that Davy was considered a silly boy- he was in fact a victim to his propensity for riding on asses, cows, calves &c. Then said his Lordship, he rides calves as well as asses.

Mayo Constitution 24 July 1834 page 3 Mayo Assizes

On Monday the GJ again resumed their business.

No 39 then came on – Simon Conway Interpreter at Assizes and QS

Conway was asked by the Chairman, on what grounds he sought the sum claimed, and he replied that he had been paid up to the last Assizes. He, since then, attended the Assizes and four QS, and hoped the Gentlemen of the Jury and the Judges would admit that he discharged his duty efficiently and impartially. – That he was now for 22 years in the capacity of Interpreter to the county, and that he shortly intended to apply for a pension for his long services. There were eight places in the county where he was obliged to attend, and during the Assizes, though there was nominally only one interpreter, there really were two, his brother and himself; for while he was in one Court, his brother, who received no compensation, was in attendance in the other or on the Grand Jury.

The Foreman could find no law authorizing the GJ to allow to the Interpreter compensation for his attendance at Sessions, but if they considered the Sessions as Assizes he thought the sum well earned.

Mr Garvey thought there could be no difficulty in giving him £5 for each. That sum is allowed for each Assizes, and at the Sessions the Interpreter has frequently a much longer time to attend.

Mr J Browne did not see that they were warranted by the Act of Parliament in giving more than £5 for each Assizes.

It was then put to the vote and unanimously agreed with the exception of Mr Browne, that Mr Conway's claim should be allowed.

1835

Enniskillen Chronicle and Erne Packet 2 April 1835 page 4 Tyrone Assizes Violation of a female Thomas Nelson, Thomas Elliot and Philip Lamb were indicted, the two first for having violated the person of Catherine Crampsie, near Malin, and Lamb for having aided and assisted.

Catherine Crampsie, who appears to be at least middle aged, being sworn, deposed that she could not answer in English, and was therefore examined through the usual **interpreter** for the court, **Mulherran**. She was married to John Crampsie, and by him has six children. Was at Carndonagh market with her husband in October last; the candles were lit before they left it; they were both riding on one horse, she fell off her horse, after which she went into Paddy McLaughlin's car, in which there were three men whom she can't name, but identifies the prisoners as them; this was a mile and a half on the far side of Carndonagh; her husband stopped to tie some lumber which was on his horse, but told them to leave her at Owen Doherty's at Milltown; the car went on, and passed the door where she was to have left; witness had not gone twenty yards in the car when the prisoners began to take indecent liberties with her; McLaughlin had gone away, and none but them were there; she threatened and required them to desist, and called at least twenty times on her husband; they ... not guilty due to discrepancy in evidence in statements to magistrates

Southern Reporter and Cork Commercial Courier 4 June 1835 Cork County Election Petition

Mr Wm Richards – I was one of the check clerks for Mr Longfield at the last election, and gave notice of Mr F O'Connor's disqualification to the voters as they came up. The names of those electors I marked in my check book as being served with notice. They amounted to 209 in three baronies.

Cross-examined by Mr Chambers – The notice was printed, but I will not swear that one out of 180 voters could read. They came up in tallies of two, and as they came up the notice was delivered accordingly. In some cases the voters objected to accept the notice, and then the Inspector gave them a verbal notice that their votes for Mr O'Connor would be thrown away if –

By the Committee – The notice was not explained to them, and I have no reason to think that they knew what it meant. It was handed them as a mere piece of paper. There were many jokes passed with regard to this notice, and it was jocularly said by Mr O'Connor's party, "you may light your pipe with it". I think the same used to be said from the other side. **The majority of the voters polled through an interpreter, and the notice was not explained to them in Irish....**

Southern Reporter and Cork Commercial Courier Cork Election 6 June 1835 Cork County Election petition

I cannot pretend to say how many can read. The notice was explained in some instances to them in English. There was an **interpreter** in our booth, and the Oath of qualification, or being in possession, was administered to all, and the bribery oath was put in a great many instances. I marked to each name served with notice the initials T.N.D. meaning "tendered, notice, disqualification". If the voter did not understand English the oaths were interpreted to him, this was done in 40 or 50 instances. I will not swear that 100 had the oaths administered to them in Irish. The notice was never explained to any of them in Irish.

By the Chairman – Did any of them require to have the notices explained?

Witness – No, it was with great difficulty that we could get them to take the notice. I had 50 thrown in my face.

By Sir Hugh Campbell – I am satisfied that the greater part of the voters knew what the notice meant.

[.....] Mr Thomas Holton was cross examined by Mr Chambers. I saw 156 notices given to persons who afterwards voted for Mr O'Connor. We began to give the notices on the first day of the Election. I cannot say how many persons entitled to vote remained unpolled in my baronies. There was an interpreter attending that and another booth. The Inspector generally explained the notice when he handed the notice to the voters. The words he used, as far as I can recollect, were, "If you vote for O'Connor, or Feargus, or Mr Feargus O'Connor, your vote will be thrown away and no good." This was not explained to them in Irish, for it was not necessary, as I do not believe that in the Carberry Booth, more than six polled who did not understand English. I cannot possibly say how many of the 156 who received a notice could read. All the voters were sworn in my booth. Very few of our voters

were sworn, but the greater part of Mr O'Connor's voters were sworn. This of course made the polling for Mr O'Connor much slower than for the other side.

Waterford Mail 25 July 1835 page 2 city court

John Whelan, rather a decent looking man, was indicted for maiming a mare, the property of Thomas Manning, of Camphire, Co of Waterford.

Thomas Manning, the prosecutor in this case, when called on the table **said, that he could not speak English, but in consequence of a person in court having sworn that he heard Manning speak English, the Judge ordered him to be confined until he would speak it – he was accordingly brought into the county jail, and remained there some time, when it was ascertained that he could not speak English;** he was again recalled, and in his evidence stated, by an interpreter, that he became possessed of the mare in question for the amount of a civil bill decree, which was due to witness by prisoner, and that the mare, which belonged to prisoner was sold under the decree, and purchased by another person for witness. He then stated that on 16th June last the mare's ear had been cut off and on the morning it was done he saw the prisoner go out of the field in which the mare was grazing.

The jury, without hesitation returned verdict of not guilty

Roscommon Journal and Western Impartial Reporter 25 July 1835 page 1 Leitrim Assizes

John Leyden was indicted for stealing sheep, the property of Denis Gaffeny.

Denis Gaffeny deposed that when he lost the sheep he went in search of it, and found the prisoner in the act of cutting it up in his own house; witness taxed him with the theft and he did not deny it, but said he would pay for the sheep; witness said he should go before a magistrate and if he allowed it, he (witness) would take the value of the sheep, and go no further with the prosecution. This testimony was fully corroborated by the witness's brother, who accompanied him to the house of the prisoner.

Bridget Leyden, a witness produced for the defence, not being able to speak English, the interpreter was sworn to make true interpretation between the court, the jury and the witness.

The witness then deposed, that the two preceding witnesses came to her father's house, one having a gun, with which he threatened to shoot the prisoner if he did not acknowledge to the stealing of a sheep, their property, and under fear of this threat he acknowledged what he was not guilty of; the prosecutor then swore the prisoner on a book, which he took from his pocket, that he would pay him (prosecutor) for the sheep; prisoner said he would take his trial for it, but they insisted on his paying.

The jury having returned a verdict of Guilty, the court sentenced the prisoner to transportation for life.

Tralee Mercury 19 August 1835 The Investigation

Killorglin petitioners had sent memorial complaining of oppressive, cruel and ? conducted by Henry Brownrigg Esq JP and CCP with a body of police and a company of military...collection of tithes in April last.

The first witness produced was Thomas Harnett. He appeared to be a very stupid countryman and could not speak English; he was sworn by the Provost who attended the investigation through an **Interpreter.**

Examined by Mr O'Connell- Lives at Ounagarry in the parish of Killorglan, recalls about the 22d of April last, can't say the day, it was before May-day. Two Policemen came to his house, and a driver of the name of John Hurly, at an early hour, does not know the names of the Police, they remained near the door till about 8 or 9 o'clock. I got out of bed in the morning, they stopped there, till Captains Cossley and Brownrigg appeared at the bridge, which is near the house, is in the habit of getting up early.

Mr Lynch – I object to this question.

Court – They have a right to give evidence of habit in order to fix a fact.

Mr Lynch – Here it is necessary to be known, and the thing requires precision; its being material is as clear as noon day. The materiality of this witness's evidence and accuracy as regards my client, is but too plain; I can't see that that kind of evasive mode of getting rid of a question will do here.

Court – I know it is all very well, and would be very good to require the people of this country to keep a clock, I know they would all feel obliged to you Mr Lynch.

[...] David Fleming sworn and examined by Mr O'Connell through the interpreter.

Derry Journal 1 December 1835 page 2 to the editor of the Londonderry Journal

I will now request attention to a few *illegal* presentments of another class, summer grand warrant page 7. "To the courthouse keeper of Omagh for his half year's salary £11'

page 15, same book. to Stephen Nealis as **interpreter** of the Irish language at Assizes and sessions, for half a year ending summer, 1835, five pounds' .

There is no law to support the amount of either of these presentments.

A cess- payer of Strabane

Connaught Telegraph 30 December 1835 jury list

Mr Lavelle, assistant to the Clerk of the Peace, attended with the lists of jurors delivered into the Peace office by the barony High Constables.

Sir Samuel O'Malley having looked over a list, observed, that there were the names of many persons on it, whom he knew could not speak English; however, it was better that some persons should suffer inconvenience, than that the Intentions of the legislature should be frustrated; and he conceived it to have been the intention that the jury lists should be as large as possible, in order that an opportunity might be afforded of obtaining a fair selection.

1836

Mayo Constiution 19 February 1836 page 3 Coroner's Inquest [Castlebar]

Death of John Fitzgerald

After some difficulty in securing their attendance, the following gentlemen were sworn on the jury... The jury then proceeded to the Infirmary to view the body, and shortly after returned to the Court-house when the witnesses for the deceased were called, and on the suggestion of Mr Davis were removed from the Court, so as not to be within hearing of each other.

Gunshot wound

Nancy Corley – whole paragraph in English followed by:

Mr Davis – Ask her if she understands English. She answered that she did not.

The Coroner was obliged to act as interpreter during part of the proceedings, and some of the jurors the remainder,

Gun shot wound inflicted by Lieutenant Blakeney Gubbins in the discharge of his duty, and in the protection of his life, and a seizure which he had made

Connaught Telegraph 24 February 1836 Inquest on John Fitzgerald

Mary Corley was next called and said she could not speak English. A policeman in court said she had spoken English to him that morning. A long discussion then ensued as to whether the witness should be examined in Irish, as she persisted in her refusal to speak English [[.....] Nancy Corley (sic) was then again called and sworn in Irish, the Coroner undertaking to render her evidence into English. She was on her way to the market of Castlebar on the Saturday preceeding, when she met the gentleman and the deceased on the road; the gentleman held a pistol in his right hand, having the bridle of his horse, which he was leading, over the left arm; the man had a still in his hands upon his shoulder.

...Mary Corley's examination continued – The gentleman said the deceased man proceeded to the corner of Mr Waldron's gate, when the deceased laid down the still, and the gentleman wanted to lift it up again and carry it into Mr Waldron's.

Here it was suggested by Mr Davis, that the Coroner should ask the witness what language the parties spoke while they were scuffling, and she replied she did not know, as she was sixty yards away at the time; saw the officer take hold of the deceased and saw the deceased take hold of the officer; the officer let his horse go and took Fitzgerald by the breast, and he took the ame

Mr Davis examined her at considerable length, but nothing differing from her direct testimony was elicited, a good deal of mirth was caused by her telling Mr Davis in *English*, in answer to a question put by him in the *same language*, that she could not speak English.

Kilkenny Journal and Leinster Commercial and Literary Advertiser 19 March 1836 page 1 Crown Court Fourth Day

Daniel Sheehy, Martin Ryan, Timothy Kelly, and Wm Walsh were placed at the bar, charged with a rape on Bridget Hickey.

Bridget Hickey, a woman tottering with age, apparently unable to support herself, was assisted to the chair by the Crier. Being sworn in Irish, she gave many names, such as Coskoran, Garvey, &c. At length the **interpreter** told the court that her name was Hickey, which was her last husband's name; at length she said, on being asked by Mr Scott KC that she did not know where she lived last August; ... The interpreter and a policeman, her examination having ended, supported her off the table.

Mayo Constitution 8 April 1836 page 3 Westport Quarter Sessions

Immediately after the opening of the Court, the names of the applicants to register as freeholders of the County were called over, the first that answered was Peter Doagher, who had to be examined through the medium of ther Interpreter, and though he came forward in a very "questionable shape" as to the value of the freehold, he was ultimately registered.

Southern Reporter and Cork Commercial Courier 12 April 1836 page 3

On Friday, as Mr Kerry Tidmarsh, **interpreter** in the Courts of Kerry, was riding home to his cottage at Ardfert Commons, he received a violent fall from his horse, in consequence of a pig having crossed him on the road, and was so severely injured that he languished in great pain until Monday morning, when he expired.

Sligo Champion 16 July 1836 Sligo Summer Assizes 1836

Thomas Rooney, a wild looking mountaineer, **who could not speak a word of English**, was put to the bar, charged with sheep stealing by John O'Hara.

The case was proved against the prisoner; but it was also proved that he had lost a sheep himself, and was in search of it when he got the one in question. A doubt therefore arose as to whether he did not mistake the sheep for his own.

The Jury acquitted the prisoner, and the Judge addressed him at some length, stating that there was no doubt the sheep was O'Hara's; but the Jury had considered that the prisoner might, under the peculiar circumstances of the case, have believed it was hithe ins own lost sheep, they had therefore humanely acquitted him, but his Lordship advised him to be more cautious in future.

The interpreter said the prisoner understood the English but could not speak it.

O'Hara was ordered to get back his sheep, and to get his expenses.

Sligo Champion 16 July 1836 Sligo Assizes page 2

On the salaries granted to Petty officers, we have only to remark that they are **shamefully low**; for instance, £4 12s 0d for criers' half yearly salary, and £4 12s 1d for interpreter's salary. After that who would learn Irish! But it was always thus with the Tories, they strain at a knat and swallow a camel.

Wellington himself did not disdain to look after the carpenters chips in the dock yards of Plymouth and Portsmouth.

Sligo Journal 22 July 1836 page 3 Sligo Assizes

John Brett, Thomas Bradley, Luke Bradley, Charles and John Neavin, and Gilbert Archer, were indicted for entering the dwelling house and assaulting Patrick Davy, who was examined by Mr French KC – Lived in the service of Mrs Motherwell on the lands of Castlecarro, adjoining those of Ballyglass; was employed to mind a farm and graze cattle.....

Nancy Davy examined by Mr Ellis KC – Mr McGoldrick, the **interpreter**, was obliged to exert his learned faculties with this witness.

Cross-examined by Mr Blakeney – The interpreter asked her to speak in English, but she could only understand an odd word – witness said she told her story in Irish to Mrs Motherwell, and she told it to Captain Fenton....witness appeared to hesitate in her answers, when Mr Blakeney said she was studying to reply.

The interpreter said she understood the English language well.

Acquittal

Derry Journal 2 August 1836

Another objection was raised by Mr Graham to the presentments to Stephen Nealis, as **interpreter** of the Irish language, £4.12s.4d, on the ground that every person in this County can now speak English – that there was therefore no occasion for an interpreter of Irish – and, besides, the grand jury had not the legal power to make a presentment, unless directed so to do by the judge. He stated that this person is one of those dismissed from Gaol of Omagh two years ago, at the time of the general sweeping out of that establishment. But, he being a retainer of some persons of authority in or about Omagh, the little sinecure office of interpreter, producing £10 Irish yearly, could not be taken from him without a struggle. Notwithstanding all that could be urged against the presentment, it was passed. [Mr Graham objected to a number of presentments]

Galway Patriot 3 August 1836 page 2 Galway Assizes Crown Court

James Faherty was indicted for perjury. He was charged with swearing informations before Mr D'Arcy, of Clifden, on the 1st day of February last, against three others, who he swore were accomplices with him in robbing a store at the quay of Clifden, which informations he afterwards contradicted on his oath before the Grand Jury.

Mr D'Arcy sworn – Knows the prisoner; remembers to have taken his informations; 'twas some time before last Assizes; believes the prisoner does not understand English; explained to him in Irish what he was to swear; the informations now before him are those he took on that occasion (Mr D'Arcy was handed the informations); took the informations on the 1st of February 1836; the prisoner seemed to understand what he was about at the time.

Cross-examined by Mr Blakeney – The prisoner does not understand English, not well; he does not recollect he spoke English to him; explained the informations to him in Irish; did not read it word for word exactly; it does not appear by the end of the affidavit it was truly read to him in English or Irish; witness told him the substance of it; witness is a good Irish scholar; swore him on the testament and administered the oath to him in Irish; is perfectly sure of that; the prisoner was in custody himself; to his knowledge prisoner was not threatened to be put in gaol and hanged or transported; Mr Duahan, Clerk of Petty Sessions was by at the time the informations were sworn; Mr Duahan had himself sworn informations against the prisoner at the time.

To the Jury – Explained every part of the informations to him; told him he was swearing so and so.

Mr D'Arcy was then asked to repeat the words he used in swearing the prisoner on this occasion, and to read the affidavit in Irish. He did so, but it appearing that in putting the oath he omitted the words "and the whole truth", some discussion took place in ascertaining whether this omission rendered the oath invalid or not.

Mr Duahan was then examined – Is Clerk of the Petty Sessions; drew these informations; was present when Mr D’Arcy swore prisoner; the informations were explained by him to Mr D’Arcy; witness went also to the bridewell; saw the prisoner there; asked him what he was about, and told him to take care not to do anything to injure himself; prisoner hesitated, and then said he unfortunately, with Robert Kerney, Thomas Clancy and John King, robbed the store, and took the spoil by boat to Turbart Island, and divided it among them; took his words down as he spoke them; prisoner told him the whole story first, and then he wrote it, and asked him as he took it down; was by when Mr D’Arcy swore him; what he told Mr D’Arcy was just the same as he told him.

Cross-examined – Had the prisoner in custody; did not tell him he’d save himself if he swore against those men; did not swear him himself.

Patrick Howe is clerk of the crown in the Solicitor’s office; does not speak Irish well; was in attendance with the Grand Jury at the last Assizes when James Faherty swore informations before them; was present when he was sworn in open court before he went to the Grand Jury; went with him to the Grand Jury; was present at his examination there; took what he swore in writing as it was interpreted to him; saw the interpreter there.

Mr Reid the interpreter was next sworn – Knows the prisoner at the bar; was the interpreter at his examination before the Grand Jury; faithfully interpreted what he swore to the best of his skill and knowledge; was sworn to make true interpretation.

The prisoner’s examination before the Grand Jury was then read, in which he stated contrary to his form informations, that neither Robert Kenny, Thomas Clancy, nor John King were at the robbing at the store, and that if he said so, he was terrified to it being then in custody himself. The paper produced was also proved to be that which contained the depositions taken down as proved to above.

Mr Reid was then cross examined – Knows the prisoner; did not ever see him before that time; saw him sworn; did not take his words down in writing; was told to ask him did he go to this house, and take away these things; does not know what his exact words was, or what persons he mentioned.

Mr Blakeney here contended that the indictment against the prisoner could not be sustained, as it was mentioned in it that what he swore falsely to was material to the issue of the trial. He then called upon Mr Hart and Mr D’Arcy to prove to the character of his client, both of whom said that they always supposed him to be an honest, industrious man and that they never heard of anything being laid to his charge before. Guilty.

Roscommon Journal and Western impartial Reporter 15 October 1836 new grand jury act
the grand jury may at any time present such sums as are ordered for witnesses expenses.

Saunders’s News-Letter 7 November 1836 page 2 Court of Exchequer – Saturday Nisi Prius Chief Baron Tithes Recels – Cork

William Hogarthy and William Rownan were brought up in the custody of the commissioner of rebellion, for not answering the bill filed by the plaintiff in the cause, for the recovery of tithe composition.

Rownan stated that he did not get any notice to pay the money before he was arrested.

Hogarthy could only speak Irish, and his **fellow-prisoner was his interpreter**, from whom the court learned that he was in a state of great destitution, his wife having been that day obliged to pledge an article to support him in Newgate.

The prisoners were then conveyed to the Marshalsea.

Waterford Chronicle 10 December 1836 suicide – coroner's inquest.

A list of the dietary was then produced – it is as follows – 8 ounces of oatmeal four pounds of potatoes 1 pint of new milk and 1 pint of buttermilk, per day, for each person.

Denis Neill, a younger brother of the deceased, was examined in Irish, which was **interpreted by one of the jury**. He deposed as to the story told by his brother to the governor, and said he never

observed his brother troubled in mind or intellect, except that he used frequently express sorrow for being the cause of leading him, witness, into trouble. The cord that his brother hanged himself with, he was in the habit of wearing tight around his waist. He was sure no one had any hand, act or part in the death of his brother but himself (the deceased).

1837

Drogheda Argus 25 February 1837 investigation took place in the national school house

Investigation into the Orange massacre at Ballyjamesduff

Sarah Sullivan was the next witness. She spoke nothing but Irish; but an intelligent man, named Philip O'Connell, acted as interpreter.

Drogheda Argus and Leinster Journal 11 March 1837 Dundalk Assizes errata Defence

Bridget Jordan, wife of the prosecutor, and Ellen Hanlon, a witness for the defence, spoke no other language than Irish. They were, of course, examined through the medium of a sworn interpreter.

Tralee Mercury 15 March 1837 page 2

Denis Griffin was indicted for a rape, upon Mary Griffin.

Mr Bennett one of the Counsel for the crown, required the prosecutrix should be sworn, but she declined to take the book.

Baron Richards- unless you submit to be sworn and give evidence in this case, I shall be obliged to commit you to the dock.

The prosecutrix- per Interpreter – very well my Lord, I am content to go there- a laugh. –

Mr Bennett – I should wish this case to stand over for to-morrow if your lordship pleases –

Baron Richards – I can't permit that Mr Bennett, the prisoner is given in charge to the jury, and I shall require them to find a verdict of guilty or not guilty.

Mr Bennett- Then my lord, I must insist on the witness being sworn.

The book was here again handed to the witness, but said through the interpreter that she would much rather be minding her child than prosecuting the prisoner.

Baron Richards – What child are you talking of my good girl?

Prosecutrix – **Through the interpreter** – a child, my lord, that I had by the prisoner, about two and a half years ago.

Baron Richards – Why the rape is in this case, Mr Bennett, is laid on the 29th of September last; and surely you cannot expect a conviction against the prisoner, when the young woman had been with him so long before.

Mr Bennett – I don't see why we should not have a conviction, the prisoner may have committed the offence charged in September last, notwithstanding what appears.

Baron Richards – Such a thing is possible, but not very possible under the circumstances; however, I must send the case to the Jury – or if your prosecutrix won't give evidence, I must direct an acquittal.

Mr Bennett – Then, my Lord, it is my duty to apply to the Court to order the prosecutrix to stand committed.

Baron Richards – Indeed, Mr Bennett, I will do no such thing. I will never send a woman to gaol, who having had a child by a man two years and a half ago, refuses to swear a rape against him, alleged to have been committed in Sept. last.

His Lordship then told the jury there was no evidence against the prisoner, and they were bound to acquit him – which they accordingly did, and thereupon the prisoner was discharged.

Sligo Champion 18 March 1837 The Fiscal Business page 2

The interpreter sought to pass a presentment for £5 for half a years salary for attending at the several quarter sessions. He stated that he was allowed but £10 a year for attending the assizes and that it cost him that attending the sessions.

The Foreman said the act left the grand jury no power in the present case the sum already allowed him was specified on the act and they must therefore refuse the presentments for any further sum.

Interpreter – then I cannot attend the sessions any more.

(We think this a case of great hardship, the poor man is very attentive to his business and civial (sic) having a great deal to do; but those who do most are the worst paid.)

[PAYMENT FOR ATTENDANCE AT QUARTER SESSIONS INTRODUCED IN 1837]

The Pilot 20 March 1837 page 4 Kerry Assizes

Murto Sheehan was indicted for a rape upon Catherine Whoolahan.....

The book was here again handed to the witness, but she said, through the interpreter, that she would much rather be minding her child than prosecuting the prisoner.

Baron Richards – What child are you talking of, my good girl.

Prosecutrix (through the interpreter) A child, my lord, that I had by the prisoner about two and a half years ago.

Prisoner discharged.

Saunders's news-letter 23 March 1837 page 3 County Tipperary Assizes Charge of manslaughter

John Molony was placed at the bar, charged with the manslaughter of William Morris, at Kilcarone, near Clogheen.

Patrick Daniel, examined by Mr Scott KC through the interpreter.

Sligo Champion 25 March 1837 Kerry Assizes – Kerry Rapes, page 4

Denis Griffin was indicted for a rape upon Mary Griffin.

Mr Bennet, one of the counsel for the crown, required that the prosecutrix be sworn, but she declined to take the book.

Baron Richards – Unless you submit to be sworn and give evidence in this case, I shall be obliged to commit you to the dock.

The prosecutrix (per interpreter) Very well, my lord, I am contempt (sic) to go there.

Mr Bennett – I should wish this case to stand over for to-morrow, if your lordship pleases.

Baron Richards- I can't permit that Mr Bennett the prisoner is given in charge to the jury and I shall require them to find a verdict guilty or not guilty.

Mr Bennett – Then, my lord, I must insist on the witness being sworn.

The book was here again handed to the witness but she said, through the interpreter, that she would much rather be minding her child than prosecuting the prisoner.

Baron Richards – What child are you talking of my good girl?

Prosecutor (through the interpreter) – A child, my lord, that I had bey the prisoner about two years and a half ago.

Baron Richards – Why the rape in this case, Mr Bennett, is laid on the 20 of September last' and surely one cannot expect a conviction against the prisoner, when the young woman had been with him so long before.

Mr Bennett – My Lord, I don't see why we should not have a conviction; the prisoner may have committed the offence charged in September last, notwithstanding what appears.

Baron Richards – Such a thing is possible, but not very probable under the circumstances; however, I must send the case to the jury –or if you, prosecutrix, wont't give evidence, I must direct an acquittal.

Mr Bennett – Then, my lord, it is my duty to apply to the court to order the prosecutrix to stand committed.

Baron Richards – Indeed, Mr Bennett, I would do no such thing; I will never send a woman to gaol who, having had a child by a man two years and a half ago, refuses to swear a rape against him, alleged to have been committed in September last.

His lordship then told the jury there was no evidence against the prisoner, and they were bound to acquit him – which they accordingly did, and thereupon the prisoner was discharged. [British Newspaper Archives]

Southern Reporter and Cork Commercial Courier 4 April 1837 County Criminal Court

Conspiracy to violate the person

Denis Hagerty and Honora (his wife) were given in charge to the Jury, for having on the 6th of October last, assaulted Mary Hagerty, with intent that Timothy Collins should violate her person.

Mary Hagerty, an interesting looking country girl, of about 22 years old, stated, through the interpreter, (she being ignorant of the English language)....

Galway Patriot 5 April 1837 mention of interpreter at petty sessions page 3 (NLI microfiche – mentioned by Richard MacMahon in his PhD thesis)

Petty Sessions Tuesday

Attempted abduction of Mary Flaherty

(The questions were put through the **interpreter**, as the witness did not understand English)

Was selling cabbage

Never spoke English

The Recorder then said that each of the prisoners is fined £5 and costs, and that the complainant is entitled to £1 of each of the fines.

Ballinrobe Chronicle 1 June 1837

Ballinrobe Petty Sessions Edward O'Boyle v Thomas Mylott, for 4s, cash lent. Both plaintiff and defendant were Irish witnesses; and, owing to the want of an **interpreter** in court, the case was adjourned to next court day.

Freeman's Journal 26 June 1837 Equity Exchequer –Saturday

Sittings at nisi prius before the Chief Baron The Attorney General v McLoughlen

James Mullowney, the stable boy of Mr McLoughlen, was called up, and when he came on the table and the book was put in his hand, he most devoutly blessed himself and answered in Irish.

Mr Burke, one of the counsel for the defendant, said – My lord, this is an Irish witness, he cannot speak English, although he understands it, and then, turning to the witness, he asked him if he could speak any English at all, when the witness, with a look of deep meaning, turning his eyes to the bench, replied in Irish, my lord, who ought to know everything, will speak to me. The answer was lost to the court and to most of those, excepting the Connaught witnesses who were seated in the side bar, and seemed to indulge in a malicious sneer on the occasion. For some minutes there was a pause in the proceedings, waiting for an interpreter until at length **the witness who had been previously examined volunteered his services, and was sworn as interpreter**. The witness swore positively that his master was as innocent “as the child unborn” of what was laid to his charge that it was his (witness's) brother, accompanied by seven others, who brought the malt and whiskey to his master's house.

Southern Reporter & Cork Commercial Courier 29 June 1837 Court of Exchequer – Dublin Sitting at Nisi Prius Before the Chief Baron

The AG v McLaughlen. Special jury case (county Mayo distillery)

The information against the defendant was for having in his possession a quantity of corn in a state of preparation for malt, some dry malt, and a keg of spirits. The penalty sought to be recovered was 200l.

[...] James Mallowney, the stable-boy of Mr McLaughlin, was called up, and when he came on the table and the book was put in his hand, he most devoutly blessed himself and answered in Irish.

Mr Burke, one of the counsel for the defendant, said – My lord, this is an Irish witness,; he cannot speak English, although he understands it. And then, turning to the witness, he asked him if he could speak any English at all, when the fellow with a look of deep meaning, turning his eyes to the bench replied in Irish – “My lord, who ought to know every thing, will speak to me”.

The answer was lost to all who were present, with the exception of the Connaught witnesses, who were seated in the side bar, and who seemed to indulge in a malicious sneer at his lordship’s ignorance of his native language.

For some minutes there was a pause in the proceedings, waiting for an **interpreter** until at length the witness who had been previously examined volunteered his services & was sworn as such.

Southern Reporter and Cork Commercial Courier 11 July 1837

Daniel O’Connell speech to General Association of Ireland

The Orange tide is gone out for ever, and the waves of charity shall ebb in its stead....(Cheers). Their fate is most pitiable, and if they want an **interpreter** of it I shall find them one.. not such a one as we used to meet upon circuit, who had only two faults ... that he knew neither English nor Irish...

Connaught Telegraph 15 November 1837 Castlebar Petty Sessions

Thomas Lynch v Martin Maddden sen. Martin Madden jun, Michael McNicholas, and John Kelly

This was a charge of robbery; a witness, sister to Lynch, deposed that she had been left a sum of £5 2s 6d by her brother to take care of, as he was leaving home to attend the Sessions at Swinford, that the money was lodged in a box which was locked, and that during her brother’s absence the defendants came into her house, broke open the box, and abstracted the money; she slipped out while they were committing the robbery, locked the door on them, and called to a neighbor to see them in the house; he saw them come out of the window, which they broke; the defendants live in her neighbourhood.

The man who was alleged to have seen the people come through the window was here produced, but Sir Samuel would not listen to his evidence, because he could not speak English.

Thomas Lynch, the owner of the money was next produced and said, the man could not speak English; Sir Samuel however was inexorable, and would not hear him.

1838

Dublin Morning Register 16 March 1838 page 3 Assizes Intelligence Sligo page 3 Trial for the murder of Allen

Accessories to the murder

Charles O’Hara examined through an interpreter – Saw Allen and Mckenzie on the mountain the day they escaped from where they were tied....

Dominick Byrne examined...

Mr Blakeney (to the interpreter) Tell him he may go down, and that he is a genuine specimen of a real Irishman.

Freeman’s Journal 17 March 1838 ‘Sligo Assizes – trial for the murder of Allen’ 3

Mr French, counsel for the crown, said the only case of any importance that remained to be tried was that of George Ormsby, John Brennan, and Daniel O’Connor for the murder of Thomas Allen.

.....

Charles O’Hara examined through an **interpreter** – Saw Allen and McKenzie on the mountain the day they escaped from where they were tied; he brought them into his house, had their heads washed,

gave them something to eat, and put them to bed; he then went away to a fair, and left them in bed; they were taken away when he came back.

Cross-examined – Did not assist in carrying them home to their own houses; they were removed before he came back.

Dominick Byrne examined – Saw them at the foot of the mountain; took the covers off their eyes, and brought them to his own house; gave them a couple of naggings of warm milk, a bit of butter, an egg, and potatoes; but Allen was not able to eat much; was looking for sheep on the mountain when he found them in that deplorable condition; knew McKenzie and Allen, and when they rested a little he got his mule, put a back saggan on him, mounted the two men on top of it, and in that manner got on until they reached McKenzie's house, where he left them; Allen was in a very bad condition, but McKenzie was able to walk some.

By Mr Blakeney – Knew the two men, and what they were about in the country, and yet he treated them with all the kindness in his power, because they wanted comfort and head nobody else to give it to them. **(This was also an Irish witness, and the manner in which he described the condition of the wretched men, as well as his simple unostentatious benevolence, was most affecting).**

Mr Blakeney (to the interpreter) – Tell him he may go down, and that he is a genuine specimen of a real Irishman.

Tuam Herald 31 March 1838 page 2 Crown Court Galway

Michael Laffy and Thomas Laffy were indicted for having on the 17th of January last, at Ballinakill, stolen four sheep, the property of Thomas Coyne.

...John Vignolles Esq RM – Knows the prisoners; they were brought before him and Mr Darcy, at Petty Sessions; Thomas insisted on telling the truth he said it was he stole the sheep; the witness cautioned him not to tell any thing that would injure himself; he said that there were other persons robbing with him, and that they took the sheep, the prisoner spoke in Irish, witness got the **Clerk of the Petty Sessions to interpret** what he was saying and his answers to him.

p. Duane examined by Mr Ellis QC Recollects being at the Petty Sessions; understands Irish; was told by Mr Vignolles to tell the prisoner not to commit himself, and he said that he would tell the truth; and that he took the sheep with his party; that there were a party of robbers joined with him.

The Jury returned a verdict of Guilty against Thomas Laffy, and acquitted Michael Laffy.

Thomas Laffy was sentence to be transported for seven years. The learned Judge having pronounced the sentence, the prisoner said that he did not care if they had him executed..

Mayo Constitution 3 April 1838 page 1 County Court (Before Baron Richards)

James McDonnell stood indicted for having committed a rape upon the person of Eleanor Moran.

Eleanor Moran examined by Mr Ellis – Knows the prisoner at the bar, who is married to her husband's sister; she is a married woman;... prisoner came into the bed and ill used her...

[**Mr Conway the interpreter** here read the informations sworn before the magistrates by the prosecutrix. In them she swore that she was asleep at time the prisoner came in, and that she thought he was her husband]

suggestion there was a dispute over land. Man acquitted

Sligo Champion 5 May 1838 page 2 Court of Queen's Bench

The Queen, at the prosecution of Sir William Parke, Knight, High Sheriff of the County of Sligo v James Beatty

Mr Cassely applied to the court for a mandamus, directing **James Beatty**, late governor of the gaol of Sligo, to deliver up possession of a house which he had illegally taken, and also to quash a presentment made by the grand jury in the spring assizes of 1837, on the ground of its illegality. The learned counsel said that he moved upon the affidavit of Sir Wm Parke, which stated that he was appointed High Sheriff of the county Sligo on the 27th of February 1838, when he confirmed the appointment of John Tucker as governor of the gaol, and made by his predecessor, Daniel Jones Esq;

that the dwelling house usually appropriated for the residence of the governor was illegally kept possession of by James Beatty for the last 12 months. It stated that the house is situated in the centre of the prison, commanding a view of the walls which surround it, and that it was absolutely necessary for the safe keeping of the prisoners confined there that the governor should reside there – that Mr Tucker has only two small rooms to reside in, where he is completely shut out from such a view, and that he is obliged to have apartments outside, for the want of accommodation. The reason which induces Beatty to keep possession, the affidavit stated, was in consequence of a presentment made in the spring assizes of 1837, by a majority of the grand jury (of which Sir Wm Parkes was one, and opposed it) appropriating this house as a house of correction.

Judge Crampton – As well as I recollect the case, for it came before me, it is this – Beatty was the governor of the gaol for a great number of years, and in 1837 was removed by Mr Jones, the then High Sheriff, who appointed Tucker, as he had every right to do. The grand jury, at the spring assizes of that year, apportioned a part of the prison, namely, the residence of the governor, as a house of correction, and appointed Beatty as governor, both of which they were enabled to do under the prison act. At the last assizes an application was made to remove him from his situation as governor, and also to compel him to give up the house, but I declined interfering. You now come for a mandamus to remove him.

Mr Casserly – Yes, my lord, I do. That house was originally built for the governor of the gaol, and has been so for the last 30 years.

Judge Crampton – But the grand jury of the county have made it a house of correction.

Mr Casserly – In 1833 they did so to a portion of the gaol, but here they have given the governor's house for the same purpose. By the 2d section of the 7th of Geo IV, he is obliged to reside within the walls of the prison, under a heavy penalty.

Chief Justice – Hand in your affidavit, Mr Casserly, and upon considering the case we will call on you again.

Mr Casserly – very well, my lord

Galway Patriot 23 May 1838 (NLI microfiche) [mentioned by Richard MacMahon in his PhD]

Loughrea Petty Sessions attorney Mr Banfield is interpreter

Charge of assault against a magistrate

Tady Fahey, next witness, answered several questions in English, but persisted in giving his evidence in the Irish language. Mr Banfield acted as interpreter.

Mr Madden - Gentlemen, this fellow, a while ago, said, in Irish, that he was under the stairs.

Mr Banfield was here referred to, and put the question to witness, who said he was at the head of the stairs.

Mr Madden - He certainly said under the stairs, where he went, probably, to screen himself. He answers equally well in English and Irish, but he chooses the latter, for fear he should be caught in his slips.

Freeman's Journal 29 May 1838 'Tithes! Tithes! Tithes! Rebellion! County of Cork', 3.

The Rev Hussey Burgh McCartney v Denis Bogue Sullivan

The defendant, an humble, aged, and decently dressed peasant, was placed in the rebellion box, under care of a tithe rebellion commissioner, charged at the suit of the rev. plaintiff, incumbent of the parish of Skibbereen, in the above-named county, with contempt, in not appealing to, and answering the bill filed against him for recovery of tithes.

The usual question, "Do you know for what you were brought here?" was put by the registrar.

The rebel prisoner replied in the native language of his country. He knew none other, save a totally unintelligible smattering in the English tongue, thrown out here and there with great volubility, considerable emphasis, and, in these, a peculiarly rich Munster brogue.

The learned judge did not understand him.

Baron Pennefeather inquired if any one could be got to inform the bench as to what the man was saying?

The commissioner of rebellion (a Corkonian also) volunteered his services as **interpreter**, and proceeded to interrogate his prisoner.

Honor Burke was called up, and after coming into the box, when the registrar was about to administer the oath, she told him in Irish, she could not speak English. Here a considerable difficulty seemed to arise for want of an interpreter, and an old man was brought in on crutches and sworn to interpret. The very first question that was put through him he was unable to translate into English.

Mr Hatchell, for the defendants, said he would bring up a witness to prove that she could speak English if she wished.

Court – Ask her on her oath can she speak English.

An Attorney named Egan, who was present, was called by Mr Blake to interpret. He asked the woman could she speak English, and she said not a word.

Mr Hatchell – Now we will examine the witness to show that she can, and the jury will then see how far she is entitled to credit on her oath.

William Ormsby sworn – I know Honor Burke and I heard her speak English.

Mr Blake – I would not swear that she can speak it perfectly.

Mr Egan, the second interpreter, then proceeded to ask her some question, and he said the Irish he spoke was so difficult to understand that he would not undertake the task of examining her.

A Mr Henderson, a Galway gentleman, was then sworn an interpreter, and she answered all his questions not only with fluency but with apparent eloquence.

Drogheda Journal or Meath & Louth Advertiser 17 July 1838 Louth Assizes

Bridget McBride, wife to last witness, was sworn and examined through the medium of an **interpreter**, but her evidence was a repetition of that of her husband, except that she swore all the morning's drink had been taken in Murphy's kitchen.

Freeman's Journal 3 August 1838 page 4 County Tipperary Assizes Record Court

A quack!

John Ryan, a stupid looking very old man, who **could not speak English**, was placed at the bar, charged with having bled William Ryan to death, on the 18th of June last, at Baronmore.

Mr Scott QC, stated that the crown would not go on with this case, but for the hope that the result of the trial would be such as would warn many illiterate persons, whom, he understood, were going about the country in the practice of bleeding.

Just got two weeks in jail. No mention of interpreter.

Drogheda Conservative Journal 11 August 1838 page 1 Clonmel Assizes

John Ryan a 'bleeder' was given in charge for bleeding Wm Ryan to death.

His Lordship through the **interpreter** asked the prisoner would he find security never to do the like again....

Galway Patriot 3 October 1838 page 2 Petty Sessions

Mr TJ Reid, Inspector of Weights and Measures

1839

Waterford Chronicle 9 March 1839 page 6 County Court For the defence

James Farrell (an Irish witness) sworn and examined by Mr Hassard – I was at the fair of Ballinultina; I saw the prisoner there very drunk; I assisted him home; this was about supper time; we were a long time getting home.

John Dooly was then placed at the bar, charged with assaulting James Sullivan of Knockmahon on the 17th of November.

James Sullivan (an Irish witness) sworn and examined by Mr Dixon.

Mr Hassard objected to the examination of the witness thro' the interpreter, as gentlemen in court could prove that he spoke English.

The judge said that the question was, could he make himself intelligible in English.

A gentleman in court said that he could speak English, but would prefer hearing him in Irish.

The examination was then continued through the interpreter.

Southern Reporter & Cork Commercial Courier Mayo Assizes Rape 21 March 1839

Thady Ward was put to the bar, charged with the violation of Bridget McCormick against her will and consent.

The prosecutrix in this case was an extremely interesting and intelligent looking young girl, far above what might be expected from one in her humble sphere of life. **She gave her testimony through an interpreter**, with readiness and modesty, so as to excite the sympathy of those who heard her story.

.... Acquittal

Freeman's Journal 15 June 1839 'Law Intelligence: Hennon v Andrew Henry Lynch, M.P.', 3.

This was an action of assumpsit, for work and labour, brought against the defendant, as one of the directors of the Irish Fishery Company. The declaration contained several counts. Damages were laid at 1000l. the defendant pleaded the general issue. [...]

Patrick McDonagh, an Irish witness, from Connemara, was then produced in order to prove having sold the fish; but he refused to be sworn unless he received 12s a day and his travelling expenses, all which, he stated, the plaintiff promised to give him before leaving home. An **interpreter, who was also brought from Galway**, was desired to tell the witness that he would be sent to prison unless he gave his evidence.

The witness said he would stand by his bargain and he had no objection to go to prison.

Mr Blake, QC, observed, that potatoes were at present very scarce in Connemara, and the witness might find the change no way inconvenient, if he even was imprisoned.

The witness was then withdrawn.

Mayo Constitution 16 July 1839 page 3 Castlebar petty sessions

ATTACK UPON A HOUSE. John Mc Hugh summoned several persons named Joyce and Hannan for having broken his door and windows with stones on the night of the fair of Ballyheane; some of the stones struck an old woman who was in the house, and this morning the defendants attacked her and threatened her if she would come forward against them. The old woman detailed the circumstances of the assault upon her; the defendants had like to murder her. servant girl was examined the attack on the house; she was in bed and heard the stones ; saw them about the door and window in the morning ; there was no whiskey sold the house that day. Several witnesses were examined for the defence. They all at first refused to speak English; one of them admitted that he been at school nearly a year; and he made out letter P in a book handed to him; still he persisted in telling his story in Irish. After he did so, Sir Samuel got him to tell it in pretty good English. The other witnesses would not speak English. Of course their evidence went to exonerate the defendants. Sir Samuel said he would take informations against them.

One of the defendants roared murder here, and called for fair play. Another Irish witness was examined, and she admitted that stones were thrown, but said it was not the defendants that threw them.

Sir Samuel – My mind is now made up – I'll take informations.

Southern Reporter & Cork Commercial Courier 25 July 1839 County Court

Hugh Kelleher was next given in charge for the manslaughter of Denis Sweey, at Rusheen, on the 2nd of Feb last.

John Sweeny, sworn, examined through an interpreter.....

Southern Reporter & Cork Commercial Courier Kerry Assizes 25 July 1839

John Shea, a young man was put to the bar on several counts, for beaking open the house of Darby Kissane and forcibly taking away his daughter Catherine, with intent to violate her in order to induce her to marry him.

Darby Kissane, examined through interpreter by Mr McDermot....

Mayo Constitution 29 October 1839 page 3 Castlebar petty sessions Assault

Mary McIntire complained that John McHale assaulted her daughter when she went to tell him that his cow was in her oats.

A witness was called for the defence. He said he could not speak English, but when the interpreter was telling the court part of what he said he corrected him in English.

Lord Lucan – Now you swore you could not speak English; so you began by perjuring yourself. You ought to be turned out of court.

The witness then told his story in English. He said the defendant only pushed the girl.

Fined 2s 6d and costs.

Vindicator 2 November 1839 page 2

the only public appointment bestowed upon Catholics for a quarter of a century was that of 'Irish **interpreter**', worth, perhaps, half a dozen pounds in the year (and which, for obvious reasons, could not be easily filled otherwise)

Connaught Telegraph 25 December 1839 page 4 Castlebar petty sessions assault and robbery

The complainant's brother was called up into the box; **he refused to speak English, and the Magistrates refused to listen to his testimony.**

1840

Kilkenny Journal 14 March 1840 page 2 County Assizes

£5 was then voted to Richard Hickey for being interpreter at the assizes. A like sum was proposed for the interpreter at sessions [John Ryan].

Captain Bryan opposed the full grant. **The Crier of the Assistant Barrister was interpreter.** He had been already voted a considerable sum for fulfilling the office of Crier, and he would not approve of paying both sums, because in point of fact they were the Assistant Barrister's servants.

Mr Flood (son to the Clerk of the Peace) said the duties of the interpreter were sometimes very onerous. Captain Bryan had not opposed the £5 to the Judge's Crier who did not do as much duty.

Captain Bryan said if he had been aware of the sums being voted to him for crier and interpreter he would have opposed it too. He had no notion of voting away the public money to the servant of a gentleman who was paid £3500 a year by the country.

The salary of the interpreter was accordingly reduced.

Southern Reporter & Cork Commercial Courier 14 March 1840 County Criminal Court – Mr Justice Perrin

Daniel Hurley and Cornelius Hurley were indicted for a grievous assault on Maurice Walsh, in his dwelling house, on Sunday the 5th of January last.

The Prosecutor, an Irish witness, deposed that on the evening in question the prisoners knocked at his public-house, and asked to be served with a half-pint of whiskey. He refused to give it to them, as

it was after the hour for public houses closing, when they said it was not whiskey they wanted, but that prosecutor was owed something by them, for he had a long time ago informed against a friend of theirs, who was on the run. Violent assault....

Mr Coppinger cross-examined the witness through the interpreter..... Does not speak English well but understands it a little.

Ellen Walsh, prosecutor's wife, corroborated this testimony.

Edmond Walsh, the son, examined. This witness pleaded ignorance of the English language, and after some inquiry, was examined in Irish.....

acquittal

Northern Standard 14 March 1840 page 1 Cavan Assizes

Joseph Kernan, John Tully, Ellen Connor, Jane Tully, Mary Coldrick, Catherine Connor, Mary Coldrick the younger, and Bridget Coldrick, for stealing a quantity of turf at Quilkah, on 27th Jan, property of Owen Reilly.....

Anne Reilly, the mother was the next witness. She could not speak English, and was **examined through an interpreter.**

All guilty

Southern Reporter and Cork Commercial Courier 17 March 1840 County criminal court.

John Barry, was indicted for committing a rape on the person of Honora Sullivan, on the evening of 11th of January.

Honora Sullivan (through the Irish **interpreter**) deposed that she was returning home from her sister's house, on the evening in question, the prisoner overtook her in a field, knocked down, and committed the offence alleged....

The learned judge – in charging the jury remarked on the difficulty of conducting cases like the present, where the prosecutrix was a person whose examination and cross-examination were obliged to be conducted through the medium of an interpreter. He then entered minutely into the various points of the evidence, and the rather unsatisfactory manner in which she gave her testimony. The question for them to consider was, whether the capital offence had been committed, and against the wish of the prosecutrix. He adverted to the testimony of the medical gentleman, and with these remarks would leave the case in the hands of the jury.

The jury, without retiring found the prisoner, not guilty, who most warmly thanked the judge and jury.

Kerry Evening Post 29 July 1840 Kerry Summer Assizes Record Court

Margaret Casey principal, Johanna Casey, an accessory; were indicted for concealing the birth of a child born the 19th of June last. Pleaded not guilty. Charles McElligott examined by Mr. Plunkett— Knows the prisoners; Margaret who is not married, seemed to be with child a month before the child was found; saw her on the 20th of June when she appeared to have got rid of the child; saw her again on the 29th, when he (witness) took her into custody, and carried her to her brother's house; prisoner, Margaret, said that she had a child and that it was born alive; did not threaten her; she said that witness was the father of the child ; does not know whether he is or not; told her that she should get the child dead or alive; she said to let her alone and that she would not trouble him any more. The Court here interposed, and told the Jury that they should try and forget every thing that the prisoner said under the influence of witness's threats. Examination resumed—Never saw the child; does not know how old prisoner is. The prisoner (Margaret) here stated that it was under the influence, and by the advice of prosecutor that she concealed the birth of the child; he would not let her wait for a coffin; the body was wrapped up in a canvass bag which statement witness denied. To the Court—Wanted to bring her to justice for fathering the child on him ; told her that he (witness) would support the child; did not care whether she was transported or not. **John Stiles, sworn— Recollects the day that prisoner was taken; Constable Ring was there; was interpreter between**

Constable Ring and prisoner; the Constable cautioned prisoner not to criminate herself; she said that she had a still-bom child, and that she shewed it to the father McElligott, after it was born ; he the father was present when prisoner said so ; he appeared astonished and denied the assertion; prisoner said that she buried it in Killaha Church; witness did not go with the Constable there. Constable Ring sworn—Got prisoner, Margaret Casey, into custody at McElligott's house, where the last witness was; witness and the prisoners went to the old building, Killaha Church, where the old woman uncovered the child, which was covered by grass only. To the Court—Cautioned prisoners - at first not to say any thing against themselves; Margaret said that the child was still-born, and buried in Killaha. The prisoners on being asked for witnesses, said, that the prosecutor hindered them from having any one near them at the time—that he even took away prisoner Magaret's father the day before the birth, who might have been a witness for prisoner, which the prosecutor explained by saying that he wanted to give him a breeches, which he promised to him. Not guilty.

Limerick Reporter 4 August 1840 Cork Summer Assizes - City Court – Friday July 31

At half past 10 o'clock this morning Mr Sergeant Greene entered the City Court and the Commission having been read by Mr Sheriff Johnson, the Grand Jury were re-sworn, and his Lordship addressed them in the following words – [...]

Mr P O'Connell applied to the court to appoint an **interpreter** for the city sessions court which he said was absolutely necessary in consequence of the great extent of the jurisdiction of the court.

His Lordship said that the foreman of the grand jury was at that moment speaking to him on the subject; but he did not think the words of the act empowering the court to appoint interpreters, the first of Victoria, extended to city sessions courts. However, he would look into it more attentively, and announce his decision tomorrow morning.

Connaught Telegraph 5 August 1840 Mayo Assizes Assault [No mention of interpreter here]

Michael Togher was indicted for assaulting Sarah Geraghty with intent to murder her; he was also indicted for a malicious assault, with intent to do her bodily harm, and also for a common assault.

Wm Bingham Esq, deposed that the character of the prosecutrix was such that she ought not to be believed on her oath, she swore to-day that she did not speak English and he often heard her speak it.

Southern Reporter & Cork Commercial Courier 11 August 1840 County Criminal Court assault (guns and sticks)

This witness being examined by the interpreter, the Jury were referred to, and one of them acquainted with Irish, stated that she made the answers as delivered by interpreter.

Kerry Examiner 21 August 1840 Important poor law investigation page 3 Third day- August 7 Court sat at 11 o'clock

Mr Justin Supple – We will now first proceed with our rebutting case, and then enter upon the charges against Mr Thompson for intimidation. [...]

Thomas Conway (an Irish witness) was here produced on the part of Mr O'Sullivan; he refused to give his testimony unless his expenses were paid.

Court – They must be paid by the union.

To Mr Supple (through an **interpreter**) – Lives in the same parish with Sheehy; was present when Sheehy, Bryan Connor, and the priest's clerk were together; the priest wanted them to sign; John Sheehy refused the priest at his own house; the priest did not go in, but was at the door; witness was in the porch: did not hear what occurred; Sheehy followed the priest to Bryan Connor's door, and brought a paper with him, which he had in his hand, and handed it to Bryan Connor, and desired him to put his name where Bryan Connor's name was in his own

The Times 25 August 1840 page 3 Letters to the Editor Mocklawdry Sessions [about getting registered for election - wanted to die a freeholder]

After sundry other questions to the same point, his worship interposed. "Why, Mr Hobson, pursue this further. The witness has sworn repeatedly he understand not one word of English, and only recollects that he was called repeatedly by his own name in English, and the moment he was called in Irish he immediately answered to the call. Again, observe the unconscious vacancy of his countenance, while I am now speaking of him, and while the question is putting to the interpreter in English, and contrast it with its intelligence the moment the same interpreter speaks to him in his native language". (Sensation). Here the witness addressed the interpreter in Irish, in a low tone. Hobson insisted upon knowing what he said; the interpreter answered at once, "He asked me, was his freehold safe? and then added, 'the Judge looks like a fair man, but I fear he is against me'" (Applause)

"I thought so" said his worship, somewhat elated, "the man understands English, as much as he does Chinese". Mr Hobson proceeds - "Do you know Neal Fahy?" - What a fool's question, and he my own half-brother." "Neal was an honest sort of a boy?" - "The biggest rogue from this to himself and that was a long way off." 'Where is he now?' - "Where he ought to have been long ago." - "Where is that?" - "To be sure you don't know." "Name the place where Neal Fahy is now." - "I must be a witch to tell you that." (A laugh). "Neal Fahy was transported?" - "It was yourself seen him aboard ship?" - "But mercy was extended to him?" - "How could that be when you were the prosecutor?" (Laughter). Mr Hobson here appealed to the Bench and complained that he could not get a single direct answer from the witness. His worship then said, "Interpreter, tell the witness that he is not to give argumentative answers to any questions proposed to him, however absurd he and others may think them to be". The interpreter hesitated and then said "Please, your Lordship, I have no ready Irish for 'argumentative'. "Then tell him" said his worship somewhat hastily "to answer yes or no in the first instance, and explain either answer afterwards." Cross-examination resumed. "Is Neal Fahy now in Ireland? - It is not so easy to get a return chaise from Botany Bay. (Laughter). The Neal Fahy is now in Botany Bay? - Thos who ride can find, and it was you who sent him there. "Upon your oath don't you know that Neal Fahy was in Ireland within the last month?" "How can he be in Ireland and in Botany Bay at the same time?" His worship, quasi in furore, here suddenly interposed - "Interpreter, ask the witness if he was in Botany Bay a month ago could he now be in Ireland." "I never was in Botany Bay, my Lord" "But, supposing you had been a month ago, could you be here now?" "I am here now sure enough, and steam does wonders they say" His worship then addressed Mr Hobson - "Well, Mr Hobson, will you proceed after this?" - "But one or two questions more, your worship." Did Neal Fahy ever break gaol? - Only twice. Did he ever run a race with the horse police? They were galloping after him across the country one day, but somehow or other he got away from them all. "You are all done now" said Sleveeny "your two questions are over." "We shall try a third" said Hobson "You have sworn that you are Thady Muckabawn. Upon your oath, did he not die last night; and are not the neighbours now waking him?" - "I am very glad to hear of my own death, but weak as I am, I am not dead yet". Here the witness fell into a fit of coughing. "You are a dying man". "We are all that, God help us" [Sleveeny her called upon the Court to protect the witness. "It was cruel thus to sport with the infirmities of a paralytic old man trembling on the brink of the grave."] "one question more" said Hobson "and it shall be the last. Are you not Neal Fahy himself?" Here the witness got a violent fit of coughing, but contrived to get out, "I am but a poor subject for a joke". "Oh, Mr Hobson" said his worship, "I must put a stop to this; I shall register this man forthwith." "Not yet, your worship. Come forth now, Thady Muckabawn, and give the lie face to face to Neal Fahy, who swears that he is you. Come forth, dead or alive, ghostly or bodily, and meet Neal Fahy, and again convict him of perjury!"

The ghost came out of a nook where he had been conveniently concealed, and was lifted up upon the table in the same identical costume as the witness. The instant he appeared upon the table Neal Fahy forgot all his self-possession, and abruptly exclaimed in English "Oh! by the holy St Bridget, I am caught again; there he is himself. Boys, make way for another martyr" and with a bound of elastic

vigour, which all the Bolognas who have ever been imported from the continent to play harlequin in the London theatres might have envied, this paralytic old patient cleared the dock, and found a ready passage through the mob, who were cheering him as he flew by them with cries of "God speed you Neal Fahy; you have done the best you could for your religion and your country. Let us see the man who would harm you."

The police were in immediate pursuit, but the people, in order to confound the scent, were running in different directions. Sleveeny was seen blessing himself and lifting up the whites of his eyes in mute astonishment, while his worship was left to meditate upon that "unconscious vacancy" of countenance which expressed so admirably a total ignorance of the English language. I am, Sir, &c, B.

Southern Reporter & Cork Commercial Courier 1 October 1840 The Registries Quarter Sessions Court Youghal

In this Borough there were 20 applications, and 5 registries, three of whom were Liberals.

At the close of the County Registry, **one applicant in the County came up, named Timothy McCarthy; he was unable to speak English, and was, therefore, examined through an interpreter.**

He stated that his house and ground were worth more than the franchise qualification.

Upon being cross examined by Mr Morgan Conservative Agent, through the Interpreter,

Mr Morgan expressed his dissatisfaction at the translation the interpreter gave of the applicant's answer, and said I'll get a person beside me to swear that the answer the man gave was that he would not give the ground for 14s or 15s an acre.

Mr Scannell – That is not the answer; he has sworn positively that he would give 15s an acre for the ground, and I understand the language as well as any man in court.

Mr Morgan (pointing to Mr Carnegie) – I am instructed that a gentleman here will swear that the answer was as I have stated.

Mr Parker – That is not so bad; a Scotchman to swear to an answer given by an Irishman in Irish.

Mr Scannell – Well, Mr Morgan, will you produce a witness to contradict me?

Mr Morgan – I am instructed that the answer I have stated will be sworn to.

Mr Victor Roche – Let it be sworn to.

Mr Carnegie, however, did not give the evidence.

Mayo Constitution 20 October 1840 page 2 Government investigation – the constabulary

A court composed of Mr Hatchell QC, Major Priestly Provincial inspector, and Mr Barron RM assembled in Belmullet, to inquire into the truth of certain charges made by individuals resident in the parish of Kilmoremoy against Sub Inspector Walsh, stationed for some time in Erris.,,,,

Dick Barrett, a young boy who said he understood the nature of an oath, was then called. On being sworn he was examined by Dean Lyons, through an interpreter.

John Heraghty – Where do you live? AT Pullacopple....

Mr Hatchell – Does he swear Mr Walsh made stabs at him?

Interpreter – He swears they were made by the men.

Patt Barrett, an Irish witness – Lives in Moraghan; knows Pat Dickson.

Mr Walsh – He's a tailor in this town, speaking English every day and he can speak it very well.

Mr Hatchell – If you don't speak English I'll fine you five pounds, and send you to gaol until you pay it.

The witness then spoke English.

Tuesday – second day

At the request of Dean Lyons this morning the interpreter who acted yesterday was changed for Mr Crampton, the clerk of petty sessions, who would, the Dean observed, interpret honestly and to the best of his judgment.

1841

Kerry Examiner 12 January 1841 page 2 Tralee Quarter Sessions – the Registry

The Assistant Barrister arrived in the town from Kenmare on Saturday morning and soon after his arrival took his seat on the Bench. His Worship before proceeding with the business of the Court referred to the case of a Process Server in Kenmare whom he dismissed for having served a Process on Christmas day, and observed that as he had since learned that some of his predecessors had permitted the practice of serving processes on that day, he would not be so severe for the present, but he would caution all Process-Servers against serving a process on Christmas day. It was not a day of work, but it was double sacred against the serving of a writ on that day issuing from any Court of Law. [...]

The Claimant in reply to a question put by Mr Huggard, said that the old name in Irish was Guyer, and in English Dwyer, whereupon Mr Huggard contended that he should on this fact be admitted. Reference, however, was made to the **interpreter** of the Court, who showed that the one name was not a translation of the other.

Mayo Constitution 23 February 1841 page 2 Newport petty sessions Alleged injury to a chapel

The following magistrates presided at Newport petty sessions on Tuesday last – Captain Stuart chairman, Geo Clendining esq and James Hillas esq.

A charge brought by the Rev James Dwyer PP of Achill, against Wm Pugh, William Daly, and Sub Constable Michael Godfrey, “of having feloniously broken the doors and window frames of the new Catholic Church at Doonkillen, Achill....Mr Acton for the defence

The Rev Mr Dwyer was then sworn and examined by Mr Myles Jordan.

Mr Acton asked Mr Dwyer if he saw the summons filled?

Mr Gillespie – It was filled from his own letter, and the offence exactly stated as he mentioned it..

Michael Mangan, a boy apparently about 13 or 14 years of age, but who stated that he was 18, was next called. It was stated that he could not speak English, and being interrogated in Irish, he said he neither knew the catechism nor the Lord’s Prayer; but he knew there was a God above, and that any person who swore a lie would be damned.

Mr Hillas proposed that Mr Gillespie CLERK be sworn as interpreter. The examination of the boy was then proceeded with. He deposed that as he was passing convenient to the chapel he saw Pugh standing between the chapel and the road; it was then about eight o’clock, a good while after night fell; knew Pugh by eye sight and knew him then as the night was bright; heard a noise before he saw Pugh, four or five perches from the chapel; he was standing and he had a small stick in his hand.

Mr Jordan here said if he was sworn he would state that the boy said he heard a whistle.

Mr Gillespie said that he gave the best interpretation he could.

Mr Dwyer: I altogether acquit you, sir, of intentionally not giving the proper answer.

Capt Stuart: I know Mr Gillespie two and twenty years, and if it was said he would give an incorrect answer knowingly it would be doing him a great injustice.

Mr Dwyer again said he entirely acquitted Mr Gillespie of any intentional incorrectness.

A man named O’Boyle was then sworn and deposed that the boy mentioned the word whistled.

Mr Hillas said a more correct man he never saw in any office than Mr Gillespie.

Mr Gillespie: For the first man in the land I wouldn’t give improper interpretation; but I don’t perfectly understand the Irish language.

The examination was then proceeded with, O’Boyle acting as interpreter; the boy stated that after the whistling the noise ceased.....

James Lavelle was next called and examined in Irish....

No case was proved

Mr William Gillespie, of Newport has been appointed by the Court of Chancery Receiver on the property of John McLaughlen, Esq of Newfield. [Mayo Constitution 22 November 1836)

William Gillespie (examined by Mr Dillon) Has the management of a property in the neighbourhood, and is clerk of petty sessions; always considered the character of the district to be peaceable; knows the old man many years, and considered him a peaceable, honest man, doesn't know the young men. (Mayo Constitution 19 March 1844)

Died – At New York, on Monday, the 24th March, of a short but severe illness, Mr William Gillespie, formerly of Newport in this county, in the 51st year of his age. [Mayo Constitution 15 April 1851]

The first witness called was William Gillespie, Clerk of the petit sessions of Newport....

Londonderry Sentinel 27 March 1841 page 1 Crown Court –

Robert Costello, an officer of the revenue police, and John Mulhern, a private under his command, were indicted, the latter for killing Mary Gallagher, at Doaghbeg, on the 6th of February, by discharging a loaded gun at her, and the former for aiding and assisting in the offence charged in the indictment.....

Pat Gallagher examined by Mr Smyley (**This witness, a brother to the last, was examined through an interpreter as he alleged he could not speak English**). His detail of the transaction was much the same, except that he stated seeing the people put forth their hands in a threatening attitude toward the police, who he then saw draw their bayonets and threaten the country people. On his cross-examination by Oliver Sproule, ESq, he admitted seeing the people throw stones before the shots were fired by the police.

Mayo Constitution 3 August 1841 page 2 Crown Court

Dominick Barret was indicted for having committed a felonious offence on the person of Catherine Dixon, near Binhamstown, on the 6th of June 1840.

Owen Hallinan was next called; he refused to speak English, and said he couldn't. Mr Conway, the interpreter, swore he could speak English very well. The Court ordered Mr Conway to be sworn as to the man's ability to speak English, and ordered the witness to be sent to jail.

Southern Reporter & Cork Commercial Courier 17 August 1841 County Criminal Court

Manslaughter

Benjamin Gash was given in charge, for that he, on the 10th Sept 1838, did kill Michael Ford, by James Butler jun striking him on the head with a stone, and the prisoner aiding and abetting therein.....

Judith Kearney, examined by Mr Fitzgerald (**thro an interpreter**)

Cross examined by Mr Scannell – Does not understand English; Mr Gash spoke in English on that day; did not understand what Mr Gash said.

Kerry Examiner 22 October 1841 page 3 Tralee Quarter Sessions – The Registry The Dingle Converts

Michael Power v the Rev Charles Gaye

This was an action for laboring work.

The plaintiff's sister deposed to the fact of her brother having worked for the Rev Mr Gaye for 20 weeks and 3 days, at 8d per day and his diet. She also swore that she was promised plenty of victuals, and that she got plenty of victuals, and that she got plenty of potatoes from Mr Gayer; and that she was offered money by him if she would "turn."

The witness, a miserable looking creature, her costume not far removed from that scant supply that would leave her very nearly in *puri*, being unable to speak English, had to be examined through the interpreter.

1842

Kerry Evening Post 16 February 1842 page 3 Tralee Petty sessions

William Howran, of Chapeltown, an **ignorant poor man who could not speak English**, was convicted in the mitigated penalty of £5 for a breach of the excise laws viz for having a signboard over his door intimating that he was a licensed retailer of spirits on the first of January, whereas he had not taken out a licence for that year. He was convicted on the prosecution of Mr Edward Philips, Excise Officer. The magistrates recommended him to the Board of Excise, through the Collector, for a further mitigation of the fine.

Kerry Evening Post 12 March 1842 page 2 The Murder at Bracaragh

Sylvester Sullivan was placed at the bar charged with the murder of Ellen Grady, on the 16th Nov at Bracaragh.

Mr. Bennett—I will state shortly, without comment, the nature of the case which it is my duty to bring forward against the prisoner. The prisoner at the bar. Silvester Sullivan, stands charged with the murder of Ellen Grady. In the commencement, I am sorry to inform you, that no circumstance can mitigate the crime into manslaughter: it must either be murder, or the man be pronounced innocent. The deceased person was married to a man named John Grady. She was found dead on the 17th of November, with marks of strangulation on her, and other tokens of violence on her person. It will appear to you that she was rather an abandoned character, intriguing with the prisoner at the bar and another person named Gallivan. and it is alleged, rather supposed, that the prisoner at the bar was jealous of her intimacy with Gallivan. She was found dead on the morning of 17th of November, at day-break, having been seen late the evening of the 16th in her husband's house alive and well. Two persons, named Catherine Hussey and Martin Hussey, being out early in the morning, Catherine saw what they thought was the dead body, and they went to the spot and found her dead, with a handkerchief round the back of her head. It will be proved she saw marks of fingers on her neck, and black marks on her wrist. The deceased lived in a small village, called Bracaragh. She had gone out the evening before to borrow, as she said, smoothing iron, and her husband not finding her return home in the course of the night, went out early in the morning with other people to look for her. She was seen by two persons named Gallivan at her husband's house the evening before she was found dead. The sister of the deceased who went out to look for her—namely Gubby Shea and Jane Roche came up and saw deceased in the condition already described. There is no question but that, between the night of the 16th and early the morning of the 17th, she met with a violent death. I have informed you of the possible motive which the prisoner had, and a gentleman of the name of O'Sullivan. having heard of the death, went towards the spot in the morning, when several people were there, and amongst the rest, the prisoner. Mr. O'Sullivan will describe the marks he saw on him. and which led him to suspect that was the person who had committed the murder. He had a scrape on the eye and a black mark on the wrist. The prisoner, on being questioned by Mr. O'Sullivan, said was in bed all night. On the 18th, 19th, 20th. and 22nd of November an inquest was held.— The examination was careful on the part of the jury.— Upon the shin, leg. appeared peculiar marks, and those marks correspond exactly with the nails in the bottom of shoe at that time on the prisoner. Those marks corresponding with that shoe of course you'll examine this part of the matter with great care to satisfy yourselves. But there is a circumstance in this case which will probably remove all doubt from the prisoner, for the prisoner sent for Mr. O'Sullivan and offered to make confession to him. Mr. O'Sullivan not being a magistrate, was reluctant to take it, but told him to take care of himself and not criminate himself, for that what he would state would be made use of hereafter against him. He then sent for Mr. Maurice O'Connell. magistrate, and Mr. Theobald Dillon, Stipendiary, and those two gentlemen. Mr. O'Sullivan being with them, took down what will be read to you in evidence. was a voluntary confession. it is made admissible by the rules of law, and forms the case which I have to lay before you. It will be your duty to attend to this case most particularly. It is a case of circumstantial evidence, accompanied with a confession of the prisoner. When you put all those facts together, you'll come, I have no doubt, to a fair opinion on the matter. If you have any reasonable doubt, no one will be more happy than I at your finding a verdict of acquittal. — But if the matter be beyond a doubt, your duty is plain—you will

act with that firmness which those laws formed for the protection human life require at your hands. The first witness sworn was John Grady, the husband of deceased. His direct evidence was an echo of that part of Mr. Bennett's statement referring to him. Like a majority of the witnesses, he could not speak English.

Cross-examined by Mr. J. D. Fitzgerald.—Was charged himself with killing her; was taken prisoner and kept for four or five days; when he recognised the body next morning did not appear agitated; some of the police were sitting with witness in the room where he was placed prisoner; his clothes were examined; he took off every stitch to have them examined; they were examined by Mr. O'Sullivan; there was no spot of blood on his coat; there was nothing but dirt on it; on going out that night to look for deceased, went into three homes; there are number of houses in the village—five or six; Gallivan's wife, who lives to the south of the witness's house, said deceased might have gone with her sister to another house on the farm, and that is the reason why he did not go to inquire further. John Daniel Gallivan saw deceased last, in beginning of the night that she was killed, in her own house; her husband, James Gallivan and John Murphy were present; witness remained a good while there—while he'd be travelling 10 or 11 miles; Ellen Grady didn't go out while he was there; witness was the last who went out, leaving her her husband; witness's house is five stone-throws from Grady's; saw the body of deceased next morning; there were but a few persons present when witness arrived at the place; the prisoner came there after witness came; John O Grady was there; saw the body at the distance of a reasonable field to the south of the prosecutor's house; John Grady said when prisoner came up that it was he (prisoner) killed the woman; could not say what he said in reply; John Grady said he'd lose what he had to him (in prosecuting him.)

Cross-examined—It a relation of each of the parties; James Gallivan was taken prisoner for this offence ; the place where the body was found was nearer to Grady's house than the prisoner's: it was in the middle of the farm; in going to the prisoners home she should pass through the village.

James Gallivan's evidence on the direct was essentially the same as that of the preceding witness. [...]

Mr. Eugene O'Sullivan examined.—witness sent for Mr Barry, the Dispensary Doctor, and Mr Maurice O'Connell; before they came, witness brought the prisoner to a house convenient; witness told him he wished to undress himself, in order to examine him; found no marks upon him but a blackness in the left wrist, as if bruised or pressed hard; does not know if it was fresh; Mr O'Connell and Dr Barry came immediately after – in an hour; witness recommended Mr O'Connell to have the man arrested; the prisoner speaks Irish; does not know if he speaks English; when the magistrates came they arrested the prisoner and two other persons; attended the inquest, during which the prisoner was in charge of the police; the last day of the inquest the prisoner made a confession; it was at the dispensary the inquest was held; witness interpreted between the prisoner and the magistrates; cautioned prisoner that he was to know that his making a declaration was no mitigation of any punishment., and that he was to expect nothing by making a voluntary declaration; witness read over to the prisoner, in Irish, what had been taken down by Mr O'Connell; read it truly to him; prisoner said it was all right and true; identifies the document; the prisoner's mark is on it.

Court – Who began the conversation – you or he?

Witness – One of the policemen told me he was going to make a confession.

Teo the Court- Examined Grady's clothes also.

Cross-examined – Is agent to Sullivan's landlord; considered prisoner a well-conducted man; never heard him charged with any crime before.

Constable Denis Eagan sworn – The prisoner was in his custody from the 17th of November till the 23rd or 24th; had a conversation with prisoner about a confession; the prisoner commenced the confession; held out no offers to enter into that confession.

To the Court – Witness made no remarks to induce him to enter into that confession.

To Mr Hickson – This conversation was on the morning of the 23rd; prisoner said there was no use in denying any longer; he said this in broken English.

To the Court – The other two prisoners were present; the prisoner sat near witness; neither by question of any kind, or by asking him where he had been, did witness lead to the conversation; on the prisoner’s saying this, witness removed him.

To Mr Hickson – Witness asked him what it was which there was no use in denying; the prisoner said – “If finished her”

To the Court – ‘Twas in consequence of what he said that witness took the prisoner before the magistrates. [...]

Maurice O’Connell Esq MP was next examined, and his evidence was an echo of his deposition at the inquest given elsewhere.

Cross-examined – So far as he is acquainted with the Irish language, conceives Mr O’Sullivan interpreted correctly; could not give the words in Irish which O’Sullivan used; only believes Mr O’Sullivan interpreted them truly; heard that, while in the kitchen at the Dispensary house that morning, some of the servants of the house said to the prisoner that if he knew anything about the matter, to tell it, and that it was better for him; heard it stated afterwards that one of the jurors said “we wish they wouldn’t be keeping us here.”

Mr Fitzgerald objected to the evidence of Constable Eagan relative to the prisoner’s confession to him, it being but *part*, and the whole being reduced to writing excluded the verbal testimony.

Court – the confession to the constable being at a different time, and made to a different person, I am bound to receive it.

Mr Fitzgerald – then, my Lord, I object to receive this compassion at all – first because it appears the servant held out some sort of threat – secondly, because, whether threatened or not, the police did not caution him sufficiently as to the danger of making this confession – and, lastly and principally, because it was made under the terror of the vision.

[...]

Mr Maurice O’Connell was then called on to read the following document:

Monday Nov 22 1841 – Maurice O’Connell Esq MP sworn – saith that the prisoner, Silvester Sullivan, sent for him this morning, and said he wished to make a confession to him; took him into a room, and took Mr Dillon and Mr Gardiner with him; Mr Eugene O’Sullivan was sworn as interpreter; cautioned the prisoner as to what he was going to say
Silvester Sullivan was found guilty

Kerry Evening Post 12 March 1842 Kerry Assizes page 2

The murder at Bracaragh

Sylvester Sullivan was placed at the bar charged with the murder of Ellen Grady, on the 16th Nov, at Bracaragh. [...]

The first witness sworn was John Grady, the husband of the deceased. ... **Like a majority of the witnesses, he could not speak English.** [...]

Mr Eugene O’Sullivan examined – Knew deceased; identifies the prisoner; about 8 o’clock in the morning saw the body in a field a short distance from the place where it was found’ there were a good many persons present, and the prisoner among the rest; remarked that the prisoner had a scrape under one of his eyes, and his eyes were blood shot; witness said to him “you look like a man who spent the night up”, or “you seem to have had a restless night” or something to that effect; thinks the prisoner said he was innocent, or something to that effect; witness sent for Mr Barry, the Dispensary Doctor, and Mr Maurice O’Connell; before they came, witness brought the prisoner to a house convenient; witness told him he wished him to undress himself, in order to examine him; found no marks upon him but a blackness in the left wrist, as if bruised or pressed hard; does not know if it was fresh; Mr O’Connell and Dr Barry came immediately after – in an hour; witness recommended Mr O’Connell to have the man arrested; the prisoner speaks Irish; does not know if he speaks English; when the magistrates came they arrested the prisoner and two other persons; attended the inquest, during which the prisoner was in charge of the police; the last day of the

inquest the prisoner made a confession; it was at the dispensary the inquest was held; witness interpreted between the prisoner and the magistrates; cautioned prisoner that he was to know that his making a declaration was no mitigation of any punishment, and that he was to expect nothing by making a voluntary declaration; witness read over to the prisoner, in Irish, what had been taken down by Mr O'Connell; read it truly to him; prisoner said it was all right and true; identifies the document; the prisoner's mark is to it.

Court – Who began the conversation – you or he?

Witness – One of the policemen told me he was going to make a confession. [...]

Maurice O'Connell, Esq, MP, was next examined, and his evidence was an echo of his deposition at the inquest given elsewhere.

Cross-examined – So far as he is acquainted with the Irish language, conceives Mr O'Sullivan interpreted correctly; would not give the words in Irish which O'Sullivan used; only believes Mr O'Sullivan interpreted them truly; heard that, while in the kitchen at the Dispensary house that morning, some of the servants of the house said to the prisoner that if he knew anything about the matter, to tell it, and that it was better for him; heard it stated afterwards that one of the jurors said "we wish they wouldn't be keeping us here."

Mr Fitzgerald objected to the evidence of Constable Eagan relative to the prisoner's confession to him, it being but *part*, and the whole thing being reduced to writing excluded the verbal testimony.

Court – The confession to the Constable being at a different time, and made to a different person, I am bound to receive it.

Mr Fitzgerald – Then, my Lord, I object to receive this confession at all – first because it appears the servant held out some sort of threat – secondly, because, whether threatened or not, the police did not caution him sufficiently as to the danger of making this confession – and, lastly and principally, because it was made under the terror of the vision.

Kerry Examiner 15 March 1842 page 2 Kerry Assizes Criminal Court The Murder at Bracaragh
Silvester Sullivan was placed at the bar charged with the murder of Ellen Grady, on the 16th Nov, at Bracaragh.

Mr Maurice O'Connell then read the following declaration, which had been made by the prisoner:-
[...]

Monday, Nov 22, 1841 – Maurice O'Connell, Esq MP, sworn – Saith that the prisoner, Silvester Sullivan, sent for him this morning, and said he wished to make a confession to him; took him into a room, and took Mr Dillon and Mr Gardiner with him; Mr Eugene O'Sullivan was sworn as **interpreter**; cautioned the prisoner as to what he was going to say...

According to *Kerry Evening Post* 8 December 1841, Eugene O'Sullivan was Eugene O'Sullivan Esq of West Cove, resident agent to EB Hartopp Esq to whom the parties [in the case] were tenants.

Letterkenny Sentinel 19 March 1842 page 4 Tyrone Assizes Crown Court

Biddy Byrne, **who was examined through an Irish interpreter**, swore that she overtook the prisoner on the road to Killybegs, on the Sunday in question; he had two heifers with him.

Galway Vindicator 19 March 1842 page 3

Galway Assizes County Court – riot and assault:

John Day, sworn, examined by Mr French QC through the interpreter

Michael Mulkern sworn and examined through the interpreter

Kerry Examiner 26 April 1842 page 4 [The Note Book of an Irish Barrister – book]

Baron Forster's Blunders – He is reported to have said some queer things. Profoundly skilled as he is in Irish antiquities, yet his knowledge did not save him from once falling into a laughable mistake. In Limerick a man was tried before him for an aggravated assault – he struck the prosecutor with a very dangerous national weapon, both of offence and defence, called a cleh alpeen, which, being

interpreted, means a ponderous staff, whose centre of gravity lies about one foot from the hitting end, taking the entire sprig to be about five. The prosecutor stated, in the figurative phraseology peculiar to his countrymen, "that the prisoner, Mick Molony, gave him a wipe of a cleh alpeen, and laid him neatly on the ground." The baron proceeded to address the jury. 'Gentlemen, you can have no doubt about this case, so that it is unnecessary for me to detain you long. It is quite clear.' (There were sundry nods from the grand jury box). 'It is indeed rare to find such instances of magnanimity in the Irish peasantry. They are vindictive, but their passions are only momentary, and they are often hurried from the extreme of cruelty to that of kindness, and, exhibit many generous traits of character, as we see in the case at present before the court'. Counsel and Jury were equally astonished; no person could divine what was passing through his lordship's mind; he never indulged in humour: levity was foreign to his disposition; but the next sentence cleared away the mystic cloud. 'It is in evidence before you, from the very prosecutor himself that the prisoner at the bar gave him a wipe of a clean napkin, and, with truly humane tenderness, laid him gently on the earth. – Of course, gentlemen, you will acquit the prisoner.' Here there was a universal shout of laughter. The baron was dumb-founded at the vehement explosion, and enquired the cause of such an indecorous exhibition. Mr Bennett rose, and with one hand in his breeches pocket, and the other extended towards his lordship, explained the misapprehension. A mischievous laugh was seeking to disorder his liable muscles as he told the baron that he mistook a cleh alpeen for a clean napkin, and that the gentle prostration was neither more or less than the effect of a blow which would have felled an ox. – Metropolitan Magazine Volume XXXIII January to April 1842

Kerry Examiner 6 May 1842 page 2

Poor Law Investigation – electoral division of Knockane. Second day

Timothy Sullivan, an **Irish witness** examined through Mr John O'Connell – A constable left a paper at his house; Father Owen came to ask witness for it; he desired him give it to himself –that he had his master's orders to get it; his master is Mr James Sugrue of Beaufort; did not give it to him, because he had his landlord's directions not to give it to anyone till he brought it to himself to fill it; when Father Owen did not succeed in getting it he was very much dissatisfied with witness; he called him a spodillah, which Mr O'Connell interpreted a a booby, or sooty fellow.

The Rev Owen O'Sullivan – Spodillah means a clumsy looking fellow, like the witness.

Kerry Evening Post 13 July 1842 Ennis Assizes Crown Court

Martn Griffin was arraigned for having on the 20th of June 1841, at Cloncooney, assaulted & violated the person of Catherine M'Grath. Catherine McGrath, the prosecutrix, sworn, and examined by Mr. Bennett QC, **through Mr. Blake, the interpreter**—I know the prisoner—[identifies him]—I am married 12 months last Shrovetidc; my husband's name is James McGrath; I know the prisoner as long as I can remember anything ; he is married; I live at Carrigholt; I was collecting seaweed about this time twelvemonth ; my husband and Martin Griffith and others were with me ; I left my husband after me and went away; the prisoner followed me, and overtook me in a potato garden; he caught hold of me then and ill-treated me; I tried to prevent him. I made an information before Mr. Studdert; I did not see him afterwards until he was bailed out of prison about the beginning of last spring ; prisoner is a weaver. [...] Verdict: not guilty

Nenagh Guardian 13 July 1842 'Affray and Grievous Assault' 3.

Daniel Connell called and examined through the medium of an interpreter, he not understanding a single word of English.

Sligo Champion 23 July 1842 page 3 Sligo poor law union

Meeting of the guardians

The folowing members of the board were present: **James Beatty**

Sligo Champion 27 July 1842 page 4 Sligo Assizes

Thomas Grehan, who was convicted of Ribbonism, was brought up for judgment.

The defence was that the prisoner could not speak English, and that he did not know the meaning of the papers he had about him.

The prisoner, on being called up, addressed Baron Lefroy in good English, in mitigation of his sentence, and said he had got the papers in America.

The learned Judge, in pronouncing the sentence of the Court, said he considered that very circumstance an aggravation of his crime, that it appeared he was in the practice of going between this country and America, most probably for the purpose of making members of an illegal society. **In addition, he had brought witnesses forward in his defence to perjure themselves, they having sworn he could not speak English, which was now clearly proved to be untrue – taking all the circumstances of the case into consideration, he must pronounce the heaviest sentence of the law – transportation for seven years.**

Cork Examiner 5 August 1842 page 2 Cork Summer Assizes – 1842 County Record Court - Yesterday Recorder's Interpreter

This presentment was also nilled.

After a considerable time had been lost in hearing an application from Mr DD Curtayne, the Court entered on the City Crown Business.

Cork Examiner 5 October 1842 page 3 Dungarvan Petty Sessions – Saturday (Before Beresford Boare, Esq, and Doctor Fitzgerald)

A continuation of the important Fishery case now pending between the Dungarvan Fisherman, and the natives of Ringagoona, on the Helvic coast, being announced for to-day, the court house was densely crowded by persons deeply interested in this important question. After a considerable number of these paltry and vexatious litigations wherewith Stipendiaries, Road magistrates, and police are wont to harass their industrious poor neighbours had been gone through, the case of Michael Paul against John Marks was called on – the charge was similar to that upon which Marks had already been convicted – the malicious cutting of a Trammel net.

Michael Barry was called as a witness.

Dr Fitzgerald asked – Does anyone appear for Marks? There is nothing necessary in these cases, but to call witnesses and prove the damage done.

Mr Hudson said, that on the part of Marks he disputed in the first place the jurisdiction of the Bench, he disputed the value laid upon the nets, and was fully prepared to prove that the prosecutors were altogether mistaken as to the identity of the parties.

Doctor Fitzgerald said he considered that such a course would amount to breaking faith with the bench, as he understood from counsel for Marks, on the last day, Mr Walsh, that no further objection or defence would be attempted, and that nothing would remain for the bench but to try the estimate of damages.

Mr George Keily said – Perhaps the court is not aware of the distinction that arises with regard to the arrangement alluded to; it signified that the persons belonging to one boat should meet no further opposition – but there's now another boat coming forward to claim compensation, and the man prosecuting in the first instance comes forward now also to sustain this second charge.

Dr Fitzgerald – The Ring men left this with the impression that there would be no more litigious opposition – they have come here now only prepared to prove value, and as they have neither counsel nor attorney it would be a great injustice to press the case.

Mr Keily – We don't want to press the case – let it be adjourned. We go on new grounds altogether, which we think will satisfy the bench, that our client, John Marks, should be acquitted.

Mr Andrew Carbery said – We know John Marks to be perfectly innocent, and that is our anxiety that the matter should be fully investigated, and we have no objection to any adjournment you think proper.

Doctor Fitzgerald then said, the bench were most anxious to give every person an opportunity of proving his innocence – and desired the interpreter to explain to the Ring men in the vernacular that the further hearing of the case was postponed until Saturday next, in order to give them an opportunity of providing themselves with counsel.

Michael Barry said in Irish, on the part of the Ring men “Tha an Duchthur mogu fuing – the gei hi anima Dioul,” which means “Anglice” “the Doctor is making game of us – ye may all go to the D_!.” With this parting benediction both parties left the court.

Cork Examiner 19 October 1842 Dungarvan Petty Sessions – Saturday (Reported for the Examiner)

Considerable excitement prevailed here for the last month in consequence of frequent contentions between the fishermen of this town and the adjoining parish of Ring. From the cases that name (sic) under the notice of the magistrates, they deemed it prudent to have one of her Majesty’s Cutters sent down to sail about the coast and prevent the loss of life, which would inevitably follow, should these contentions be persevered in. the great and primary cause of these quarrels is, that the Ring fishermen are in the habit of using trammel nets, which it is said are driving large fish from the coast. The Presiding Magistrates were – Gerald Fitzgerald, Esq, SM, Chairman, Beresford Boate, Esq, and Sir Nugent Humble.

The prosecution was conducted on behalf o the Dungarvan Fishermen, by Mr George Keily; and the Ring men were defended by Mr John C Browne.

The first case called on was Patrick Gibbons, Patrick White, and John Collins, against Thomas Burns, for having trammels, illegally set in the water, contrary to the 8th sec, of 5 & 6 Vic, cap. 106.

Patrick Gibbons examined by Mr Keily – Recollects the night of Thursday the 6th inst.; went out fishing in the Anne; was returning on the following morning; was near Mine Head; saw a trammel buoy; took it up and endeavoured to drag it on board his boat, and could not; went off in search of the Mary of Waterford; told the captain of the Mary about the trammel nets; he came with him and both of them hauled the nets up and put them on board the Mary; all this occurred after sunrise and after seven seven o’clock.

Cross-examined by Mr Browne – Was two miles and a half away from land, was outside the farthest point of land; left the Offing about half-past six o’clock; he *knew the hour well by the compass*; never spoke to any person about the evidence he is giving; there was a small gale of wind blowing at the time.

Mr Browne here raised an objection – that as the offence was proved to have been committed on the high seas – it was outside the jurisdiction of the magistrates – they had, therefore, no power to adjudicate on the summons.

Mr Keily directed the attention of their Worships to the 96th section of the new Fishery Act; and after a short discussion, the Bench over-ruled the objection.

Patrick White, examined by Mr Keily – Is one of the crew f the Mary, of Wateford; recollects Friday morning, October the 6th, was out fisihing;saw Pat Gibbons soming from the sea towards where he was; he was near Green Point; was about 21/2 miles from land; it was about 8 o’clock in the morning; Gibbons told them about the trammels; both of them came to them, and hauled them on board the Mary; and brought them to the quay of Dungarvan.

Cross-examined by Mr Browne – Knew it was 8 o’clock by the compass.

Chairman – Pray enlighten us how you know the hour by the compass?

Witness – Oh! It wasn’t by the compass I knew it at all, ‘twas by the sun.

John Collins, examined by Mr Keily – Is one of the crew of the Mary of Waterford; recollects the moring the trammlels were taken up; hauled them on board the Mary; [.....]

Defence

The first witness called for the defence was

Michael Walsh, examined by Mr Browne – (this witness was examined in Irish through an **interpreter**) – Recollects Friday morning the 7th instant

1843

Mayo Consitution 21 February 1843 page 3

The other tender could not be accepted as Mr Wiliam Lavelle, the deputy clerk of the peace, was proposed as one of the sureties, the act of parliament stating that such officer was not eligible as contractor or security.

Saunders newsletter 20 March 1843 page 3 spring Assizes, 1843. Galway.

Bridget Ruane and another person where indicted for administering a certain poison, called corrosive sublimate, to Patrick Ruane, with intent to murder him. The prisoners pleaded not guilty... Mr Pat Madden examined – I am an assistant in the establishment of Dr Clark, at Tuam; I recollect selling some corrosive sublimate and some sugar of lead in the month of November last to two women, but I cannot identified the prisoners as the same persons; I marked the paper containing them 'poison'.

Cross examined – the women asked for the sublimate in Irish, which was interpreted to me by a man named McGuff; it was said to be required for a sore leg, and I gave it.

The information of the witness was here read, and it stated that the persons first asked for sugar of lead, and not for corrosive sublimate.

McGuff was next called, and proved having acted as **interpreter** on the occasion in question; he identified the younger prisoner.

Cross-examined – admitted on several occasions that he could only identify prisoners according to the best of his belief.

Cork Examiner 31 March 1843 page 2 Cork Spring Assizes - 1843

The Interpreter (city of Cork)

Mr Scannell next applied to have a Presentment for payment of the Court Interpreter fiated under the 76th section of the 108 Victoria. Judge Ball had on a former occasion fiated a similar Presentment.

The Court considered the office quite within the spirit, if not the letter of the Act. The Irish language was the only one spoken by the majority of the country witnesses, and an interpreter was actually necessary. He did not feel at liberty to enter on the question then, but would consult with Judge Ball on it.

Cork Examiner 3 April 1843 page 1 City Court – Friday County Records Saturday

Mr Justice Jackson entered Court this day at 10 o'clock, and proceeded to dispose of some Applications

In the case of the **interpreter** for the court, his Lordship said that he had looked over the Act, but could not find a clause in it giving the Grand Jury any power to make a presentment for the salary of such an officer.

Southern Reporter 4 April 1843, page 3 County criminal court

assault on a female.

Patrick Neville was placed at the bar, charged with a criminal assault upon the person of Mary Linehan, at Templenacarriga, on 27 December, 1841.

Mary Linehan, being sworn, was examined in Irish, through an **interpreter**; I knew the prisoner about two months before last Christmas; I don't know where he lived them; I was a servant; my master lived at Templenacarrigy; on Monday after Christmas 1841, I was picking potatoes in my master's garden; prisoner was digging them there when I went into it; prisoners, brother, was in the garden also; he said he should go to Middleton for leather for his shoes, and he did go in a short time after; prisoner remained in the garden with me; when I was done picking the potatoes. I left the garden, and went along by a ditch; prisoner ran after me, and overtook me before I got to the; I asked him

where he was going; he made no answer, but laid hold of her and threw her down, and he failed with her, into the ditch; she called upon him to spare her life, but he made no answer. Here, the prosecutrix described the assault, and then continued; after I recovered from the faint I fed into during the assault, I went to Hickey's house, and from that. I went home the next day; no doctor was sent for because, my people couldn't afford to pay him, and I lived too far away from him.

Court – the absence of a medical man in this case is very much to be lamented.

Mr Bennett – it is, my Lord; but if we can't establish the commission of the crime with out such evidence, we must only leave the case as we find it.

Witness – swore informations in 10 days after; did all I could to prevent the assault; the priest came to her in a day or two after the assault.

The cross-examination of the witness was reserved.

Julia Linehan sworn, was examined to prove that she had examined prosecutrix, but she swore she had not examined her person.

Mr Bennett said he believed he should let the case go to the jury as an aggravated assault, as he had no further evidence to prove the crime laid in the indictment.

The Rev Mr Troy deposed that, when he saw prosecutrix first, she was in a very weak state; on the second time. She appeared much better.

Mr O'Hea for the defence had Julia Linehan recalled to prove that prosecutrix was liable to fainting fits, and that the least assault would bring them on. The witness said that when prosecutrix had an illness to which females were liable, she used to keep her bed for several days, but had not fainting fits.

Mr O'Hea said he would submit to a verdict for an assault.

His Lordship then told the jury that they should acquit the prisoner of the felony, and find him guilty of an aggravated assault if they believed the evidence.

The jury found a verdict accordingly.

Connaught Telegraph 3 July 1843 page 2

Commisioner for taking affidavits – Mr **William Lavelle**, deputy Clerk of the Peace, has been appointed a commissioner for taking affidavits under the Courts of Queen's Bench, Common Pleas, and Exchequer. A better selection could not have been made.

Nenagh Guardian 26 July 1843 'Burning a House', 1.

Patrick and Jeremiah Foley were then put forward charged with burning a house near Newcastle.

...there was a boy named Dalton in the house with her at the time that the house was burned.

James Dalton (a young boy) sworn – This witness refused to answer in English.

The Judge – You must go to jail if you don't speak English.

Colonel Phibbs (from the grand jury gallery) – My Lord, I examined that boy in English, and he seemed perfectly to understand it.

The Judge – We shall swear you.

Colonel Phibbs was then sworn and deposed as a Magistrate he examined the witness and that he spoke in English.

The Judge – I'll send that boy to jail for twenty four hours, and I'll take care that he does not receive any expenses. Justice must not be trifled with in this way. Let him be examined by the interpreter now.

The witness was then examined through the interpreter and corroborated the testimony of the Prosecutrix.

Galway Vindicator and Connaught Advertiser 19 August 1843 page 2 The fatal occurrence at Turloughmore – the inquest

The adjourned inquest, taken for the Queen, at Presentation Road, in the Parish of Ragoon, 4th day of August, 1843, before John Blake Esq coroner, on view of the body of John Laghan, of Pullock, was resumed on Thursday the 10th instant, at the Town Court House....

Patrick Coen sworn, and his **answers interpreted by Mr Val Browne** – Was near th Turlough at Thomas Qualter’s house the evening of the fair, and in the house before the police came in ; on their coming in we were all afraid; was there during the firing; saw himself the first shot fired, and would have a chance of knowing the man if he saw him (witness described his person); witness when the shot was fired ran behind the policeman; there was no attack on the house while the police were there, nor during the firing; Mr Brew came in with the police; there were none of them there before him , but five or six policemen came in with him; the first thing one of the policemen did, was to take a cartridge, put it to his mouth and charge his gun; when Mr Brew came in there was a good deal of blood running from his head down his cheek, and a policeman was also cut; he understood from the policeman who charged the gun his asking leave of Mr Brew to fire, and Mr Brew told him not; (witness said the words in English); Mr Brew then stood at the threshold of the door, having his head and one foot outside; he then turned in, and putting his back to the wall said “fire away boys!” (witness repeated the words in English): one shot was fired that moment, but he could not swear was it the man who charged the gun in his presence who fired it....

Galway Vindicator and Connaught Advertiser 19 August 1843 The Fatal Occurrence at Turloughmore – the Inquest

Mr Tully said he produced Qualter for examination, in order to prevent its being, perhaps, said again he would not do so. There was no interpreter in court, but Mr Higgins could have him examined if he pleased.

1844

Tralee Chronicle and Killarney Echo 6 January 1844 page 2 Perjury – cropping the ears of the Crown witness

Patrick Shea stood indicted for that he, the prisoner, did at Caherciveen, in the month of April last, on the trial of one Maurice King, swear that he did not strike or kick one Catherine Lynch, or strike her with a tongs, and he, the prisoner, did then and there swear that said Catherine Lynch did then and there strike prisoner with a tongs on the head, and that she, the said Catherine Lynch, followed him, the prisoner, and struck him with said tongs, and that Peg Daly and her daughter Catherine Daly were present in said house during said altercation. And on this, in every part of it, the said Catherine Lynch, Peg Daly, and Catherine Daly contradicted the prisoner at said trial of said King, and at the trial of prisoner for perjury at the last Caherciveen Sessions; Messrs TW Murphy, crown prosecutor, and Mr Justin Supple, appeared for the prosecution, and Messrs FH Downing, Myles Mahony, and Daniel McSwiny, conducted the defence.

Mr Murphy said that in stating the facts connected with this case he would not think it right to say any thing that would disparage the prisoner, and would therefore only say that one of the witnesses for the prosecution at the last sessions at Caherciveen could not be here at this trial. The prisoner was tried at the October Sessoins of Caherciveen for this offence, and the jury disagreed. – The perjury was alledged to have been committed as stated in the indictment. The origin of the affair he (mr Murphy) should tell the jury was, that for the assault committed by prisoner on Catherine Lynche at her house the prisoner was tried at the March Sessions of 1842 at Caherciveen (as I understood it) and sentenced by his Worship to three months’ imprisonment. On this trial, a man named Maurice King swore to what is alledged in the indictment by prisoner, and contradicted by the three women. King’s evidence was then taken down, and he was tried at the last Caherciveen

April Sessions, convicted and transported for seven years, and on that trial the prisoner Shea swore to the assignments in the indictment on which the present prosecution was founded.

Mr Justin Supple was examined by Mr Murphy, and proved that he took down the prisoner's evidence correctly **as given by Mullane, the interpreter**, at the trial of King; that witness and Mr Murphy signed it; King was convicted of - _____

Mr Downing objected to evidence of King's conviction being given in that way.

The Court ruled with Mr Downing.

Examination continued – **Prisoner gave his evidence in Irish (the witness here read from the document written by himself, the prisoner's evidence as given in Irish and interpreted to him by Mullane), and was technically examined at great length**; Catherine Lynch, Peg Daly, and a girl described as Catherine Daly, were examined on King's trial.

Cross-examined by Mr Downing – Rather thinks he was not the witness against King; his trial took place at Caherciveen in April; is not certain whether he took down King's evidence.

Mr Downing – It is very surprising, Sir, that you cannot recollect exactly so late and important a transaction as King's trial, and yet you seem to know a great deal about the business.

Witness – Because I was concerned in the processes between Catherine Lynch and prisoner (as I took it).

Mr Downing – Do you know whether the perjury in King's case arose out of the processes or prosecution?

Witness – I do not.

Mr Downing – do you recollect being asked to be concerned for King?

Witness – I do not; it may be so.

Mr Downing – Now, Sir, that I have called your attention to it, let me press you to recollect it.

Witness – I cannot. I will not swear positively that I was concerned in the original cause, but I think I must have been, otherwise I would not have taken such an interest in it; cannot recollect whether it was a process or a prosecution against prisoner at which King swore; is not sure whether he took down King's evidence there; but is quite sure he took the prisoner's; witness has not so correct a recollection of King's evidence as he has of prisoner's; **thinks King gave his evidence in Irish; the prisoner was sworn in Irish; all witness swore is as true as that.**

Mr Downing – Will you now, that I refresh your memory, swear whether you did or did not take down King's evidence?

Witness – I cannot swear positively, but I rather think not.

Mr Downing – if Catherine Lynch swore at the last Caherciveen Sessions that the prisoner gave his evidence in English would she be swearing truly or falsely?

Witness – Falsely.

Some questions were here put to the witness as to his knowledge of the Irish language, when he said that he could understand the answers given in Irish to the general questions put, from hearing them so often repeated.

Mr Downing – Repeat for me in Irish “that Catherine Lynch came from the fire and struck him”.

Witness – No, but if you say it in Irish I will know whether it is correct.

The Court here in reply to Mr Downing said that he regretted that he forgot his notes of King's trial.

While Mr Supple was under examination,

Mr Murphy observed that it was unusual with Mr Downing to go so far as to say in the hearing of the witness, and after he swore distinctly, that the prisoner gave his evidence in Irish, that he (Mr Downing) could and would give proof that the prisoner gave his evidence in English; and he (Mr Murphy) would say that he availed himself of the services of his friend Mr Supple to take the evidence on the occasion.

Mr Downing said, that he might be wrong in saying so while Mr Supple was on the table; but now that he was not under examination, he was ready to swear that the prisoner gave his testimony in English, and would get a hundred others to swear the same. The mistake was – for of course it was no other on the part of Mr Supple – that King gave his evidence in Irish.

John Mullane swore that the paper now handed him was that on which Mr Supple wrote down the evidence given by prisoner in Irish, and interpreted by him to Mr Supple; is quite positive that prisoner gave his evidence in Irish; that he saw Mr Supple and Mr Murphy sign it; that he did not sign it himself, but had such marks on the paper, as that he could not be mistaken in it; that he truly read and explained it to the prisoner, and he admitted it to be correct; that prisoner made no objection at the time to it, as his evidence of the former trial.

Some conversation here occurred between Mr Downing and Mr Supple, as to the latter's testimony being, that it was on King's trial, that Catherine Lynch, Peg Daly, and her daughter, were examined, and on referring to his Worship's notes, his Worship said, it was on King's trial that Mr Supple proved they were examined.

Cross-examined by Mr Downing – King gave his evidence in Irish; witness is strongly impressed that it was Mr Supple took down King's evidence; (the witness recollected himself and said, that it was Mr Thomas Benner that it took it down (sic)); to the best of his belief prisoner gave his evidence in Irish; is certain that he read the evidence to the prisoner in Irish.

Mr Downing – Come Sir, let me have an answer from you. Upon your oath, did the man give his evidence in English or Irish? I know you will swear fairly to the best of your recollection.

Witness – Upon my solemn oath, the prisoner gave his evidence in Irish and not in English.

The witness was further cross-examined, and gave his reasons for knowing that Mr Benner took down King's and Mr Supple prisoner's evidence.

I should have remarked in the proper place, that the witnesses at both sides were put out of court with the exception of the professional men that were to give evidence and no one that was in court during the trial, was to be examined.

Mr Downing asked permission of the Court to examine some witnesses who were in court during the trial, and whom he did not intend to examine at first; but from what transpired on the cross-examination of the witness for the Crown, it became absolutely necessary for him to do so.

The Court refused the application.

Mr Downing said it would be impossible for him to anticipate what came out on the trial, and therefore he thought he ought to be allowed to rebut their case.

The Court could not consent.

An argument arose at this point, Mr Murphy contending that Mr Downing must be prepared as as he was for some time in conference with Mr McSweeney.

Patrick Feely Esq SI was next examined and corroborated the former witness, and said that he had a conversation with the prisoner once, **and he spoke in Irish.**

Cross-examined by Mr Downing – Heard first this day, that he was to be examined on this trial; went to Mr Murphy himself to-day, when he heard that the question of the man's giving his evidence in English was to be raised, and he (witness) could prove that prisoner gave his evidence in Irish; recollects King's trial; thinks it was in April last twelve months; it took place, 'tis probable he was present at King's trial; is sure that he (witness) is not confounding King's trial with the prisoner's trial; the reading of the written document took place at King's trial; still thinks King's trial took place last April twelve months; begs leave to correct himself; thinks it took place in October '42 or '43.

Mr Downing – I'll give you time to take your choice – say what period it occurred?

Witness – I really can't say, there I am lost, you see (laughter).

Mr Downing – Now I ask you whether the reading of the paper took place at King's or prisoner's trial?

Witness – 'Tis quite clear to me that the reading of the paper to the prisoner, by Mullane, took place at King's trial. The witness after some time said, that he was quite positive King's trial took place the sessions before last at Caherciveen; if Catherine Lynch swore at the last Caherciveen sessions that the prisoner was sworn in English, she would not swear right.

Mr Supple – Mind that your Worship; that is evidence that Catherine Lynch and the Dalys were sworn at prisoner's last trial.

Mr Murphy was examined and corroborated the former witness. He swore beyond any mistake, that the prisoner was examined in Irish, and saw that the paper now produced read and explained to him by Mullane.

On cross-examination he said, he never had a doubt that the prisoner gave his evidence in Irish, nor has he now, but what momentarily arises from having Mr Downing assert it so positively.

Catherine Lynch was next called and proved the facts as already stated, and swore that the prisoner swore falsely in anything he swore against her from first to last; Peg Daly could not come to the trial because her ears were cut off.

Cross-examined by Mr Downing – Was charged by prisoner's father the day before the assault by prisoner took place with stealing potatoes from him; the police took potatoes out of her house; Ellen Shea (who I took to be a sister of the witness) is married to prisoner's brother, and was in her house that morning before prisoner's brother came there looking for the potatoes; Ellen told her they would come to look for the potatoes; Peg Daly was in the house when Ellen Shea came there, was in court when prisoner swore for King; she did not know what he swore; she was too far away from him; did not understand what he was saying; would understand Irish if he was swearing in Irish; supposes that it may be in English he was swearing.

Catherine Daly proved that she was not in the house at the time the difference arose between her and prisoner but came there shortly after and saw her cut; is niece to Catherine Lynch (she contradicted prisoner's allegation, as laid in the indictment); the witness and her mother were examined on prisoner's last trial at Cahirciveen, and the night before Christmas Eve her mother was nearly killed in her bed.

Mr Downing objected to any questions being put to the witness but what would be barely necessary to account for her mother not being present, as it was calculated to prejudice the minds of the jury.

The Court agreed with Mr Downing.

Examination continued – The witness was dreadfully beaten and cut herself that night; her mother was desired not to –

Mr Downing – I object to such evidence.

Mr Supple contended that he was entitled to show that the witnesses for the Crown were intimidated immediately before the trial, to account for their absence.

Cross-examined by Mr Downing -

Freeman's Journal 8 January 1844 Killarney quarter sessions page 4

Attempt to reject an Irishman for not speaking the Saxon tongue!

The next application was from Thomas Griffin, a countryman, who speaks no English, and stated that he was from the parish of Rossborough. He applied to register one gun. He was asked what he wanted a gun for, and said he got it from Lord Headly's agent, Mr Higgins, to protect his place from foxes and crows, as he inhabited a remote spot at the foot of a mountain....

Mr Leahy objected to him, but he could not state the nature of his opposition. He had received a letter, but did not wish to disclose the charge communicated to him/

Application granted.

Limerick reporter 16 July 1844 page 2 Limerick summer Assizes. City court

The learned judge objected to pass a presentment for five pounds to an Irish interpreter as his services were not required. – The arrangement in Ennis was that he should be paid if wanted, and if not, that he should get nothing.

Mr Spaight said, that was a decided improvement on the present plan.

After some further discussion, his Lordship said, he would allow it for the present, as the man had been in the habit of getting a salary whether he earned it or not, and came to the Assizes on the faith of that arrangement; but he (Judge Ball) would not allow it again.

Mr Spaight said that was quite right.

Roscommon & Leitrim Gazette 20 July 1844 page 2 (must be city of Limerick]

At the Limerick Assizes, there was a presentment on the books of £5 to an Irish interpreter, to which his lordship objected, it appearing to him that the service of such a person was not requisite, nor was it shown any one had acted in that capacity. On this occasion the presentment passed, the Court informing the GJ that it was illegal to entertain it unless the interpreter had performed some duty. He hoped they would look to it in the future.

Nation 12 October 1844 'Letter from Wales – No. 1' 12.

Addressed to Dear D and signed O'M. Just one letter. No letter no. 2.

We were speaking of the courts of justice at the assizes &c., and he said there was one interpreter in every court. I asked how the witness who wished to speak Welsh was treated? He did not at first understand the question. I then explained to him something of the system pursued in the courts in Ireland when an Irish-speaking witness is put on the table – the preliminary questions, “can you speak English, sir?” &c. ? – the endeavour to induce or force the witness to take the oath in English – the outcry that is raised afterwards if a witness sworn in Irish turns out to have some knowledge of English, &c., and the discredit sought to be thrown on his character in consequence. I shall never forget the look the young man gave me of surprise that such things should be tolerated, and of perfect assurance that no such thing could happen in Wales. “In Wales it is the *privilege of the witness* to choose the language in which he conceives he can best give his testimony.” This is a noble and the true principle. How often my feelings have revolted, and I have felt my blood boil, at the scenes I have witnessed in Irish courts in the north and west, when witnesses were produced who claimed to speak Irish. The clamour raised by the brutally ignorant counsel – the mean insinuations thrown out and tolerated by *an equally ignorant judge* – the whole court sometimes in a turmoil – the witness scouted off the table on all sides!! But I had never embodied the principle in its true shape – “*It is the privilege of the witness to choose the language in which he conceives he can best give his testimony*”. I hope this may yet be rung in the ears of the Irish judges. After it is once well developed it must assuredly be held that the judge who does not act on it, and maintain it to its fullest extent, for the protection of Irish witnesses, and put down the vulgar villainy of the present system, is, himself *a blackguard in his heart*. Noble Wales! Where the native language of the people is so respected that none could venture to slight it.

1845

Londonderry Sentinel 18 January 1845 page 2 Lifford quarter sessions

Daniel Dorian was indicted for that he, on the 26th of October, 1843, committed an aggravated assault on James Freel, From the evidence of James Freel, an elderly man, and his son John Freel (**who was examined by the Irish interpreter**), it appeared that the parties, who live in the bottom of Fanet, were neighbours, and that the prisoner, a young man who had been previously fined for assaulting the younger Freel, came into the field of the prosecutor on the day mentioned in the indictment, with a spade in his hand, which he caught hold of by the iron part in both his hands, and struck James Freel a severe blow with the wooden shaft of the spade.

Galway Mercury and Connaught Weekly Advertiser 31 January 1845 page 3 Loughrea petty sessions.

We have received a report of a trial at these sessions at which Robert Percy, Esq, agent to the Marquis of Clanricarde, prosecuted a man named Edward Tyrrell, for stealing hay. The prosecutor is reported as having sat on the bench with his brother magistrates, and **his witness being an Irish one. He interpreted his evidence to the court.** Tyrrell was acquitted, and the witness of his was committed for the larceny, although not previously charged with it. Too much praise cannot be given to A W Banfield, Esq solicitor, for his professional independence and manly conduct throughout the

investigation. We regret want of space compares oath to omit it this day, but it will be attended to in our next, it being too valuable to be passed over without a few editorial comments.

Athlone Sentinel 14 March 1845 page 4 Sligo Assizes Bigamy

George Smith was indicted for bigamy, having married Margaret Fury, and in her life married one Honor Feeny.

Thomas Fury, examined by Mr Wynne (**an Irish witness, and was examined through the interpreter**) – Knows George Smith of Behy; he is the prisoner at the bar; knows Margaret Fury; she is a sister of his.... Not guilty

[Same article in Athlone Sentinel] Anthony Hallahan, Michael Walsh, Daniel Gallagher, and Richard Gallagher, were indicted for appearing armed by night, administering oaths, and assaulting &c a dwelling house at Cullen, on the 6th April last.

Anne Gallagher, examined by Mr French QC....Cross-examined by Mr Casserly – She was here at last assizes; she never spoke good English in her life; [does not seem to have an interpreter]

Freeman's Journal 18 March 1845 page 4 Mayo Assizes

James Rogan was arraigned for a rape upon Margaret Early on the 25th August (1835)

The prosecutrix proved the commission of the offence in the Irish language, which was interpreted to the court and jury by Mr Conway, interpreter; but in the course of her examination she broke out, and spoke in very fluent English, which caused loud laughter in court. Her examination was then proceeded with in the English language.

Not guilty

Mayo Constitution 18 March 1845 page 2 Crown Court (Mayo) Murder

Michael Duffy and Pat Duffy were indicted for the murder of Pat Flynn, at Ballintubber on the 4th of August.

Anne Flynn, examined by Mr French – Is the widow of Patrick Flynn; the prisoner, her husband and others were in David Flynn's, at Kenury, drinking, when Patrick Flynn came in from a fair and struck the witness with a jug; the prisoners were quarrelling among themselves before that; Patrick Duffy broke the jug against the table, and struck her with the portion of it that remained in his hand; after that Michael Duffy struck her husband with a wash-staff and killed him; he lived a week after he was struck.

To Mr Bourke – They were all drinking whisky there; her husband didn't strike Michael Duffy first.

Baron Richards said he really could not understand the answers given by the witness (through the **interpreter**).

Mr Conway, interpreter, said he gave the answer to the court and jury precisely as she gave it to him; and he appealed to Mr Buchanan, barrister, who was an excellent Irish scholar.

Mr Buchanan – Indeed, he has, my lord – the precise answer given by the witness.

Baron Richards – I have no doubt of that. It is not of the Interpreter I complain but of the confused manner in which the witness answers. I know that Mr Conway is an excellent Irish scholar, and that there can possibly be no better interpreter. I have said so frequently elsewhere, and I have very often got valuable assistance from him in this court. So that it is not him I blame, but he wretched and confused way in the which the witnesses give the answers.

...The Judge then directed the jury to find Michael Duffy guilty of manslaughter and to acquit Patrick Duffy.

Mayo Constitution 18 March 1845 page 3 Crime in Mayo – Baron Richards

In passing sentence yesterday morning on the persons convicted at the assizes, Baron Richards made some very feeling and suitable observations.....

There was scarcely a case in which he was not obliged to examine the witnesses through the medium of an interpreter. He did not find this to anything like the same extent in other counties in

Ireland. The interpreter here was quite competent to discharge his duty, was a good Irish scholar, and well able to interpret the language, yet from the ignorance of the people he (the learned judge) felt it almost impossible to understand the cases or get at the truth. That was a misfortune which he hoped would some day or other cease, and that the people in this county would be as well able to communicate their ideas in English as the people of other counties. It would be for their own benefit to learn the English language and receive education, for when they left the country, they went to England and elsewhere they would find themselves in great difficulty, from their not knowing that language, and from not being able to transact their business in it.

Vindicator 22 March 1845 page 4. County court

Patrick Murray, who resides near to Kilmacrenan, was charged with ravishing Biddy Donnell, when in his service, on 13 August last. The prosecutrix affected not to understand English, and was sworn by an Irish **interpreter**, but it was proved that she could come, converse fluently in English. By her account, the crime was committed in daylight, in a ward, and very short distance from where her fellow servant was herding cattle, and she did not cry out. That same day, and the following, it was proved that she took her meals with the prisoner and her fellow servant, and was as cheerful as usual; nor did she mention to her fellow servant (a full-grown woman), what had occurred. The chief justice, without any observation, left the entire case to the jury, who, after some deliberation, acquitted the prisoner.

Londonderry Sentinel 22 March 1845 page 1 Donegal assizes, Lifford

Hugh Doherty was put on his trial for having committed a felonious assault on Mary Boyle, on the 20th of March 1843 at Chrete? Near Dungloe, and also for violating her person.

The prosecutrix, who was examined by John Schoales Esq QC **through James Kerrigan, the Irish interpreter**, deposed to the assault having been committed upon her by the prisoner and also the offence charged in the indictment.

Not guilty (forcing him to marry her)

Cork Examiner 23 April 1845 Castletown Berehaven petty sessions

James Little and ___Payne Esqr presiding

The complaint of Timothy Harrington of Goulane against the Rev Daniel Healy Catholic rector of Kilcatherine for assault and threatening language

Patrick Harrington sworn and examined by Mr Little (gave his testimony through an interpreter)

Cork Examiner 11 April 1845 page 2 [Also Kerry Examiner 15 April 1845 page 2]

Castletown Berehaven Petit Sessions – Friday, April 4 James Little, Esq, RM Presiding

Mr Healy, the respected and much persecuted Rector of Kilcatherine, was summoned to appear before the Bench on this day to answer the complaint of Timothy Harrington of Goulane, better known in this locality by the appellation of “Teigue Sassinig”, for that he, Mr Healy, did on the 2nd of March assault complainant and use threatening and abusive language towards him. That the public may not be surprised at his adroitness in evading the different questions put during the investigation, it is right to remark he is a convert from “Romanism” is a parish valuator, contractor and public carman, besides being right hand man, and man of all work to the parsons. It may be easily understood what an *experienced hand* must be the aforesaid Teigue. [...]

Julia Harrington sworn – **Witness was examined through an interpreter.**

Mr Little – She has only to answer whether she heard any bad words spoken or blows struck. – Witness does not know whether there were any bad words spoken, because she does not know any English and it was English they were speaking, she saw no blows struck but she knew they were speaking to one another in a passionate manner; she saw the priest standing in the middle of the floor and he appeared to be in a passion; she saw Tim Harrington standing on the rack with one leg on the block; went over and took hold of Tim in this manner (witness here described the manner in

which she took hold of Harrington): did it to prevent him from striking the priest and made him sit down; he was in a great passion; does not recollect whether he had the bridle then but he had it after; does not know what he intended it for, went away then and said she would not be hurting herself any longer with him; saw Mr Healy at this time sitting on a table and he had the chair in his hands leaning forward on it; did not see him lift it; saw the people throw down Tim Harrington to keep him quiet; heard others say that the priest would hurt him.

George Nicolson, son to the Clerk of the Petty Sessions – Whom do you mean by others? Witness – I mean by others, some of those who were present at the time.

To Mr Little – Never so alarmed in her life, saw the bridle in Harrington’s hands at this time, was in dread that he would strike the priest, but cannot swear positively as to his mine.

Cork Examiner 23 April 1845 page 1

Castletown Berehaven Petty Sessions – Friday April 18

Patrick Harrington sworn and examined by Mr Little (**gave his testimony through an interpreter**) – I, brother to Tim, was in Tim’s house that night; heard the battle between the Priest and his brother; the Priest was talking of “Grady”; saw the people taking hold of the Priest; did not hear the Priest calle Mr Grady “a ruffian”; when the Priest called Mr Grady “blackguard”, Tim said “he was not”; goes to chapel himself;; did not hear the Priest call him “souper”; heard the Priest tell the people “be out of the Devil’s house”; saw the Priest leaning forward on the chair; saw him raise it up in that manner (hanging from his hands); did not see the Priest lift the chair to strike Tim; did not see the bridle in his brother’s hands; Mr Healy could not have attempted to lift the chair unknown to him; the woman was in great danger this time, she was within hearing of the noise.

To Tim Harrington – Did you hear the Priest say while he was in the house that he “would break every bone in his body” but he said he “would knock the soup out of his sides.”

To Mr Healy – Although he does not speak English, he understands a little, and by that means he knew what he (Mr Healy) was saying.

Mr Healy – When I came in did I not sit on the table in the middle of the floor? – You did. Did I speak to Tim until he spoke to me? – No did not; you were spaaking of Grady.

Mr Little – Which of them spoke first to the other? – Tim was the first to speak.

Wexford independent 28 May 1845 page 2 County Waterford presentment sessions.

It struck me as very strange that the crier or Irish interpreter was an applicant for presentments with his brother, a contractor. In the name of common sense. How can Road be presented still under contract? For the same contractor, the interpreter's brother, in his application for payment, stated that the road was kept in proper repair, and at the same time made an application that the same road then under his care was in need of repair. **Mr McGrath, the Irish interpreter**, figured those with his brother. He was also an applicant with a man named Towel, who served notices. He could not read, yet the application passed.

Cork Examiner 2 July 1845 page 1

City Presentment Sessions

£3 salary of B. Neenan, interpreter

Leinster Express 5 July 1845 page 2 Contemplated change in the periods for holding assizes

It appears to us that public attention has not been sufficiently awakened to the importance of a measure now in progress, having for its object an alteration in the periods heretofore selected for the holding of the Law Terms and of the Circuits – a change involving as it does questions of the greatest consequence, as regards the public convenience, and the efficient discharge of the public business, and in the making of which care should be taken that evils are not created of greater amount than those which it is intended to remedy. The grievances arising both in Civil and Criminal cases from the present unequal division of the year for Assizes purposes are admitted – they have

long pressed heavily upon the public, and the wonder is that they have been so long tolerated. We shall only point out one particular, namely, the case of an innocent man committed to prison in the month of July, for an offence for which bail may not be accepted, having to remain in Jail until March assizes, or in other words eight long months, before he is allowed an opportunity of proving his innocence. We need scarcely ask if this is a state of things which should be permitted under British law? [...]

Freeman's Journal 12 July 1845 the Ballinhassig slaughter – The Coroner's Inquest

Michael Stout (witness) cross-examined by Mr Scannell Did you hear a cry in Irish, "Keep them in front and we'll settle them behind"? – I did not, nor anything like it. How would you say that in Irish (Witness here gave it in the vernacular)

Freeman's Journal 26 July 1845 page 1 Clonmel barbarous murder

Denis Lucie, a man of about 40 years of age.... Charged with the willful murder of Daniel Sullivan, at Kilbreedy on 29th July 1843.....

The sentence had to be interpreted to the prisoner, who did not speak English.

Sentenced wretched man to be hanged

The Pilot 28 November 1845 page 4.

The Irish language – blunder during the monster trials. To the editor of old Ireland.

There – few are aware of all the blunders that are committed – the erroneous sentences that are passed – and the number of persons who are mistakingly punished in the Irish Department of Justice, in every branch thereof, from the Queens Bench down to the very lowest Village petty sessions, whenever the guilt or innocence of the party accused depends on an Irish witness, or an Irish word, or an Irish historical matter of fact, and the explanation. There are of left to those Irish – English mongrel interpreters would generally attend those courts for that purpose, the majority of whom know no more about the Irish language, 'fan an old cow knows of a holiday' is. If we had a really paternal executive cognizant of the fact, we would seldom see a barrister raised to the bench, or appointed an assistant barrister, or a justice of the peace, especially in those parts of Ireland, where the native tongue is commonly spoken, without a knowledge on the part of those functionaries of the national language.

As my time is limited. Mr editor, and your hours of labour doubly so, since the appearance of old Ireland, in addition to the Pilot, I only request that you will be kind enough to give publicity to one solitary act of erroneous interpretation and mistaken judgement. (Out of many which could be mentioned) which happened in the Superior courts, and that will be sufficient to show what may be expected in all the minor Irish – English courts of justice.

In the late memorable state trials, in the case of the Queen versus Duffy, editor of the Nation, so far as my memory. There is me out, the principal charge against the defendant was the publication of the letter which appeared in that journal sometime before the said trial, and signed "A Dalcassian". The drift of that letter from beginning to end was, that Irish places, plough lands, parishes, districts, etc, or to assume the original names which they formerly bore in Irish, and for that purpose. The writer pointed out the Irish names, which some of the districts of Leinster for before the coming of the Normans to that province. Any man of common sense knows that such a change will never take place; but, supposing it did, it would be quite harmless, though very national. But, unless I am greatly mistaken, the Irish Attorney Gen – as reported, then in the papers – said, in his charge against the defendant, that 'a Dalcassian' meant as a County Tipperary man, thereby meaning a murderer, and insinuated to the jury that Mr Duffy was encouraging murderers by the publication of that letter. I am sure the jury coincided in opinion with the attorney general, as it is more than probable that none of the jury understood the word, and especially as the mistake was not pointed out to them by 'the gentle men of the other side'. I recollect, very well – if the reports in the papers were correct – that when Mr Duffy's counsel stood up to reply, what is said against the charge was

nearly as follows: – 'I'm sure if the readers of the nation were called upon now, not one of them recollects having ever read a letter in that journal, signed 'A Dalcassian'. I beg the learned gentleman's pardon – he never was more mistaken since he was called to the bar. There were some of the readers of that journal recollected having read it, aye, and understood it, too: therefore, the reply was as much mistakingly erroneous as the interpretation. But the learned gentleman would be quite right if he had said – 'Mr attorney general, I greatly regret to differ with you in your mistaken interpretation of the word 'Dalcassian', but my duty to my client compounds me to do so; still I freely acquit you of any partial or sinister motive in this important case, and I only attributed your erroneous explanation to your want of time to look after that word before you gave it such a meaning. Sir, with the greatest respect and submission to the court, I beg to say that 'Dalcassian' is a mongrel word, corruption. The translated from the Irish word Dal-ccais, whose meaning is does explained in O' Brien's Irish dictionary, page 153: –

Dalcais, the tribe or race of Cormac Cais, King of Leathmhogh, i.e., of Munster and Leinster, in the third century, from whom descended the O'Briens, the MacNamaras, the MacMahons, of Thomond, &c.

1846

Freeman's Journal 5 January 1846 page 2 quotes Galway Vindicator – Gort Union meeting of guardians

Mr Hancock, the Assistant Commissioner of this Union – misrepresented to the Board of Commissioners, the conduct of these magistrates, members of our Board, two of them being ex-officio Guardians, and for having finally, refused, upon a late inquiry into the conduct of the master of this house, to examine a material witness for said master, in consequence of her being unable to give her evidence in English, though three gentlemen of our board (perfectly competent to do so) offered to act as interpreters on the occasion, which offer the said assistant-commissioner refused, and made his report against the said master, discarding such material witness, and thereby inducing the commissioners to dismiss said master contrary to the unanimous opinion of our board.

Galway Vindicator 14 February 1846 Fourth Charge

James Fallon was next called, and examined. Was master of the Workhouse. Upon the inquiry held by Mr Hancock into his conduct, there were certain witnesses whom he wished to have examined. He called on Dr Nolan the night before the investigation, and begged of him, as he might not be able to attend the next day, to give him a character as to his sobriety and general good conduct. The Dr said, if he could by possibility, he would go down to the Workhouse the next day, which he did, and when produced by him (Fallon) to be examined, Mr Hancock refused to receive his evidence, stating that he was his own witness and would examine him when he thought proper in consequence of which he (Fallon) lost the benefit of the doctor's testimony. **Witness also proposed Mary McCooke to be examined on his behalf, but Mr Hancock refused to receive her evidence, because she would not speak English, although a gentleman who was present tendered his services as an interpreter for the purpose.** Witness then proved that Mary McCooke was unable to speak English, never having heard her speak a word of it while in that house....

Galway Mercury 21 February 1846 page 1

Sitting of the Board...Guardians

Catherine Tully, the Matron, was first examined – She stated that she had known Mary McCook, and that she does not know how to speak in English more than an odd word, but certainly not a sentence., whenever she (the Matron) spoke to her in English, she was replied to in Irish.

Mary McCook examined through **Mr Reed, interpreter – Never spoke in English, nor can she do so.**

Mr Handcock here entered upon a long examination of Mr Reed to ascertain the number and nature of the different places held by him, but the questions did not seem to us to be pertinent to the matter under consideration.

....one of the guardians now present acted as interpreter on the occasion; that person is Mr O'Shaughnessy, an excellent guardian; I cannot positively say if he was sworn as interpreter.....

Freeman's Journal 2 March 1846 'Clare Spring Assizes – Wednesday – Criminal Court ' 1

James Breen was then placed at the bar, charged that he, on the 17th of June 1845, at Kilmichael, feloniously slew and murdered Mary Breen, his wife.

Mary Cusack sworn and examined by the Hon. Mr Plunkett, Q.C. **(This witness did not speak English, and gave her evidence through the interpreter)** – I recollect the night Mary Breen was killed; was at the rosary;

Kerry Evening Post 7 March 1846 Assault. Dingle Petty Sessions

James Gloster v. Cornelius Devane. This was a summons for assault, arising out of the Ballyackeen case of forcible possession, in which information had been granted on the day before. Gloster, who is a convert, went with John Connor, the prosecutor in the other case, to the lands of Ballyackeen; when they came there Devane, the principal defendant in Connor's case, assaulted Gloster and shoved him off the land. Mr. Hurly thought that this summons had been included in yesterday's proceedings. His client was not prepared to meet the case. Mr. O'Connor replied, that he pressed to have both charges embodied in the same informations yesterday; but his suggestion was not acceded to by the opposite party. James Gloster was then sworn—His evidence was in substance the same as given by him the day before. He proved that he went on the lands of Ballyackeen with John Connor on the 4th of February; when they got on the; land Devane came up to them ; he rushed at witness, and, " asking what brought the devil's there ?" caught him and shoved him off the lands ; while doing so he struck the witness three times with his fists; but did not knock him down; the witness was hurt. On his cross-examination, by Mr. Hurly, this witness said that he never had a dispute with the defendant until this ; the assault took place on the lands in dispute between Connor and Devane. Witness went on the land at Connor's request to be a witness between him and the parties to whom he was about to let the score-ground. Patrick Connor, who happened to be passing by at the moment proved the assault. Mr. Hurly then, for the defence, called Darby Moore and Timothy Guheen, to disprove the assault. They denied that Gloster was actually struck, but both said that Devane shoved him—using an Irish word that signified thrusting forward with a striking motion—off the land. They also bore convincing testimony to the violence of the people, having desired Connor to leave the place, because they feared for his safety. The Court without hesitation granted the informations. **While hearing this case, the Bench administered a most severe rebuke to a summons server of the Court who had been, in the absence of the ordinary interpreter, sworn to interpret the evidence of the Irish speaking witnesses—part of which unfavourable to Devane he kept back, and part he misinterpreted. The Chairman said he was interpreting fast and loose; which was a most iniquitous and nefarious proceeding; he might in that manner swear away a man's life, he then ordered the police to turn the fellow out of Court; and directed the Clerk not to give him any more summonses to serve, as a punishment for his conduct.**

Tipperary Vindicator 21 March 1846 page 1 Interpreter at quarter sessions

Mr Fitzpatrick objected to No 3, the salary of the Interpreter at Quarter Sessions, which he did not attend. At the last quarter sessions of Nenagh, the barrister had been obliged to swear a Constable to act as interpreter, in consequence of his non-attendance.

Mr Foreman – Does he attend here?

Mr Magrath - Very seldom, because very few of the people of this district speak Irish.

Foreman – As he is not at present in attendance, we will give him an opportunity of defending himself.

Londonderry Sentinel 21 March 1846 page 4 assault with intent to commit a rape Assizes Lifford

James Melly was indicted for an assault on the person of Grace Mullloy, with intent to commit a rape, near Dungloe, on the 7th July.

The prosecutrix, who was examined by Mr Sheil QC **through the Irish interpreter**, states that she was the wife of Thomas Molloy, and that she was returning home from the fair of Dungloe...

Guilty 12 months + hard labour

Cork Examiner 1 May 1846 page 2

Recorder's Court Meeting of the Legal Profession

A meeting of the Barristers and Solicitors practising in this court was held in the city peace office, Wednesday, to take the preliminary steps towards petitioning parliament for an extension of the jurisdiction of the municipal Civil Bill Courts throughout Ireland.

Mr McDonnell, the deputy Clerk of the Peace, read a form which he had prepared, and on which were set out, in sections or clauses, the different amendments required for the convenience and interest of suitors in those courts.

The professional gentlemen present were unanimous in the expressal of their opinion on the injury sustained by suitors, from the want of jurisdiction in material points – such as enforcing the attendance of witnesses and **the appointment of process servers and interpreters – in the Recorders of boroughs.**

Mr Gallwey suggested that as the Government were about to amend the Municipal Act in this country, the present was a good opportunity to get the jurisdiction of the Recorders increased.

Mr Scannell would recommend the profession to accomplish their views in the most simple manner. This, in his opinion, could be done by the introduction of a clause, which need only contain a few lines, to extend the prerogative, in legal cases, of Assistant-Barristers to Recorders.

After a short consultation, it was agreed, on the motion of Mr Bennett, seconded by Mr D. O'Connell, that a committee composed of Counsellors Scannell and Walsh and Mr Brien Gallwey, be appointed to confer with Mr O'Donnell, and with that gentleman's assistance, adopt such preliminary proceedings as should appear to them most advisable.

The meeting then separated.

Galway Vindicator and Connaught Advertiser 5 August 1846 Galway Assizes Crown Court Baron Richards Burglary and robbery

James Faherty and Michael Faherty were indicted for burglary and the robbery of £7 2s 6d from the house of one Pat Conneely at Rossmore (Connemara) on the 3rd of April last.

[Mary Conneely] Cross-examined – Was never at school; can speak an odd word of English, but not much; gave her informations in English because she would not be let give them in Irish; was now living on Mr Martin's property as she was obliged to leave where she was before....

Honor Conneely sworn – Is daughter to last witness; heard a woman outside say 'the little girl knows me, and she will do something to us if we leave her alive' and one of the three men replied, 'it is equal to the devil what that one can do' **this was said in Irish – (witness being told to repeat what they said, the interpreter translated it as meaning 'we don't care the devil what that one can do'.)**

Kerry Evening Post 19 August 1846 signs of the times of priestly intolerance

Castletown Berehaven Petty sessions – August 12

The Court was densely crowded from an early hour, as it was generally known that Father Healy was to appear on the summons of John Sullivan, of Ardgroom, a convert from Romanism, who from his conversion, seventeen years ago, up to the present time has been the object of continued persecution, through the unrelenting animosity of the Priests. The charge was the following: - That he (Father Healy) did, on or about Saturday, the 18th, and Monday the 20th of July last unlawfully and grievously endeavour to impede complainant in the discharge of his duty, as Overseer, on the road

now being made from Castletown to the bounds of Kerry, by seeking to persuade the labourers employed at said road from working under him, the said complainant. [...]

Henry Griffin Byrne Esq, engineer – The Rev Mr Healy came up on horseback immediately over the work, and called out in Irish something which I did not understand. A man who stood beside me explained that Mr Healy called out for none of the men to work under “Shane Bawn” (Anglice- White John, a nickname for complainant). Should not have understood what Mr Healy said had it not been explained, as I am not acquainted with the Irish language.

Sullivan – Did Mr Healy or any one else interfere to have me discharged?

Court – Did such happen?

Witness – Some gentlemen came to ask me to discharge John Sullivan, as he was obnoxious to the country; I think they were Mr Healy, Mr Roche, and Mr Devine.

Father Healy and Father Roche – We admit that.

Father Fitzgerald – I went in company with Mr Devine and asked him (Mr Byrne) to discharge Sullivan. Ask him what reason I assigned?

Witness – He said that Sullivan had changed his religion from the Roman Catholic – that there would be murder and bloodshed if were retained on the work.

Mr Fitzgerald denied that he had made use of the words bloodshed and murder. [...]

The Witness (another person) repeated the words of Father Healy as spoken in Irish; the **interpreter** translated thus: “I have an expectation, boys, that any of you will not work under Shane Bawn”.

Father Healy – Did I say “boys”? Arrah, begosh, did I say “boys”?

[...] Point of law – consult with law adviser

Freeman’s Journal 17 October 1846 page 4

another resolution charges **JW Hancock with declining to examine two important witnesses because they could not speak English, although they were willing to give their evidence through a sworn interpreter**, and the board of guardians charge him (JW Hancock) with gross injustice to the party accused, and as guilty of conduct unworthy a **police officer**, and as acting contrary to the principles of the law, evidence, and the practice of the law of all courts.”

1847

Cork Examiner 8 January 1847 page 4 Condition of the Country 40 Deaths from Starvation

Inquests at Bantry No. 4

In this instance the name of the deceased was John Barry, whose death took place on the 22nd, at the old Barrack-road.

A haggard, pale, poor woman, almost doubled together, was produced for examination, **and deposited through an interpreter**, as to the death of her husband. A son of her’s, twenty years of age, died before him. They had no food but what they got in charity for the year round. There was no day but they had some trifling quantities of food, but not a sufficiency. They had no breakfast since the harvest. Whatever they ate was usually at night.

Thomas Tisdall, MD, deposed that he had gone with the Head Constable and a gentleman to the house where the deceased lay. There was no covering upon him. The house was partly unroofed. It contained only eight or nine turnips and a few sods of turf. The deceased then appeared to be near death.

Head Constable Grant stated that he was called to examine the house where the man lived, and found there three families consisting of 13 persons. He examined minutely the state of the house, and thought it had been a stable from the depth of manure upon the floor. One family was collected round a small fire in the centre, near which Barry lay and some others. On inquiry he was informed that the straw and turnips, with some drink, had been sent in by Mrs Lalor from Gurtheenron. Four persons were stretched on the straw sick, and he might say almost naked. The bed was not one fit

for pigs. Of the whole number, there were eight or nine who appeared to be dying of want. On the day before the inquest, he went to notice Barry's wife to attend, and then the roof was thrown in. Mr White asked when he last saw it up.

Southern Reporter & Cork Commercial Courier 18 May 1847 Skibbereen quarter sessions

Clerk of the Court – Where's Margaret Brien?

Turnkey – Come up Margaret Brien – go back you.

Clerk of the Court – Margaret Brien are you guilty or not (the answer of the prisoner was lost in the noise). Gentlemen of the Jury, Margaret Brien is charged-

Here his voice was drowned by three or four persons who were talking on the table, among whom two voices were pre-eminent – an old woman who was screaming in Irish at the top of her voice, and the interpreter, who was swearing her in, in the vernacular language.

Report on two different cases, unclear what charge was.

Kerry Examiner 20 July 1847 page 2

Fever in Kerry – singular and melancholy circumstance

It is with feelings of sincere regret we have to announce that immediately on the close of the Quarter Sessions of Listowel, the last of the County districts, the Assistant Barrister, William McDermott Esq, the Crown Solicitor TW Murphy Esq, one of the Turnkeys, and the Interpreter, John Malone, were stricken down almost simultaneously with attack of Fever. Mr Murphy, we are glad to say, is by the latest accounts from Killarney, going on favourably. Of Mr McDermott, we have no recent account, but one of the above number, poor Malone the Interpreter, died in Killarney after a few days illness. We fear that sufficient precaution had not, or what is worse, no precaution had been taken in fumigating or even properly ventilating the Court House.

Cork Examiner 6 August 1847 page 3 County Court – Yesterday Manslaughter

John Manning was charged with having on March last struck John Lehane with a scythe, and wounded him so severely that he subsequently died.

Daniel Lehane, brother to the deceased, was examined by Mr Bennett, **through the Interpreter of the Court**, and deposed that in the end of March last, he lost some sheep and lambs, and they went to the house of Daniel Manning, father of the prisoner, where they saw himself and his family. Deceased, who was one of those who entered the house, stooped down to look under the bed, and while he was so stooping, prisoner came over him and struck him with a scythe on the head. When witness came over, deceased's head was hanging down, and bleeding profusely. Deceased cried out and said, he was killed by Manning; witness then grappled with Manning, and with the assistance of others, succeeded in getting the scythe from him. Prisoner then seized a shovel, which witness also took from. Deceased expired on the fifteenth day after that, during which time he was confined to bed. Deceased was in very good health prior to his having received the blow which caused his death. Manslaughter – 12 months

Freeman's Journal Galway Assizes 23 August 1847 page 4

Judith Connery was indicted for stealing a heifer, the property of one Patrick Lally

Found guilty

When the verdict was announced the prisoner made use of some observations in Irish.

Baron Richards called on the interpreter to explain what the prisoner said.

The Interpreter stated – "My lord, the prisoner says she wishes two policemen, who are in court, to be examined as to her character, they know she is as honest as a priest (loud laughter)

Kerry Examiner 26 November 1847 page 1

Interpreter for agricultural lecture would be provided by owner of estate

1848

Cork Examiner 7 January 1848 page 1

City of Cork Presentment Sessions

Bartholomew Neenan, interpreter, half year's salary, £3

Limerick and Clare Examiner 26 February 1848 page 2 Arson Clare Assizes, Ennis

Mary Madigan and Margaret Lenny were placed at the bar, on the charge of having, on the 4th of December, maliciously set fire to the house of Michael Morrisson, at Kilcloher.

Michael Morrison, an old man, who was examined with the aid of an interpreter....

Clare Journal 28 February 1848 page 3 Crown Court – Saturday

Murder of John Leary – Thomas Crowley indicted

Darby Keary was next produced. He refused to give his evidence in English, alleging that he could not speak in that language; but one of the gentlemen of the Crown Solicitor's office having stated that his examination was taken in English, Mr Bennett ordered the man to leave the table, giving directions that he should not receive any expenses.

Head Constable John Mullarkey examined – I knew the deceased man John Leary..... I said to him that if you think you are dying this is the proper time to receive a dying declaration, and if you think you are not dying Mr Bell the magistrate can take your information – he then repeated that he thought he was dying and would not recover, **the conversation occurred in Irish – I understand the Irish well.**

To Judge Ball – I understand the Irish as it is spoken in Clare; I am in this County for the last fifteen years.....

To Mr Bennett – The indictment now handed to me is a copy of the declaration made by prisoner and taken by Mr Bell in my presence; **Mr Bell wrote from my translation of the Irish into the English, I read it over in Irish to the dying man; he put his mark to it in my presence.**

To Mr O'Hea – I heard that the man died on the Friday following; he knew that I was a policeman; I said to him in Irish "Do you think you are dying?" He did not say yes to every question I put to him; one of the occasions on which he gave a negative was when I put a question to him about a man named John Kelly, who it was rumoured in Kilrush gave him the blow; I was present in this courthouse during the late Special Commission, when an argument arose about a dying declaration.

To Judge Ball – I put the question three times in order to make sure that he thought he was dying.

Judge Ball – Would not the fact of your putting the question three times lead to the inference that you were not sure he thought so on the first and second occasion.

Witness – That would be the inference, my lord; but from the man's appearance from the first, I felt sure myself that he would not recover.

Mr O'Hea – Before we proceed further with this declaration, my lord, I would suggest that the medical man be produced./.....

Clare Journal 28 February 1848 Ennis

Michael Leary, an Irish witness, brother of deceased examined by Mr Herrick through the interpreter – I was in the house when the Dr visited my brother; the Dr told that in his opinion brother was the luckiest man on earth if ever he recovered. Mr O'Hea – It was in English the Dr spoke to Mr Leary. Can you write Witness (in Irish) I Can write my name. Can you write more than your name? I can write an I owe you and things of that kind (laughter). Mr O'Hea And yet you can't speak English. Cross-examination continued....

Sligo Journal 10 March 1848 page 1 Spring Assizes – Sligo

The prisoners had no counsel, and being unacquainted with the English language, Baron Lefroy put questions to them through the Irish interpreter, **a clever and an accurate man in his native language**, who satisfactorily explained to the Court and jury all they wished to say in their defence.

Mr Gouldrick, interpreter, who was the Irish counsel for the prisoners, inquired, on behalf of Michael Kelly (a formidable specimen of the finest peasantry) whether he saw anything with him. Witness said he ran away on the mountain with a creel on his back.

Prisoners (**by interpreter**) said they were asleep when the prosecutor's men came to the house, and they had no wish to say anything about the sheep.

Baron Lefroy, in charging, said the jury could not convict the wife or daughter; with respect to Kelly's son running off with the creel on his back it was not conclusive of his guilt.

...Michael Kelly, his son Brien, and Owen Leydon - guilty

Honor Devany was put to the bar for feloniously taking a stone of oats from John Laing.

She spoke Irish, when the interpreter (Mr Gouldrick) who had been much occupied in the sheep-stealing case, explained to the Court what the miserable woman was uttering. Mr Gouldrick said she denied having taken away the oats, although she acknowledged having made the attempt, her husband being in fever and her six sickly children having no food to eat. He said she pleaded guilty.

In answer to the court, the prosecutor said her husband was in fever, and that she had a large distressed family. Sentenced to a month's imprisonment from committal. FAMINE

Nenagh Guardian 18 March 1848 Tipperary (North Riding) Spring Assizes, 2

The Grand Jury then proceeded to dispose of the Fiscal Business.

Mr John Bayly wished to ask, in reference to the first presentment in the book, if the **interpreter** for this part of the County was in attendance, or had he attended at Assizes and Quarter Sessions.

Mr Going – He always does. I heard him called upon several times at the assizes. His half yearly salary was passed.

Southern Reporter & Cork Commercial Courier 6 April 1848 Spring Assizes county court Murder

John Finn a mere child, apparently not more than eleven years of age was indicted for having in March last, '47, murdered Jeremiah Donoghue by slitting his throat with a knife.

Two little children were found with their throats cut.

Philip Somerville JP deposed that he questioned the prisoner through an interpreter Constable Jordan. He told the boy not to say anything which would criminate himself, Jordan interpreted the Magistrate's caution.

Constable Russell deposed to having arrested the boy.

Mr Bennette asked to have the statement read.

Mr O'Hea objected. He did not consider it legal to read a statement, which had evidently been made by the prisoner when he could not have been in full possession of his faculties.

After some discussion,

The Court decided on hearing the statement declaring the same time that any doubt which might occur, on the act of legality, should be given in favour of the prisoner.

Mr Somerville then read the statement which amounted to a full confession of the crimes of which the prisoner was accused.

Dr Oakshott was then directed by the Court to visit the Jurors, one of whom said he was ill. The Doctor having returned to Court, swore that one of the Jurors (Mr Bateman) was suffering from want of food, and if locked up for the night it might be attended with serious consequences affecting his life.

Retrial

Derry Journal 5 July 1848 page 2 Buncrana quarter sessions assault

Catherine Boyle, examined by Mr Johnston, through an Irish interpreter – lived with Dr Long at Cunningham; was living with him. About three weeks after old Hallowday; he beat Mrs Long on that

day; the occurrence happened a week or 10 days before Christmas; witness was standing in the kitchen, and Mrs Long within her own room; the Dr/the mistress with his fist on the cheek; she saw nothing else, but the doctor kicked Mrs Long asks the blow; Mrs Long was lying on the floor when she got a kick; after Mrs Long got the cake. She rose, and attempted to go out; did not here, Mrs Long say anything; in about 10 min after getting the blow Mrs Long went out the yard, calling on Jane mahon; witness did not follow Mrs Long out the yard; the was opposite the kitchen door; the Dr afterwards carried Mrs Long into the house.

Dr Long, got six months imprisonment and a £20 fine.

Belfast Newsletter 7 July 1848 Buncrana Quarter Sessions, 4

Wednesday, June 28

[Before the Assistant Barrister, Jonathan Henn, Esq

A Roman Catholic Priest convicted of stealing Bibles and portions of the Holy Scriptures

Patrick Bradley v. the Rev John McKeague

This was a civil bill case, to recover damages, which were laid at £5, for Bibles, Testaments &c., the property of plaintiff, which were taken from his house by defendant (who is Roman Catholic curate of Malin), and carried away. [...]

Sarah Molloy, examined by Mr Macklin, through an Irish Interpreter – Saw no books in Bradley's house; saw them in Hugh Molloy's; the books were dirty in appearance; can't say if they were smoky; can't tell how many books there were.

Limerick and Clare Examiner 12 July 1848 County Crown Court Hon Judge Moore

Timothy Fitzgerald and Martin Colopy for robbing John Cantillon of Mortgage of £12, on the 14th of May. Cantillon's son being sworn detailed the particulars of the attack on his father's shouse, but could not identify the prisoners; the money belonged to Mr S Dickson, the prosecutor's master. **A little boy named Timothy Begley, 11 years of age, not knowing English, was examined by an interpreter,**

Sligo Journal 14 July 1848 page 4 Buncrana Quarter Sessions Patrick Bradley v the Rev John McKeague

This was a civil bill to recover damages, which were laid at 5l, for Bibles, Testaments &c the property of plaintiff, which were taken from his house by defendant (who is Roman Catholic curate of Malln) and carried away.

Sarah Molloy examined by Mrs Macklin through an Irish interpreter – Saw no books in Bradley's house – saw them in Hugh Molloy's, the house in which the priest lodges; knows the boy that brought the books; can't tell his name.

Londonderry Sentinel 29 July 1848 page 1 Sheep stealing Donegal Assizes

John Boyle, for stealing one ewe, on the 17th April last, the property of Norah O'Donnell of Shelloden.

Edward O'Donnell, **examined (through an Irish interpreter)**

Nenagh Guardian 29 July 1848 'Co Kerry Assizes – July 21, 1848 Fratricide', 4.

Patrick Shee, a young man apparently not more than 20 years of age, and most forbidding appearance, was placed at the bar, and indicted for having upon the 3rd of June last, near Glanmore, in the county Kerry, willfully and feloniously assaulted his brother, Maurice Shee, with a stone, and given him a mortal wound of which he instantly died. ..

The case wholly depended upon the testimony of Irish witnesses, who were examined through an interpreter: and from their evidence it appeared that the prisoner and his brother, the deceased, had been on very bad terms for a considerable time, in consequence of the latter having given information to the police to the effect that the wife of the former was engaged in some cases of

sheep stealing; the result of which was, that the prisoner followed the deceased out late upon the night in question, attacked him, and killed him on the spot. **The principal witness, and the only one who positively swore to having seen the murder perpetrated, was a man named Kenna, and he was under cross-examination for nearly four hours in his native tongue, both by the jurors and the interpreter, and he positively swore to the commission of the crime,** and his testimony was not shaken in any very material point.

Tralee Chronicle and Killarney Echo 29 July 1848 page 1 Kerry summer assizes –most interesting trial County criminal court – Friday 21 Charge of patricide (sic)

Judge Ball took his seat on the bench about 10 o'clock when the prisoner Patrick Shea, was placed at the bar, and arraigned for the murder of his brother, Maurice Shea on the night of the 3rd January last, at Inch, in this county. The indictment having been read over by Mr Hurly, Clerk of the Crown, the prisoner through his counsel Mr EW O'Mahony, pleaded not guilty. [...]

Patrick McKenna examined by the Hon Mr Plunkett

-Remembers the night of Monday, the 3rd January; went out that evening a little after night fall; met his brother Daniel in Mathew Shea's field, to the rear of Moriarty's house; told his brother that he was going to Moriarty's for tobacco; Daniel told him there was none there; Daniel then said to him "come away home"; he remarked that he would go to Cournane's to look for tobacco for his father; after leaving Daniel, he saw the Sheas; they were going towards the mountain; he suspected they were going on a bad errand – going to steal sheep; he resolved to watch them ; went to Mary Shea's haggard to watch for their return; Mary Shea is the prisoner's mother; remained there while a man would be walking 4 miles; did not see any person coming to Mary Shea's while watching; saw Patrick Shea in the door; he was very cold, for it was freezing hard; didn't go to Cournane's to look for tobacco; feeling too cold went home and found the family in bed; the prisoner at the bar is Patrick Shea, brother of the accused.

Cross-examined by Mr O'Mahony – The field where he met his brother is beyond Moriarty's house; it wasn't long after night when he met him, there was only very little of the night at the time; it wasn't one or two hours after night-fall; didn't see the Sheas until he parted with his brother; there was a shorter way for the Sheas, if they went straight to the mountain; his brother Dan, when parting, turned his face towards home; never had any conversation with his brother Dan about the murder up to this date.

Mr Bennett here remarked that the witness did not understand 'conversation' in the English language, and asked to have a shorter word substituted.

Mr O'Mahony then asked through the **interpreter**, if his brother ever told him anything.....

Tipperary Free Press 29 July 1848 criminal court Wednesday

conspiracy to murder, capital conviction. William Cull and Laurence Cull were indicted for conspiring with each other to kill and murder Michael O'Brien at Kiltankin. [...]

Court the prisoners have no one concerned them... It is really very embarrassing... One of the prisoners does not speak English, and the **interpreter** must explain to him what the witness has sworn.

Court – interpreter, I shall read my notes and let you explain it to the prisoner... His Lordship then read from his notes the evidence of the witness.

Prisoner, Lawrence Cull said (in Irish), I never saw the woman.

Court – tell the prisoner that he is not called upon to say anything, but he may ask any questions he wishes.

Prisoner – where were the briars?

Witness – near the boreheen.

Prisoner – there are no briars there.

Interpreter – my lord he decided me tell you that the boreheen is not the length of this road from the house, and there is no bush between that and the boreheen.

Witness- I turned to my left when I came outside, to the boreheen.
 Prisoner – why did she go to the furze when the road was so near her?
 Court – answer that question.
 Witness – I was so frightened my lord, I didn't know what place I would go.
 Prisoner – ask her what part of the house the dresser was.
 Witness to the right-hand side when you go in.
 Interpreter – he desires me ask my lord was there a way of fastening the door?
 Witness – I couldn't tell.
 Interpreter – how are the beds situated?
 Court what is the question?
 Interpreter – he desired me the question my lord, how the beds were settled?
 Witness – I can't tell, I was never in the house before.
 court was there anything else in the house
 witness – there was the bench or a stillion.
 Court – was there any boxes?
 Witness – I don't know
 prisoner – because you were never there.
 Witness – if I wasn't why did his daughters say that I still two gowns that night.
 Court – did the prisoner's daughter charge you with stealing two gowns?
 Witness – she told a woman in Caher that I did my lord
 court – did you hear her say so?
 Witness – no my lord
 court – did you go to your cousin Dan Lyons house since
 witness – no my lord
 interpreter – the prisoner wants to know my lord, why she didn't go for the clothes herself?
 Witness – I was afraid they'd murder me.
 Interpreter – he wants to know my lord, whether she was put up by any one to prosecute him.
 Witness – I was not my lord. [...] Found guilty after 10 minutes

Nenagh Guardian 2 August 1848 'Clonmel Assizes Conspiracy to Murder –Capital Conviction

Laurence Cull, and Wiliam Cull, (father and son) were placed at the bar charged with conspiring to murder Michael O'Brien. The prisoners did not understand the English language, and as wing to the late Government order to discontinue the old custom of assigning counsel to prisoners in capital cases, no counsel could be assigned them by the court; they were undefended' consequently all the evidence had to be interpreted for them in the Irish language, which occasioned a considerable loss of time.

Court – It really is very painful to the Court and Jury that no counsel is engaged in defence of the prisoners. I must read over all my notes and have it translated for the prisoners into Irish. The interpreter was then desired to communicate the evidence to them as his lordship read it.

Tuam Herald 12 August 1848 'The County of the Town', 1. (record court)

John Hernan was indicted for stealing two pieces of rope, at the Spanish parade, the property of Bartly King, on the 20th of July.

The prisoner pleaded guilty, and said he was so poor that he had not a shirt on his back; he was never in gaol before; he had a wife but she died of want and hunger; had two children, they have also died of hunger. If he got liberty he would work, 'if he got leave to go home he might now get some potatoes to eat, for cutting corn.

The interpreter stated that he knew the prisoner a long time, as of good character; and that his statement about his poverty was true, as he had, himself contributed towards his support.

Imprisoned for one month from time of committal.

1849

Cork Examiner 5 January 1849 page 3

City of Cork Presentment Sessions

Bartholomew Neenan, interpreter, for half year's salary, £3

Cork Examiner 23 March 1849 page 3

City Grand Jury - Wednesday

Interpreter's half year's salary £3

Tipperary Vindicator 24 March 1849 page 2 Tipperary (North Riding) Spring Assizes

Mr Gason asked, in reference to the interpreter's of Quarter Sessions half-year's salary, was the interpreter ever wanted at Quarter Sessions. Had Mr Sadleir ever seen any witness at Quarter Sessions unable to speak English?

Mr Sadleir – As I said before if the interpreter were removed, you would find very many unable to speak anything but Irish.

The presentment passed.

Cork Examiner 20 June 1849 page 3 Dungarvan Petty Sessions

There were several persons sent in testimonials as to character and abilities to the Chief Magistrate, soliciting the situation of summons-server and interpreter to the Petty Sessions Court. The vacancy was caused by the death of P. Foley, who was interpreter of the Irish language to the court for many years. John Nugent Humble, of Abbeyside, Dungarvan, was the successful candidate.

Freeman's Journal 7 July 1849 'Assizes Intelligence', 4

Clare, Ennis

William Kelly, a well dressed farmer, aged 41, was put on trial for the murder of Anthony Murphy, at Clohenemore, on the 1st of January, 1819.

Conor Killeen examined through the interpreter, by the Hon J Plunket, QC – I know the prisoner these sixteen years, he lives within a mile of me, the deceased, Anthony Murphy, was my brother in law, he came to my house on New Years Day, about midnight I was in bed, I heard the noise of persons smashing in the door.....

Cork Examiner 9 July 1849 page 1

City Presentment Sessions

The following presentments were then agreed to without discussion:

Bartholomew Neenan, Interpreter, for half-year's salary, £3

Dublin Weekly Register 14 July 1849 page 6 charge of murder Assizes Intelligence Clare

William Kelly, a well-dressed farmer, aged 41 was put on trial for the murder of Anthony Muprhy at Clohanemore, on the 1st Jan 1849.

Connor Killeen examined, **through the interpreter** by the Hon J Plunket QC

Cork Examiner 27 July 1849 page 3

Cork Summer Assizes, 1849

City Grand Jury - Wednesday

Interpreter, half year's salary, £3

Southern Reporter and Cork Commercial Chronicle 2 August 1849 Cork Summer Assizes

Michael Williams, Thomas Scannel and Peter Keleher, were indicted for the manslaughter of Patrick Keleher, by striking him with a hammer on the head, on the 6th of April.

Daniel Sullivan was in the Macroom Workhouse on that day. The witness, the deceased, with some other paupers having taken some breakfast, went into the kitchen to try to get some more, when Michael Williams came behind deceased with a hammer in each hand, and struck him on the head with both of them. Deceased instantly fell down senseless, and bleeding profusely. Did not see Scannell strike deceased.

John Casey, not being able to speak English, the investigation was carried on by the interpreter. Said that Scannell had struck the deceased with a shovel, upon that, Williams struck him with the hammer; did not see Peter Keleher there; there were about 60 of them there, with only their spoons in their hands; deceased was then doing nothing, but coming up to the door.

Margaret Kelleher having been sworn by the interpreter, stated that she was the wife of deceased; deceased was brought to her after having been in hospital for eight days,

1850

Limerick Reporter 5 March 1850 page 1 City grand jury

The Hon Mr Vereker proposed an amendment that the salary of the interpreter be reduced from £5 to £2 10s. he had been a long time serving on Grand Juries, and had never found it necessary to put the services of the interpreter in requisition. Many gentlemen present had been longer on Grand Juries than he, and he doubted if any of them had ever had occasion to have the evidence of a witness interpreted in that room. He was of opinion that the Grand Jury had no right to stretch the law to its utmost limit, and give the interpreter in the city of Limerick the largest sum allowed by the law even in the largest county in Ireland.

Alderman Watson – There are forty persons in the gaol at present who cannot speak a word of English (laughter)

Mr Howley seconded the Hon Mr Vereker's amendment, which passed unanimously.

The Waterford News 8 March 1850 page 1 County Court Tuesday

Assault and rape

Patrick Maher, a man about 20 years of age, was indicted for assault and rape on Alice Kiely' and David Power, and D Phelan, aged respectively about 13 years, were indicted for being accessory to the crime.....

The prisoner, who spoke only Irish, heard his fate, through the medium of an interpreter, unmoved, and was then removed. Whelan and Power were ordered to be discharged.

Limerick and Claire examiner 9 March 1850 page 2 Limerick Assizes manslaughter

Denis Curtain, father to the deceased, was examined **through the interpreter in Irish**, as he was unable to speak English. Verdict not guilty.

Limerick Reporter 19 March 1850 page 2 County Tipperary (North Riding) Assizes – Grand Jury

On the application for six pounds to **Mr Heffernan, the efficient interpreter of Quarter Sessions**, Mr Trant intimated that directions had been given to the interpreter not to apply for a salary in future! Mr Sadleir, Secretary, stated that he had never heard such directions. Mr Lenigan thought the officer one that ought to be continued and paid. Mr Spaight moved that the salary be reduced one half! The foreman asked was the interpreter to be discontinued in both Courts – the Crown Court and the Quarter Sessions Court?

Mr Trant – Certainly, in every Court in the North Riding!

Kerry Examiner 22 March 1850 page 2 Kerry Spring Assizes – Record Court – Monday The "Boy Jones"

Timothy Sullivan, Appellant; James Jones, Respondent – Mr O’Hea for the Respondent, stated that the case was not, he said, so much the amount of debt which was in question in this cause, it being only the sum of £1. It appeared that the plaintiff in the Assistant Barrister’s Court, was a little boy of the name of James Jones. This boy had got a set of clothes from a lady who patronized a certain school at Kenmare, and at which the boy attended, for the purpose of getting useful instruction. After attending for some time, he became irregular, and not as attentive as usual. In three days after, a man named Timothy Sullivan came to his house, and ordered the boy to strip off, which he did, and then Sullivan carried away the clothes. He (Mr O’Hea) could not believe it, but the man did say that it was by the directions of the lady who gave the clothes that he took them away. It was impossible that any lady would do so after giving them. He would believe it until his friends on the opposite side would so state it, as Mr Butt appears for the ‘one pound’ (laughter).
Mary Jones, the mother of the boy, was then called and sworn through an **interpreter**.

Nenagh Guardian 23 March 1850 Tipperary (North Riding) Spring Assizes, 1

The presentment of Mr Thomas Heffernan, Interpreter of Crown Court &c., which was disallowed by the Grand Jury, was fiat by the Judge, and he was retained in his office.

Southern Reporter and Cork Commercial Courier 26 March 1850 Capital Conviction Charge of willful murder Cork Spring Assizes 1850 County Criminal Court

Timothy Turner was the next witness examined, **who gave his testimony through the interpreter, as he did not speak English**. In reply to Mr O’Hea he said – I recollect the Sunday before May.....

Cork Examiner 24 April 1850 page 2 Execution of the convict Murphy convicted of murder

He made a declaration in Irish, which was interpreted by the Very Rev Thomas Barry, amounting to a full confession of the murder, and expressive of the deepest penitence.

Dublin evening Packet and Correspondent, 25 April 1850 page 1 execution of the convict. Murphy

at one o'clock this day the execution of the unfortunate man, William Murphy, convicted at the last Assizes of murder, took place in the front of the County jail. As usual on the occasion of such edifying spectacles, immense crowds of people thronged the roads near the jail. The sub Sheriff, Mr Johnson, and a number of the police, with a body of the hosts are as an infantry, were in attendance. The unfortunate convict, when brought out and pinioned, appeared quite firm, although weak from sickness, and walked with perfect steadiness he was attended to the drop by the very Rev Thomas Barry, the Rev J O'Brien, Rev J. Begley, and Rev Thomas Walsh, and the Coatbridge appeared to them to listen to the prairies with the most profound attention. He made a declaration in Irish, which was interpreted by the very Rev Thomas Barry, amounting to a full confession of the murder, and expressive of the deepest penitence. The Rev gentleman remained by the prisoner, and after he had been placed on the drop and the cap Adjusted. Scarcely a moment, then intervened before the drop fell, and after a few short struggles, the unhappy criminal ceased to live. After the usual time had elapsed the body was cut down – Cork examiner of last night.

Anglo-Celt 5 July 1850 ‘Cavan Summer Assizes’, 3. Grand Jury

Mr Masterson objected to the sum given to a superannuated constable named Mulligan; but on an explanation, the presentment passed, as did also that for an Irish interpreter, after some opposition.

The Waterford News 17 July 1850 page 4 County court Capital conviction

Edmond Christopher was brought to the bar to receive sentence of death for the wilful murder of Michael Hogan, a bailiff on the 23rd of August last, at Eagle Hill, in this county.

The Clerk of the Crown asked prisoner had he anything to say why sentence of death and execution should not be passed on him?

Prisoner, who appeared quite unmoved at the situation he was placed in **said in Irish, “that he has nothing to do with the murder”.**

Baron Pennefeather – Edmond Christopher, it is vain for you now to deny your guilt; it has been well established by many witnesses; it was proved that you struck the deceased with a pitchfork on the head, from the effects of which he died. You took advantage of the years of your victim; he was unable to escape with the other persons about to be attacked; he fell a prey to your savage fury. There were two men tried for this offence at the last assizes; no evidence could be adduced aginst them that they were the parties who committed that murder ; it is different in your case. There is no longer any doubt but that it was you who struck the fatal blow that hurried unfortunate Hogan’s death. Under these circumstances there is not the slightest doubt but that you were the principal in that murder. The jury who have found you guilty, have patiently listened to your trial, and they are satisfied, as well as the court, that you are guilty of that savage murder.

His Lordship then put on the black cap, and said Edmond Christopher –

Prisoner interrupted his Lordship, and then said – “give my body to my friends, my lord?”

His Lordship (to interpreter) – Tell prisoner I cannot grant that request to his friends.

His Lordship continued – Edmond Christopher, it is my duty now to pronounce the awful sentence of the law, and that is, that you be brought back to the prison from whence you came, and be taken therefrom to the common place of execution, on Saturday, the 10th of August; you may be hanged by the neck until you are dead. May the Lord have mercy on your soul.

At the conclusion of the sentence his Lordship appeared deeply affected, and was obliged to *apply a handkerchief to his eyes.*

Southern Reporter and Cork Commercial Courier 8 August 1850

The late riot at Shandon Street The investigation – Coroner

Ellen Lyhane, of Brogue Makers Hill, was then sworn and examined – **This witness who spoke nothing but Irish gave her testimony by means of an interpreter.** She stated that on Friday evening last she was looking out of her own window, when she saw two peelers strike a boy and knock him down. It was at the foot of the hill....

1851

Southern Reporter and Cork Commercial Courier 9 January 1851 Cork City presentment sessions

To interpreter for half year, £3

Mayo Constitution 25 March 1851 page 2 A

bill for consolidating and amending the laws relating to civil bills and courts of quarter sessions in Ireland, and to transfer to the Assistant Barrister’s active jurisdiction as to insolvent debtors”

20. Interpreters –Any number may be appointed by Barrister. Grand Jury to present not more than £15 each assizes, to be allocated as Barristers shall direct.

Southern Reporter and Cork Commercial Courier 1 April 1851 Sentence of Death Cork Assizes

Catherine Connolly, who appeared on the calendar as sixty years of age, was then put forward to the front of the dock, to receive sentence, for beating and wounding, with intent to murder, two children.

His Lordship said – Catherine Connolly, you have been justly found guilty of a felonious assault, on the persons of two children, with intent to murder.

The prisoner here interrupted the court, and proceeded to address his lordship in Irish.

His Lordship – Where is the interpreter?

The interpreter not being present,

Mr Spillane said – My lord, the prisoner says she declares to God Almighty that she had nothing to do with it whatever. She says it is a pity to take away the soul of a Christian for the death of a child four years old she says the law never condemned any one that was not guilty.

His Lordship – Has she any more to say?

Mr Spillane, having put the question to the prisoner, replied that she had not.

[...] Mr Spillane interposed and said, he believed what the prisoner intended to say was, that it was a pity to take away the soul of a Christian “on the evidence of a child only four years of age”.

His Lordship.....

The prisoner stood leaning over the front of the dock, while his lordship was delivering sentence and did not appear to be the least concerned in the awful fate that awaited her.

Cork Constitution 1 April 1851 page 3 Ruling the crown book – death

His Lordship then proceeded to pass sentence on the prisoners found guilty during the assizes. [...]

Catherine Connolly was then placed at the bar. She had been found guilty of child murder under circumstances of singular atrocity. She did not appear to be in any trepidation at the awful situation she was placed in. the court was densely crowded, but dark, it being half past 7 o'clock. On being placed in front of his Lordship at the dock, a candle lighted on either side of her, **she addressed his Lorship in an earnest and impressive manner in Irish.**

Court – call the interpreter. What does she say?

One of the auditors replied that she was solemnly protesting her innocence of the crime for which she was charged.

His Lordship – Does she wish to say anything else?

The prisoner again addressed the court in Irish as was understood not for mercy, but to protest her innocence, and stated before the court that it was a cruel thing that the life of a human being should thus be taken away on the evidence of a child only four years of age.

Sentenced to death

Newry Examiner and Louth Advertiser 2 April 1851 Cork Assizes capital offence.

Catherine Conolly, aged 75 years, who had been tried and found guilty of beating and wounding. Mary Driscoll, a child aged seven years, with intent to murder her, was put forward and asked had she anything to say why sentence should not be pronounced. The prisoner addressed the court vehemently in Irish. The interpreter said she declared to God Almighty she had nothing to do with it. 'It was a pity to take away the Christians life for the sake of a child of four years. The Lord may condemn the guilty.' The prisoner continued uttering exclamations in Irish.

Mr Justice Ball – Catherine Conolly, you have been found guilty of one of the most heinous acts ever recorded in the annals of crime. You said it is a pity to take away the life of a Christian, after killing a child of four years. I was deeply impressed with the character of your guilt, but I am now shocked with your statement – that the life of a child is with you of so little account – that you so advanced in years should attempt to murder, not one but two helpless children, for the sake of the plunder of the miserable property which you carried away, is frightful; but how far have you exceeded even the atrocity of the crime of which you have been found guilty in this statement.

The interpreter here explained she meant it was hard a Christian's life should be taken away on the evidence of a child of four years.

The court – your crime you carried out by beating one child so that you laid it dead; the other you proceeded to beat, and left it, believing it to be dead; you then proceeded to complete the crime by carrying off the miserable plunder which it had been your object to take. It turned out, however, by a providential interposition, that one child survived. You were brought to justice at the last Assizes for the murder of one. The survivor was, from her tender years, insufficiently instructed in her religious obligations to give evidence, and she was not examined. Since the last Assizes that child had been instructed in her religious duties, and you have now been brought to trial for the attempted to murder her, Justice having failed before. This poor child, after having then ill treated at

your hands, has been the instrument of your condemnation. Upon her evidence your guilt has been made out: and you stand at the bar to receive the awful sentence of the law. Let me tell you, you have no chance of escape. Good days are numbered. Whilst there is yet time turn your thoughts to your creator, and to him alone. Prepare yourself by true repentance to appear before him from whom alone you can hope for pardon. The learned judge, who appeared deeply affected, then put on the black cap, and pronounced death in the usual terms.

The prisoner, who exhibited great callousness, was then removed.

Limerick Reporter 6 May 1851 page 3.

At the city of Limerick Road sessions yesterday, an item of very trivial amount for the Irish interpreter was objected to by one of the Borough Club. The interpreter was called on the table; and in reply to a question from the bench stated that he was well acquainted with the Irish language. 'If you are' said a magistrate 'let us hear how you'd ask your presentment in Irish.' The interpreter was for a moment puzzled, as if language was about feeling to perform its office. Scratching his head, however, and looking with wistful eye on the bench, he said: 'Thouragh me PRESENTMENT, ma she dhe he la (laughter) – (give me my **presentment, if you please). The presentment was accordingly passed.

Limerick & Clare Examiner 7 May 1851 page 1 Limerick city presentment sessions

The next item objected to was one of £2 10s for the interpreter's salary.

Mr Barrington said there was no duty attached to the office, and the person who got the money was not capable of speaking Irish.

The man was called and being asked if he spoke Irish? He replied "Thourum my presentment" (laughter). The item passed, but the magistrates recommended the abolition of the office.

Londonderry Sentinel 1 August 1851 page 2 Firing at the person Crown Court Donegal

John Whirrisky was indicted for having, on the 6th May last, at Taymore, fired a gun, loaded with shot, at Michael McGinley.

[Almost all the witnesses in this case were examined through the medium of the Irish interpreter attached to the court]

Derry Journal 6 August 1851 Assizes intelligence Donegal Assizes.

The evidence in the case of John Whirrisky, for an assault on Michael McGinley, as reported in our last, having closed, his Lordship charge the jury, who retired to their room, and after a deliberation of nearly 2 hours, returned a verdict of not guilty. (Almost all the witnesses in this case, were examined through the medium of the Irish interpreter attached to the court).

Cork Examiner 13 August 1851 page 4 Kerry Summer Assizes

Criminal Court – Friday, August 1 Revolting Case – Murder

(From the Tralee Chronicle)

Michael and Judith Donoghue were placed at the bar, charged with having beaten Denis Shea on the 13th of April, and with having tied his hands behind his back, and, when in that state, thrown him from their dwelling house at night, which treatment caused his death.

Both prisoners pleaded not guilty, but stated that they could not employ counsel or attorney, adding that they had not house or home.

[.....]

John Casey, examined by Mr George Blake Hickson [...]

Here, a constable stated that the male prisoner did not understand English. The woman, it appears, reads and writes. The Chief Baron then desired the interpreter to explain the evidence in Irish to the prisoners.

1852

Southern Reporter and Cork Commercial Courier 8 January 1852 Cork city presentment sessions

To Bartholomew Neenan, Interpreter for half year's salary £3

Connaught Telegraph 11 February 1852 page 3 Replevengers

The following gentlemen have been appointed by John Knox Esq High Sheriff for the year 1852: **William Lavelle, Castlebar**, Peter Lavelle, Castlebar, James O'Malley Westport, William Bourke Ballinrobe, **Simon Conway Claremorris**, Walter Cunniffe, Swinford, John McCullagh Ballina and Terence Crampton Belmullet. Better appointments to the office could not be made. [Crampton was a clerk as well]

Dublin Evening Mail 8 March 1852 page 4 Assizes Intelligence Capital Conviction

Waterford, March 5 The trial of John Ahearne, for conspiring with other persons to murder the late Jas. Troy, was continued last night after post hour, and as already stated, Mr Curtis addressed the jury on the part of the accused. [...]

The jury retired for about half-an-hour, and at nine o'clock returned, when they handed in a verdict of Guilty.

No sentence was passed at the time, and the court broke up; **but the relatives of Ahearne screamed violently, and their wailings were expressed in the Irish language.**

This morning at eleven o'clock Judge Moore took his seat upon the bench, and the court was densely crowded in every trap.

Mr Coates, as counsel for the prisoner Ahearne, asked to have the indictment read, which having been done by the Clerk of the Crown, counsel submitted that his client had been improperly convicted. He was indicted for conspiring with Maurice Ahearne and Patrick Browne to kill and murder James Troy, and these three men having been arraigned and pleaded "not guilty", John Ahearne was tried alone, neither of the other two men been given in charge to the jury. He submitted that this was an objection which the learned judge would reserve for the Court of Criminal Appeal.

Mr George, QC, on behalf of the crown, referred to that part of the indictment which charged the prisoner with conspiring with persons unknown.

Judge Moore said he would take a note of the objection, and if, upon consideration, he thought there was any serious question involved in it, he would reserve it for the Court of Criminal Appeal; but, of course, if he should, on consideration, entertain no doubt on the subject, he would not refer the case to the twelve judges.

John Ahearne was then placed at the bar, and asked by the Clerk of the Crown why sentence of death and execution should not be passed on him?

The wretched man replied, in Irish, that he was as innocent of the crime as the priest who spoke for him the day before, and that the witnesses against him were perjured.

This was a painful moment in court. The prisoner is a man apparently sixty years of age, with grey hair, large and inexpressive features, and with little intelligence in his countenance; his person large and ungainly, and nothing but the circumstances in which he was placed could have attached any interest to his acts or conduct, but there he stood, not seeming to be anxious, yet not apathetic, while his wife in the gallery looked down towards the dock, but without meeting any responsive glance from her husband, who with his hands clasped together, directed his attention to the judge, or whispered a few words to the interpreter. The offence, too, with which the prisoner was convicted was of a peculiar nature. It was that of having aided in effectuating the murder of a bailiff, whose only offence was being a witness to give evidence of the handwriting of Ahearne's and others to notes passed to their landlord for payment of rent, it being believed that in the absence of the witness the civil bills should be dismissed.

Judge Moore, who was much moved, in passing sentence, said, that as the prisoner did not understand English, it would be idle and indeed improper to address to him any comments on his conduct. He had been found guilty of conspiracy with others to murder James Troy, and it became the duty of the court to pass upon him that sentence which the law attached to the heinous (sic) offence of which he had been convicted. The sentence was that he should be taken from the place where he stood to the gaol, and that on the 22^d of April he should be brought to the common place of execution, and hanged by the neck until he was dead, and may the Lord have mercy on his soul. The prisoner was removed without uttering a word, but the female relatives for a long time afterwards remained in the vicinity of the court-house, crying bitterly, and in Irish bewailing the fate of the convict.

Belfast Newsletter 12 March 1852 'County Waterford Assizes' 1

Conspiracy to murder – capital conviction

John Hearne was indicted for a conspiracy to murder James Troy.

The deceased had been the director of keepers over tenants on part of the lands of Grange, about eight miles from Dungarvan, and his murder took place in consequence of a criminal conspiracy for his assassination by a number of the tenantry of Grange, of whom the prisoner at the bar was one.

The jury found a verdict of Guilty.

The Clerk of the Crown asked the prisoner why sentence of death and execution should not be passed on him?

The wretched man replied, in Irish, that he was as innocent of the crime as the priest who spoke for him the day before, and that the witnesses against him were perjured.

This was a painful moment in court. The prisoner is a man apparently sixty years of age, with grey hair, large and inexpressive features, with little intelligence in his countenance; his person large and ungainly; and nothing but the circumstances in which he was placed could have attached any interest to his acts or conduct. But there he stood, not seeming to be anxious, yet not apathetic, while his wife in the gallery looked down towards the dock, but without meeting any responsive glance from her husband, who, with his hands clasped together, directed his attention to the judge, or whispered a few words to the interpreter.

Judge Moore, who was much moved in passing sentence, said that, **as the prisoner did not understand English, it would be idle, and, indeed, improper to address to him any comments on his conduct.** He had been found guilty of conspiracy, with others, to murder James Troy, and it became the duty of the court to pass upon him that sentence which the law attached to the heinous offence of which he had been convicted. The sentence was, that he should be taken from the place where he stood to the jail, and that on the 22nd of April he should be brought to the common place of execution and hanged by the neck until he was dead, and may the Lord have mercy on his soul.

The prisoner was then removed without uttering a word; but his female relatives for a long time afterwards remained in the vicinity of the Court-House crying bitterly, and in Irish bewailing the fate of the convict.

Cork Examiner 17 March 1852 page 4

Cork Spring Assizes – 1852 City Court Escaping from Transportation

Cornelius Healy was charged with having escaped from custody while undergoing a sentence of seven years' transportation, passed on him at the Skibbereen Sessions of May 1848.

Mr Michael O'Sullivan, deputy gaoler, sworn and examined, identified the signature of the Clerk of the Peace, Noble Johnson, Esq, to the warrant of conviction; and deposed that he had the prisoner in his custody, after he had been sentenced to transportation, on the 15th May, 1848, he got fever, and it was directed that he should be sent into the fever shed of the bridewell yard, and, after the gaol authorities had returned to Cork, he remained there with some other sick prisoners and subsequently escaped from custody.

Philip Harrington, Irish interpreter, proved the passing of the sentence of transportation against the prisoner at Skibberreen Sessions of 1848.

[found guilty]

Belfast Newsletter 16 April 1852 'Young Men's Christian Association', 1

[The Chairman, Richard Davison, addressed the meeting at the Wesleyan Chapel, Donegall Place.]

I look upon it that the making of a highway through a country is the first step towards its civilization, and I consider that the next is education – education in its wide and far-spreading influence, and not merely head-instruction, but that species of education whose foundations rest upon the Holy Scriptures. (Applause.) in illustration of this view – that the making of a highway is the great step towards the civilization of a country – I shall direct your attention to a simple fact which has fallen within my own observation in this county, and one which may perhaps interest you. I know not whether many here remember the state of the county Antrim coast before the great leading road was made under the superintendence of the Board of Works. At that time communication therewith was almost impossible. The old road passed over the highest mountains, and intercourse either with the coast or with the interior of the country was out of the question. In that neighbourhood is a district called the Glens, then inhabited by a peculiar people – a settlement of native Irishmen – who wore the old grey frieze of their own manufacture, spoke only the Irish language, professed the religion of the country, intermarried only among one another, and had no intercourse whatever with the rest of the world around them. I am speaking now of what is within my own recollection, within a period of about twenty-five years. The coast road was made, and corresponding means of communication effected from the shore into the interior of the country and the great market towns. What was the result of this intercourse? A most remarkable change took place. The language of the people entirely disappeared. I remember, when I commenced my professional career in this county, I never was able to examine a witness from the neighbourhood of the Glens without being obliged to have recourse....

Southern Reporter and Cork Commercial Courier 17 July 1852 Cork city grand jury

Intepreter £3

Cork Examiner 24 November 1852 page 2 The Market Commission- Yesterday City Grand Jury-room Mr WJ Shaw was then examined. He said that he was acquainted with the state of the corn trade of Cork for nearly 30 years, and that frauds were much more common formerly than since the establishment of the Corn Market. But the brokers of that period were not of quite so good a class as they were now, and the agriculturist was then, too, more open to fraud, if the merchant was not a man of integrity, because the weighing was carried on at his own stores. With regard to the necessity of brokers, they could not be dispensed with, because the farmers frequenting the market were men of no capital or information, and could not in fact speak the language of the buyer.

Mr Robinson – **Then the brokers are interpreters?**

Mr Shaw – Yes; but many of the farmers who do speak English also employ brokers, and the broker, though he receives 6d per barrel on wheat as brokerage, does not pocket it all. The farmer gets his share, and I have seen the broker in my own office pay the farmer half of the brokerage. The broker out of 999 cases in 1,000 brings us the samples of corn, and we deal with him, and the farmer selling is the exception.

Mr Robinson – How can you account for it that in the wildest districts of the country the farmer sells his corn, and here he must employ a broker?

Mr Shaw – **The buyer in these districts is generally a man who speaks Irish.**

Mr Bennett- It may be accounted for in this way also that the broker makes himself so useful to the countryman that he considers it best to employ him.

Mayo Constitution 30 November 1852 page 3 Investigation into the system of instruction pursued in a national school. [problems with scripture readers and Society for Irish Church missions] School in village of Mulranny, about 9 miles from the town of Newport.

This woman speaks English so imperfectly that she preferred giving her evidence in Irish, and accordingly the Inspector desired the master to interpret her testimony for him. The master was proceeding to do so when lo! A thought struck him, and addressing the Inspector he said "I cannot speak to this woman, for any one is cursed who does so". This woman, it must be observed, was parent to children attending the school; she is a RC, and her whole crime is that she refuses to act in the very uncharitable manner which her clergy require her to do; nevertheless the master was obstinate and another interpreter had to be found.

Freeman's Journal 17 December 1852 page 3 Law Intelligence Court of Chancery

Haslitt v Lavelle, Master Extraordinary

Mr Miller QC stated the petition, which prayed that Mr Lavelle, a Master Extraordinary of the court, in Castlebar, should be removed from his office, and that an attachment should issue against him for a violation of the rules and practice of the court, in having signed his name to an affidavit purporting to have been made by a Patrick Browne, although no oath was administered to him.

There was no appearance on the part of Mr Lavelle, and the Lord Chancellor granted a conditional order until next term. He also directed that Mr Lavelle should cease to act in the meantime.

1853

Dublin Evening Packet and Correspondent 25 January 1853 page 3 Law Intelligence Court of Chancery Hazlitt v Lavelle, Master Extraordinary

Mr Millar, on behalf of Mr Hazlitt, the solicitor to the suitor's fee fund, renewed an application, which stood over from last term, to have Mr Wm Lavelle of Castlebar removed from his office of Master Extraordinary under the Court, and that an attachment should issue against him for having violated the rules of the Court by signing his name to an affidavit, as if it had been sworn before him, although such was not the case. From the affidavit of a process server, named Davis, it appeared that Mr Lavelle was leaving the shop of Mr Garotty, of Westport, late one evening, for the purpose of returning home, when he was asked by a man named Pat Browne to take an affidavit, and that Mr Lavelle signed his name to it in the usual way, without swearing Browne as to the truth of its contents.

The Solicitor-General (with whom was Mr O'Donnell) appeared for Mr Lavelle, and said there could be no doubt that officer had been very guilty of very great neglect; but it was to be hoped that, under the circumstances stated in the affidavit, his lordship would not deem it necessary to remove him, for this one act of neglect, from an office he had held for many years. Mr Lavelle had made an affidavit, in which he admitted the truth of the main charge against him, but he most positively swore that it was owing to mere inadvertence he did not administer the oath, and that he was not in any way influenced by corrupt or improper motives. His car was at the door of Garotty's shop, and he was about to leave for home, as it was getting late in the evening, when he was requested to take the affidavit. He always carried, for the purpose of his office, a small pocket edition of the Testament, so that it was unnecessary to call for one; and he averred that he was under the impression he had administered the oath to Browne, and that he was not aware of his mistake until his attention was called to the matter some time after. It was manifest, said the Solicitor General, that no fraud could have been intended, and that no corrupt or improper motives influenced Mr Lavelle; for if such had been the case, he would not have signed his name to the affidavit without swearing the party making it – in a public shop, in the presence of several persons, many of whom were strangers to him, and all of whom witnessed what took place. Patrick Browne, the man who presented the affidavit, had sworn, moreover, that it had never been used or forwarded to any solicitor or other

person – Mr Lavelle had obtained a certificate, which spoke very highly of the manner in which he had discharged his duties, not only as a Master Extraordinary, but a deputy clerk of the peace for the county of Mayo, and which was signed by the leading practitioners of the county. Mr Conry, also a master Extraordinary of the same town, had made an affidavit strongly in favour of Mr Lavelle's character, and the Marquess of Sligo, who, as a magistrate, had an opportunity of observing his conduct for many years, had given him a very high and flattering testimonial.

The Lord Chancellor had directed the case to stand over for one week, in order that the affidavit which had been signed by Mr Lavelle should be brought into court, lest it might be used hereafter to the prejudice of third parties. His lordship observed that he did not see anything in the case to induce him to think that Mr Lavelle had acted from an improper motive.

Saunders's News-Letter 7 February 1853 page 2 Court of Chancery Ex parte Hazlett in re Lavelle

Mr Miller QC had moved in this matter on a previous day, the complaint being that Mr Lavelle, the Master Extraordinary, had taken an affidavit without having sworn the deponent. Counsel mentioned that since his bringing forward the case Mr Lavelle had lost another situation which he held, namely, that of interpreter at the sessions.

Mr C O'Donnell submitted, on behalf of Mr Lavelle, that the act was one of omission likely to occur in the hurry of business, and he had a certificate signed by all the solicitors for the county of Mayo expressive of their very favourable opinion of the manner in which the party had acted in the discharge of his office. This being so, it was to be hoped that the court would think the error into which Mr Lavelle had fallen accidentally would be sufficiently punished by making him pay all the costs of the petition.

The Chancellor observed that the situation of Master Extraordinary was one of much importance to the administration of justice, and he felt it to be his duty to cancel the commission issued to Mr Lavelle, and to order him to pay the costs of the petition.

Mayo Constitution 15 February 1853 page 3 Hazlitt v Lavelle Master Extraordinary

This matter, which was discussed before his lordship on Saturday week came on for adjudication. It had stood over for the production of the affidavit which Mr Lavelle, as master extraordinary of the court in Castlebar, put his name to, through inadvertence, without having sworn the party presenting it to the truth of its contents in the usual way.

Mr Millar QC who brought the matter before his lordship on behalf of Mr Haslitt, the solicitor to the suitors' fee fund, now stated that a letter had been received from Mr Crozier, solicitor, for whom the affidavit was required, stating that it was cancelled in consequence of its having become unnecessary for the purpose of which it was intended. The learned counsel said he would not press for an attachment against Mr Lavelle, but he would press for his dismissal.

Mr O'Donnell having addressed a few observations to the court on behalf of Mr Lavelle, chiefly with reference to the admitted fact that the omission at present complained of arose solely and entirely from inadvertence, and not from any improper motive.

The Lord Chancellor said the importance of the office of master extraordinary in relation to the administration of justice could scarcely be overrated. It was, therefore, imperatively necessary for the court to watch, as far as it could, over the conduct of parties filling this office in various parts of the country, and who in the great majority of cases were far removed from the personal observation of the court. If masters extraordinary did not discharge their duties with care, accuracy, and propriety, the court would be constantly exposed to the danger of receiving and perhaps of acting upon documents purporting to be affidavits, but to the truth of which the parties tendering them had not been sworn. Under all the circumstances of the case and for the sake of administration of justice it would not be safe, either with regard to Mr Lavelle's particular district or county, or on account of his example to the officers of the court scattered over the entire country, to allow him to remain any longer an officer of the court.

Tuam Herald 5 March 1853

Interpreter at Quarter Sessions – Our excellent Assistant Barrister, M O'Shaughnessy, Esq, has appointed Mr Patrick Flynn, of this town, to be interpreter for the Quarter Sessions of this county. We are certain that a more judicious and impartial selection could not be made, nor one more consonant with the public feeling. (Mayo Constitution)

Catholic Telegraph 12 March 1853 page 7

Mr James Malley, of Castlebar, has been appointed **Master Extraordinary and Commsioner for receiving affidavits** in the Court of Chancery, Queen's Bench and other courts, in room of Mr William Lavelle.

Limerick reporter 15 July 1853 County criminal court trial and conviction for murder.

John Mulligan, a police man, and indicted for the murder of his illegitimate child, John Mulligan, at Shanagolden, on 2 March.... Eliza Quilty (mother of Eliza Hassett) through the interpreter, Mr Roger Greene; her testimony went to show that she had the child at nurse, and that it was taken away from her after a week by her daughter; heard Mulligan say he would rather than £20 to get rid of it, and then he would get a good match.

After being absent until seven o'clock, and not having agreed, the court was adjourned onto until nine o'clock, bailiffs being first sworn to keep the jewellery from meat, drink, or easement.

Mulligan was found guilty.

Derry Journal 27 July 1853. Tyrone Assizes Assault with a knife.

Michael McFadden was indicted for assaulting Hanna McFadden, his wife, at kildrum, on 26 April, with intent to do her some grievous bodily harm; another account charged him with assaulting, the said Hanna McFadden, with intent to maim her & C. Before the prisoner was given in charge, the chief Baron (Pigott) enquired of Mr Smyly if he considered him to be in a sane state of mind. Mr Smyly replied that he understood from Dr Little that he was then sufficiently sane to take his trial, but he believed that he had not been so at the time he committed the offence. After a few questions had been put to the prisoner through an Irish interpreter, [Stephen Nealus probably] he was given in charge in the usual manner.

Evidence of the fact, having been given, his Lordship charge the jury, to the effect that, in case they believed the prisoner to have been insane at the time he committed the act, it would be their duty to acquit him on the ground of insanity.

The jury returned a verdict of not guilty, being in sane when he committed the offence.

The prisoner was then removed, his Lordship having intimated that he would have him sent to an asylum until he should be perfectly recovered.

Ballyshannon Herald 23 September 1853 page 3

The Irish interpreter at assizes having been dismissed from office by Chief Baron Pigott, at the last assizes, his Lordship directed notices to be given that all persons qualified for the situation should attend before the Assistant Barrister, on the first day of the Letterkenny Sessions, at the hour of 12 o'clock, to be examined as to their fitness for acting as Irish interpreteter, whereof all persons are required to take notice. James Cochran.

Tralee Chronicle and Killarney Echo 21 October 1853 page 3

Dingle Board of Guardians – Thursday Alleged persecution in the workhouse

Johanna Fitzgerald was then sworn and examined by Mr Hosley through an **interpreter** – Was in the workhouse about a month ago; left it because she was in dread of her life, having been struck with a stone (of which she still had the mark), does not know who struck her; it was in the face she was struck; nothing was said to her at the time she was struck but there was before; there were a number of women in the hall; put her hand to her face when she got the blow; did not see any one,

but heard a laugh; could not tell by the sound of the laugh who it was; they (women and girls) said that she had sold her soul to the devil; there were so many of them there that she could not know any of them; was about a fortnight or three weeks in the house; the day she came into the house, a girl took the child she (witness) has now in here arms, and held him, until another girl cam up and said the child and she were soupers; the girl then threw the child out of her arms, on the flags; he was os much hurt that he could not take the breast for an hour after; one of the officers (a woman) was present. [...]

Leinster Express 29 October 1853 page 3 County Kildare Quarter Sessions

The Division of Athy

At 12 o'clock on Friday, Christopher Coppinger, Esq, opened the courts at Kildare for the discharge of the Criminal Business, of the Athy Division of the County.

On the Bench with his Worship were the following Magistrates – EGJ Medlicoot, E Bagot, Esqrs, Hon GP Colley, Ponsonby Moore, Esq.

Patrick Finerty was indicted for stealing 13s 5d and a purse from Michael Molloy.

Thomas Naughten sworn as an interpreter – Molloy not understanding English sufficiently well to be examined – said that Molloy was in a lodging-house in Kildare, after returning from England where he was at the harvest, that about twelve o'clock on the night of the 19th September, he awoke and saw the prisoner, who also slept in the same house with him, with his breeches in his hand, and as soon as he saw him looking at him he threw it away; when he immediately got up and found his purse and money gone; he immediately alarmed the house and said he was robbed.

Constable Campion proved that he went to the lodging house, and asked Molloy what description of money he lost, and he said there there were five half-crowns and a shilling; and on searching the prisoner he found in a purse four half-crowns and a shilling; one of the half-crowns being identified by Molloy as his property.

Thomas Naughten re-sworn, said that on the day previous he and the prisoner were playing at cards, and that he won ten shillings, all the money the prisoner had, as he said he was broke, and asked him for a loan of three pence to get his supper, which he gave him. Verdict – guilty, imprisoned for three calendar months with hard labor.

The case finished the sessions.

Ballyshannon Herald 18 November 1853

James Kerrigan deceased advertisement to creditors, legatees and incumbrancers

Kerry Evening Post 30 November 1853

Constable James Bourke, against the Rev. B. O'Connor, P.P.

The next case was that of Constable Bourke against the Rev. Bartholomew O'Connor, P.P., Milltown, for "abusive, insulting, violent and disrespectful language toward complainant at. Listry on the 20th of Nov. inst., and to show cause why he should not be bound ever to keep the peace and be of good behaviour to all her Majesty's subjects." The summons bore the signature of Mr. Rae, as magistrate. Mr. Huggard, on the part of the plaintiff, said he would not trouble the bench with a lengthened statement but would let Constable Bourke be sworn, who would detail the facts. Constable Bourke was then sworn. Was stationed in Milltown for two years and a half; is a Roman Catholic; was on his way to Beaufort last Sunday, on official business, and called into Listry chapel, to hear Mass; the Rev. B. O'Connor was officiating there, and addressed the people in Irish; understands Irish.

Mr. O'Riordan - Give us what he said in Irish first: you cannot give your own inspirations: we must have an opportunity of testing your accuracy. Witness I'll read in English first. I understood every word I have used; but there were some words I did not understand. Mr. O'Riordan—The language which an accused party makes use of must be given in evidence, in the language in which it was heard and then interpreted. Besides, there'are many difficulties in the Irish language. Mr. Huggard -It is not to be supposed that your Worships are judges of the Irish language., Mr. Sheil On cross-

examination, you may test his accuracy, after he has read his statement.' Mr. Huggard- He. could not, because Mr. O'Riordan does not understand a word of Irish. All this is a mere flash in the pan on his part. Mr. Rae drew attention to a case which came before the judge of assize." There it appeared that an information had been taken a magistrate now on the bench - **Mr, James Godfrey—in Irish. The Interpreter not having been sworn, the information was held to be informal. Mr, James Godfrey—I didn't swear the interpreter.** Mr. Sheil—The nature of the summons does not require such precision. If it was an indictable offence, like the Inst case, where the Rev. Mr O'Leary is summoned for certain slanderous words against the magistrates in the execution of their duty, we should have the precise words sworn to, in order to show that they were within the meaning of the statute, and would sustain a trial for an indictable offence ; tint here, where the case is only to show cause why the defendant should not be bound to his good behaviour, this strictness is not necessary, particularly when every latitude will be allowed in cross-examination. Mr. Hue-What would be the use of Bourke's detailing in Irish what was said, to three magistrates not knowing the language? Mr. O'Riordan—An interpreter should be sworn to show what is meant in the Irish language. He alleges that on a particular day the Rev. Mr. O'Connor preached a sermon. The words used are not given, but what the witness calls the purport—that is, his English version of the sermon. Are we to submit to his caprice of construction? How is Mr. Cotnior to prepare himself to show what construction this man put on his Irish language? The witness should convey what was said through a sworn interpreter, and the court could then form their judgment; Mr. Huggard—He may be so conversant in the language as to understand it, and yet not speak it. Mr. Sheil -We do not want the whole sermon. Particular expressions may be given in evidence. Mr. Huggard- I suppose Mr. O'Connor has a number of his parishioners hereto disprove the statement. Rev. B O'Connor-I will not take the trouble of it. Mr. Sheil—In an indictable case, like the other, the particular words should be given; but here it is not important. Rev. O'Connor (with warmth)-May I interrupt my solicitor. I beg your pardon Mr. Sheil I think it a matter of great importance to be driven to-keep the peace by Mister Sergeant Bourke. Mr. Sheil—You mistake me: I did not mean to say it was not of importance. Mr. O'Riordan—Mr. Sheil only spoke of a legal distinction.; Constable Bourke—I'm afraid of my life, if this is continued. Constable Bourke. then went on to read from the report which he had drawn up of the language alleged to have been used : - "He addressed the congregation in very exciting provoking and irritating language ; said there was an enemy among them, a gentleman from Milltown (meaning myself); that he came there for the purpose of taking notice of what he would say on the occasion, he having promised on the previous Sunday to say something remarkable, on this day about a souping female in the neighbourhood, but that he could say nothing now until the next Sunday and only this gentleman was married that he would say that he was going to be connected to her—[Rev. B. O'Connor — I would wish her a good husband.]—and that I should get something for my trouble, and that he would set a collection on foot for me after mass; that he would send the clerk through the chapel for that purpose, and that he would give a penny himself, and that if the collection would be yoo large he would keep the largest part of it himself; but that the constable should at least get a penny to buy nails for his shoes. He compared me to a monk. That is, I looked like a monk who is in plain clothes ; and said he was afraid he cou'd not make a monk of me. He then compared me to a souper from Dingle, named Lynch; that I was a brother to him; that Lynch used, to wear a hand-me-down coat with a leathern a_e in his breeches ; [...]

Bound to keep the peace

Ballyshannon Herald 9 December 1853

County of Donegal, to wit

Notice is hereby given, that John Moy, of Cloghanmore, Stranorlar, has been appointed a Process-Server, in the room of **Patrick Kilday, who has been appointed Irish interpreter at Quarter Sessions.**

Dated this 30th day of November 1853

James Cochran

Clerk of the Peace, Co. Donegal.

1854

Limerick Reporter 7 February 1854, the interpreter page 4

It was stated that the committee recommended the rejection of the presentment for £2.10 shillings as the half year's salary of the interpreter Mr Roberts, who is also court keeper.

Mayor – does Mr Roberts speak Irish?

Mr Bouchier – not a word, I believe.

Mr Phayer – this is a miserable saving. The man is a very old man; and, as even the little addition to his means might be of some use to him, it should not be withheld.

Mayor – he received the appointment of interpreter along with that of court keeper, and has been receiving the additional salary since his appointment. But, if he cannot act as interpreter, why should he receive the salary as such? And I remember one occasion on which an interpreter was required, and it was found necessary to pay a man 5L for acting for the time.

Mr Lenihan – occasions arise on which an interpreter is necessary, and there ought to be one. There is an interpreter in every other city in Munster, in Cork, in Waterford, and in other cities and towns; and here the necessity is no less than in those places.

Mr Bouchier – is there one in Belfast, or Derry, or Armagh?

Mr Lenihan – the necessity may not be so great.

Alderman Joynt – I can easily understand why Mr Lenihan, as a man of literary taste and at choir acquirements, should be favourable to a Professor of languages. But the question is, whether an interpreter be necessary in Limerick at this period. In the country there may still be some necessity for an interpreter, but in the city scarcely any.

Mr Corbett – in an Irish city there ought to be someone who understands the language of our country, and could, and could explain it to those who do not.

Mr J McDonnell – in the city of Limerick. There is no necessity for an interpreter, and there has not been any these 20 years.

Different members of the council expressed their opinion that, whatever necessity might sometimes arise for a French or Italian interpreter, there was no necessity for an Irish interpreter.

The recommendation of the committee for withholding the salary was finally adopted.

Limerick and Clare examiner 8 February 1854 page 3

The presentment for £2 10s, for an Irish interpreter was disallowed, and the officer done away with.

Clare Journal & Ennis Advertiser 9 March 1854 page 2

Schoolmaster – Mr Michael Brew, Assistant Schoolmaster in Kilrush workhouse, was elected schoolmaster, by a majority of 7 against 3.

Also clerk of Ennis board of guardians Clare Journal 23 March 1854

Michael Brew resigned as schoolmaster 30 March 1854

Kerry Evening Post 15 March 1854 Kerry Spring Assizes

The Queen at the prosecution of Catherine Moriarty and Thomas and Mary Leary

On this case being called, considerable interest was excited in Court, as well from the nature of the charge—as the fact, that all the parties concerned in the transaction, were connected with the more respectable farming class, a body, which it is needless to say is rarely, if ever, compromised in the criminal annals of the county. As the prisoners, brother and sister, appeared in the dock, they evinced their consciousness of their humiliating position, by looks averted from the public gaze; the male traverser shading his face with his hand, as he leaned towards the front of the dock, whilst the female prisoner, a well looking and well dressed young woman who was enveloped in the folds of

an ample cloak, but partly withdrew the veil of the bonnet which shaded her downcast countenance. [...]

The prosecutrix a very well dressed young person, about 19 years of age, appeared in the witness's chair, and sustained the examination she underwent with remarkable selfpossession. In answer to Mr. Henn, she stated she was an orphan, and lived with her cousin Timothy Moriarty. On the 3rd of February last she was on a visit at the house of Morto Moriarty, at Liitry. Had been there since the Monday previous. Knew the prisoners. Knew them personally. The traverser, Mary, abe knew well i saw Tbomes Leary at Morto Moriarty's house on Friday, the 3rd of February. He came there, about three o'clock. His sister, Mary, came in after dinner. Witness was then engaged in sewing. In the course of the evening, Betty Sullivan, the servant of Morto Moriarty, was sent for whiskey to the house of the traverser, Thomas Leary ; it was distant, a walk of three or four minutes. Witness and the traverser, Mary Leary, went to accompany Betty Sullivan. Being about to return, Thomas Leary made his appearance, and hindered witness going out of the house. He caught hold of her. She, for protection, caught hold of Betty Sullivan. : He dragged witness into an inner room; in the struggle, she struck him with a bottle. On extricating herself, and returning to the shop, found Betty Sullivan was gone. She then tried to get out, but the door was locked. Soon after, Betty Sullivan and Ellen Moriarty, came to one of the windows of the house. broke the window, and witness, for protection, caught Ellen Moriarty's hand through the broken window. Thomas Leary then palled her from the window, and Mary Leary placed a shutter against it. The male traverser then pulled her into a back room, there was a bed in it Mary Leary also came into the room, and put her back to the door of it The brother then tried to throw witness on the bed, but owing to her struggles, succeeded in only throwing her against it He attempted to raise her dress. At this period of the assault, Betty Sullivan and Ellen Moriarty succeeded in entering the ?, and broke in the door of the bed-room, and rescued her. She has £500 fortune. 'While being dragged from the window Thomas Leary hurt her arms.

Cross-examined by Mr.O'Hea—Did not give information to the authories till seven days after. Went to mass the following Sunday. Thomas Leary dined that evening (the 3rd February), at Morto Moriarty's house, can't tell who invited him. She took a wine-glass of punch from him, did not take more, and is not in the habit of doing so. Was sewing when bis sister came in. She and witness played cards; they played a game of 31, for a pint of whiskey. Doesn't know whether a fortune teller, black-i->oru Jack, was the night before professionally engaged in the house. Betty Sullivan and Mrs. Moriarty were sober. There were some mia in Leary's house, when witness came into it The night was middling fine. Never took, at the same time, more than a wine glass of punch. Her visit to Moriarty's home, was on her cousin's invitation ; she came there to make shirts for him. Not, as it was shrove time, nor on s matrimonial speculation; never cut cards to see would a husband turn up. Re-examined by Mr. Henn—It was Tom Leary proposed cards. Witness did not play till his sister came, and then only at her cousin's request

Betty Sullivan was next examined through an interpreter. —Was a servant of Morto Moriarty, on the 3d February last and nearly two years previously. On the night in question the traversers were in her master's house. Mary Leary came there about an hour and a half after ber brother. Thomas Leary observed." that as be seldom came to Listry, he'd treat the two females at her mister's house. He'd give them a drink." Witness, Leary's sister Mary, and prosecutrix then went to Leary' s house for the whiskey. The prisoner Leary is a publican. CatherineMoriarty asked leave to go. On getting to Leary's house, witness asked the whiskey of the traverser, Mary Leary who put the bottle inside the counter of the shop. About this time Tom Leary came in and laid hands on Catherine Moriarty, saying " she should'nt go out that night" : Catherine Moriarty then had the bottle in her hand, it was given her by the witness. [...]

The jury retired, and after an absence of about 30 minutes, returned with a verdict of guilty upon both counts of the indictment. Sentence deferred.

Southern Reporter and Cork Commercial Courier 18 March 1854 Cork Assizes county court

Manslaughter

Catherine Hegarty was charged with the manslaughter of William Minehan and Ellen Minehan on the 9th October last at Kilgobbin.

Mary Minahan, **having been sworn and examined through an interpreter**, stated that the deceased were her children, and that in October last the prisoner at witness's own desire, inoculated the deceased with the small pox, from her (the prisoner's) own children; in seven days after the children took sick, and remained so for two days, when they recovered; in about four days after they got sick and died. Acquitted.

Same paper – manslaughter case - John Hamilton, examined by Mr Copinger QC through an interpreter

Londonderry Standard 23 March 1854 Donegal Crown Court Lifford

at 10 o'clock chief Baron Pigott took his seat in the above. Court, when a petit jury consisting of the following persons... Charge of murder committed 20 years ago.

Patrick Sweeney being called to the bar, and having declined to challenge any of the jurors, was indicted for having killed one John Doherty, at a place called Mederraherrick, near Dungloe, by striking him on the head with a pair of iron tongs, on 30 March 1834.

Condy Boyle, the first witness, examined by Mr major, QC, deposed that he had lived in the service of the prisoner, Patrick Sweeney, at Mederraherrick in the County of Donegal, and remembered the day on which Shaun Doherty got the beating....

The evidence of Manus Boyle, who was examined by Mr Smyly, QC, through an Irish interpreter, was to the effect that he saw the deceased, John Doherty, going after the dog on the prisoner's land, and drawing a stone at the dog, and that he saw him pushed down the wife of Sweeney, the prisoner; that he had seen all Shaun Doherty lying on the ground, but that he did not observe him bleeding.

Patrick Doherty, the son of the deceased, examined by Mr Johnston, through an Irish interpreter, swore to his seeing Danny Sweeney, the wife of the prisoner, pushed for the down, and that he saw the prisoner strike came to blows with a tongs when he was lying on the ground, and that he had also struck witness himself with a tongs; his Ford had to be helped home, and died on the Wednesday following;... Found not guilty.

The Waterford News 21 April 1854 page 4 Dungarvan Union Applications for admission

Ellen Kiely applied for admission into the workhouse in consequence of her husband deserting her.

The Chairman asked applicant (through an **interpreter** of Irish) would she prosecute her husband for deserting her?

Applicant, after some hesitation, said she would not.

Chairman – tell her she can't be admitted, as she will not prosecute her husband.

Mr O'Brien (relieving officer) said he was informed that the husband was not in England as stated to him by applicant, but was employed about the vicinity of the place. Rejected.

The Waterford News 21 July 1854 page 2 Waterford summer assizes city court

Interpreter, attendance, £2 10s

Northern Whig 3 August 1854 Londonderry record court.

McCumigan v the Londonderry and Enniskillen railway company.

This was an action brought by the plaintiff against the defendants, for damage for an injury sustained by him, from a collision on the company's line, on 30 March last. The defendants lodged £25 in court.

The plaintiff, a person in humble life, with several of his friends, was a passenger in one of the company's carriages, on the day in question, being about to emigrate to America, from Londonderry. On the way between Strabane and Londonderry, the train, in which the plaintiff, was proceeding, being after its time, a pilot engine, which had been dispatched to ascertain the cause of the delay,

came into collision with it when, from the violence of the shock, the carriage in which the plaintiff was was shattered to pieces. The plaintiff had two ribs broken, one of the fractured ends penetrating the membrane covering his lungs, and received various other injuries permanently affecting his health and physical power.

Dr Stanistreet, who attended him, gave testimony to this effect.

The plaintiff, who came from I were most part of Donegal, could not speak a word of English, and was examined through an Irish interpreter.

The jury found for the plaintiff damages £55, beyond the sum lodged.

The Waterford News 29 September 1854 page 4 Dungarvan board of guardians

Admissions – A woman named Daly, with four children, applied for admission. Mr O'Brien, relieving officer, said she did not see her husband for the last two years. Chairman – It appears she is in the family way. Mr Giles – You will soon have the house a lying-in hospital. Admitted.

Southern Reporter and Cork Commercial Courier 11 November 1854 Quarter Sessions Skibbereen

The case of Lord Charles Clinton and the Earl of Bantry

The plaintiff, a respectable looking and aged Irish woman, **whose evidence was communicated thorough an interpreter**, deposed that she lately held a portion of East Feelawn, under the earl of Bantry at a rent of 5l 13s per acre....

1855

Kilkenny Journal 20 January 1855 page 2 Married

On the 18th inst in St John's Church in this city, by the Rev James Graves, Vicar of Kilmocar cousin of the bride, William Walter Scott, Esq, later of the 17th Regiment, eldest son of the later Wm Scott, of Fisherstown, Queen's County, and Upper Mount Street, Dublin, to Eleanor, youngest daughter of John Anderson, Esq Kilkenny

Weekly Gazette, Incumbered Estates Record & National Advertiser 3 March 1855 page 2

Murder County Clare- The Commission

Denis McEnery, an old man about 60 years of age, was indicted for having willfully murdered Jeremiah Normoyle, at Colonan, in this county, upon the 21st of August 1853, by striking him on the head with the handle of a pitchfork, from the effects of which he immediately died, or as the prosecutrix termed it in Irish "before the priest could overtake him."

...The only witness for the prosecution, except the doctor who proved the cause of death, was the widow of the deceased man, **who was examined through an interpreter**. transported x 15 years

Freeman's Journal 16 March 1855 'The Queen v James McGarvey', 3.

The prisoner was indicted for the murder of Edward Gallagher, by stabbing him with a knife in the belly and other parts, having inflicted 17 wounds.

Mr Smyly prosecuted. Messrs Peebles and Dowse defended the prisoner.

Several Irish-speaking witnesses were examined through the interpreter....

Cork Constitution 20 March 1855 page 2 Cork Spring Assizes

Cornelius Donovan was charged with having on the 26th of August, at Rosscarberry, unlawfully violated the person of Nora Shea. It appeared from the evidence that the prisoner was in company with another man at the time of the alleged violation, and that both of them had committed the offence. The other party was not amenable....

Julia Donovan, **examined through the Interpreter**, deposed that she was a sister to the prisoner; recollects the fair-day at Rosscarberry; was in company with her brother during that day, and up to

the time the policemen arrested him; one of the police came up to them on the road and asked the prisoner if he saw two men and a woman before him on the road, when he replied "Go to the Devil, 'tis no business of mine"; the policeman then caught her brother and struck him; another policeman came up and they both struck her brother with sticks and guns.

Southern Reporter and Cork Commercial Courier 27 March 1855 Cork Spring assizes county court

James Barry was charged with having committed a rape on the person of Ellen Walsh, on the 11th January at Aherlow.

Ellen Walsh, having been examined through an interpreter, stated that she was 68 years of age; had been a widow 20 years, and was the mother of eight children....acquittal

Waterford News 25 May 1855, page 3 Borough of Limerick.

Schedule of presentments agreed to at a special meeting of the town council of the Borough of Limerick, held previous to spring Assizes, 1855.

To the interpreter two pounds 10 shillings.

Mayo Constitution 26 June 1855 page 3 Trial by jury Castlebar sessions JURORS

Upon the petty jury panel being called the first for trial, a most ludicrous scene took place; some of the jurors, as they came to be sworn, addressing the interpreter, said they did not speak English, whilst others said they could neither read nor write, and with wonder in their countenance, asked the Barrister why they were summoned.

The Court directed that the applicants should not be empanelled.

Mr Burke, Sessional Solicitor – Then, your Worship, we will have no jurors, as the entire list is composed of the humblest farmers, the majority of whom neither read nor write.

Court How can this be possible? Am I to be told that in this district no better class of jurors exist?

The Officers of the Court here informed his worship that the fault was not the sheriff's as he had returned all jurors on the list, but that the culpability lay with the high constables and the magistracy.

Court It really is discreditable that when there are persons qualified to serve on juries such a class should be summoned as claim exemption on the grounds of their incapacity, and steps ought to be taken to remedy so great a dereliction of duty and one so vitally important to the administration of the criminal law.

After much exertion, and fining the jurors who did not answer, a jury was sworn. After the trial had closed, and the jury had retired, a second jury was called from the panel, but none answered. At the suggestion of the officer of the court, a TALES was called, and a most respectable jury was empanelled from persons in court.

Clare Journal and Ennis Advertiser 23 July 1855, page 3.

The Liscannor sand case Limerick Assizes.

Mr Creagh opened the pleadings. This was an action against the defendants for having broken into and entered certain lands of the plaintiff in the County Clare,... Otherwise the seashore, extending to low water mark, and taken away therefrom a large quantity of soil and sand.

.... John Nagle (who was examined in Irish by the interpreter) deposed – I know the shore at sand Sandfield....

1856

The Waterford News 11 January 1856 page 3 Waterford County Quarter Sessions

Patrick Morrissy was indicted for stealing some sacks and Indian meal from Mary Callahan of Kilrosenty, on the night of the 11th of May last.....

Ellen Morrissy (daughter of prisoner, a young girl) was questioned for some time by Mr Patrick Power, the Irish interpreter, as to the nature of an oath.

Mr Tabiteau (to Mr Barron) – what would happen you if you took a false oath?

Mr Barron – Do you mean if I did not repent? (loud laughter)

Mr Tabiteau (to interpreter) – Ask her who go to heaven and who go to hell?

Witness in Irish said that those who are just go to heaven, and the bad go to hell. She was then sworn and examined.....Guilty.

Waterford Mail 15 January 1856 page 3 Quarter Sessions

Mary Halloran, the defendant, who is an old woman, of 60 years at least, but with hair as black as a raven's wing, was here produced to support her son's evidence.....When she made her appearance on the witness's table, the crier proceeded to administer the oath in the usual form and in English, but she at once stopped that official...by a nod of the head and the rapid utterance of several sentences in Irish, intimating thereby that she could not speak English.

The Court told her that *she should speak English*, and her attorney, following up the imperative command of the court, told her that she would do herself a great deal of injury if she *did not* speak English but to the autocratic order of the learned chairman, and to the well-meaning hint of her solicitor, the old dame still kept nodding like a Chinese mandarin, until her pertinacity overcoming the determination of the court to make her speak in a tongue "familiar to the ear" she was sworn in Irish by the interpreter, but most strange to recall she repeatedly answered the questions when put in English by her solicitor and the cross-examining counsel, Mr Tandy, without waiting for them to be filtered to her through the interpreter. This fact compelled Mr Phelan (solr) to observe that "it was a most extraordinary fact that every one of these Irish witnesses understood English, but when they came to be examined they denied all knowledge of it". To this the Court remarked that "He found in Dungarvan a few people who professed their total and absolute ignorance of English, but when they heard that there was no interpreter and that they might go out of court and settle their disputes elsewhere they very soon found out the use of their tongues, and spoke English nearly as well as anyone in court"; to which judicial remark Mr Phelan rejoined – "Everyone of them can speak it, but it is only a plan of theirs, and acted on by all of them, to gain time, in order to frame their answers to meet the questions put to them on cross-examination by counsel through the interpreter, that they deny their knowledge of English; for instance, your worship sees that this ancient dame absolutely and positively answers the questions of counsel before they are interpreted into Irish for her by the interpreter.

Limerick Reporter 26 February 1856 page 2

The next presentments on which there was any discussion were those for 5l, half year's salary to **Roger Greene, interpreter of the Court**, and 15l to the same person, half year's salary, as interpreter at Quarter Sessions.

Foreman [Sir Vere de Vere, Bart, Curragh Chase, foreman] – why give him a double salary?

Sir D Roche – There is no reason why he should get more at the Quarters Sessions than at the Assizes.

Mr C Powell – His services are but seldom in requisition.

Foreman – It appears to me that it is an exorbitant charge.

Mr H Considine – You are encouraging literature.

The presentments were ultimately passed.

Clare Journal and Ennis Advertiser 28 February 1856 page 2 County Limerick Spring Assizes

The Interpreter- Mr Magrath applied through Mr Cullinan for his usual salary of £5 for being interpreter to the Court. Mr Cullinan stated that Mr Magrath was in attendance the whole week, and he had acted for him in the Record court. This was granted and the presentment ordered to pass.

[James McGrath was interpreter at Assizes from at least 1854 alongside Wm Brew and then Ml Brew at QS]

Southern Reporter and Cork Commercial Courier 4 March 1856

Bartholomew Neenan, interpreter for half year's salary £3

Freeman's Journal 6 March 1856 'Waterford', 3 [Prisoner found guilty]

The unfortunate prisoner (who it appears does not speak or understand English) on being informed by the interpreter of the nature of the verdict, made some observations in Irish, to the effect (as it is said) that "there was no harm done, and that many a better man than he had been convicted".

The prisoner was then removed, and at a few minutes after nine o'clock this morning was again placed at the bar, to hear the sentence of the court.

[Sentenced to be hanged.]

The Waterford News 7 March 1856 page 2 Waterford County Court Sentence of death

At ten o'clock on Wednesday morning Judge Moore entered court, which was densely crowded, when the prisoner was put to the bar. He looked as usual, apparently not in the least altered from the day before.

Mr Dennehy, a clerk of the crown, asked prisoner what he had to say for himself that sentence of death should not be pronounced upon him?

Prisoner (in a firm voice, and in Irish) said – Carty's son never saw me that night.

The Judge then proceeded to address the prisoner, who, not knowing English, was of course unable to comprehend what his lordship said. He (the judge) said – You Wm Conway, have been able defended by counsel – the jury after a patient trial have come to the conclusion that you are guilty of the odious crime laid to your charge. I feel bound to say that I find it impossible they could come to any other conclusion. It is an undoubted fact that the unfortunate man met his death by violence, and the verdict of the jury has stamped on you're the crime of being his murderer. I cannot hold out any hope of mercy to you. Your term of life in this world will be but short – your days are numbered – I trust you will make good use of them, and make your peace with God, who has said, "thou shalt do not murder". It now remains for me to say that you be taken in to the common prison, and that you on the 17th of April, be taken away from said prison to the common place of execution, and there be hung by the neck till you are dead; and that your body be buried within the precincts of said prison. His lordship did not assume the black cap.

His lordship said that the two female prisoners (Conway's mother and sister) may be admitted to bail by making an application to the Queen's Bench.

The prisoner raised his right hand and retired to the back of the dock. The judge seemed far more affected than the wretched prisoner.

The assizes then closed. The prisoner with his mother (a woman about 80 years of age) and his sister, who is younger than himself, were then conveyed on a car to the county jail, surrounded by a large party of the constabulary.

Derry Journal 30 July 1856 Donegal Assizes Lifford Attempt to defeat the ends of justice.

Hugh Sweeny was indicted for that he, on 17 April last, at Churchhill, swore before John Chambers, and Daniel Cruise Esq is that his name was John Sweeney, and subsequently, on 1 May, swore himself to be Hugh Sweeny.

Patrick Kildea, the Irish interpreter, the jury, after remaining in deliberation for some time returned a verdict of not guilty.

1857

Clare Journal 12 February 1857 Kilkee petty sessions

William Denny, commonly called Denny the Dicer, who is a very indefatigable Scripture reader, summoned Timothy McCarthy of Cross, for an assault and breaking his hat. Denny conducted his own case very cleverly, and called Pat Carmody, a publican, to prove the case. Carmody could only say that he saw the parties walking quietly together; he believed there was a difference between them, but that he moved off, not wishing to make enemies. The defendant, a very ignorant man, - through the **interpreter**, said – that Mr Denny was forcing his reading down his throat, and to make it the more impressive, pulled his cravat until it got loose, at which he got rusty; not having any witness to clear him, he was fined 10s and 2s 6d, compensation for battering his hat.

Cork Constitution 5 March 1857 page 3

Bartholomew Neenan, interpreter, for half-year's salary £3 – passed.

Cork Constitution 14 March 1857 page 5 Cork Spring Assizes County Court

Michael Collins, John Moynihan, John Collins and Michael Ford were indicted for that they on the 26th Oct did maliciously assault one Daniel Hyde, at Millens, with intent to do him bodily harm and also for a common assault....

Timothy Lehane, who was examined through an interpreter, corroborated the former witness's evidence.

Cork Examiner 16 March 1857 page 5 Charge of Murder

Jeremiah Driscoll, Cornelius Driscoll, Denis Sheehan, John Sullivan and Johanna Sheehan, were charged with the wilful murder of Timothy Harrington, at Kilminikeen, on the 16th of August. [...]

Daniel Leary, who was examined through an interpreter, deposed to having seen the deceased assaulted by the Driscolls at the public house; saw young Sheehan give him a kick on the head.

Londonderry Sentinel 17 July 1857 Malicious destruction of sheep in Co Donegal Lifford

Enquiry re presentments for a sum of £1,130 claimed as compensation for the malicious destruction of between 800 and 900 sheep, the property of English and Scotch settlers in the Barony of Kilmserenan, was resumed this morning before the GJ.

Hugh Mulligan examined through an Irish interpreter

Hugh Sweeny, examined through the interpreter

Hugh Sweeny, son to last witness, was examined through the interpreter

John McCool was examined through the interpreter

Kerry Evening Post 10 October 1857 page 3 Insolvent Court - Dublin, Thursday Oct 8

(Before Mr Commissioner Hatchell) In re Denis Gallivan, an Insolvent.

Mr Stephen Huggard, attorney, said he applied on a notice served through the General Post Office on William McDermott, Esq, Assistant Barrister for the county of Kerry, for liberty to amend the insolvent's schedule by inserting Mr McDermott's name as a debtor for £37 being as stated in the notice, "money given by the insolvent to Mr McDermott on the 4th of April 1856, upon his (Mr McDermott's) promising and agreeing to appoint the insolvent to the office of Interpreter to the Court of Quarter Sessions for that county, when the same office should become vacant, and to which office, which had since become vacant by the death of the late interpreter, Mr McDermott had declined to appoint the insolvent, though requested so to do."

Commissioner – It appears from the notice that this is a case in which I ought not to interfere. Persons engaging in transactions of this nature here represented lay themselves open to be indicted for entering into a bargain for the sale and purchase of a situation relating to the administration of justice.

Mr Huggard – At first sight it might appear to be so, but when his lordship would hear the insolvent's affidavit he would see that however culpable Mr McDermott might have been, that his (Mr Huggard's) client had been drawn innocently into the matter, and he had sworn that he believed he had regularly purchased the office. He (Mr Huggard) need not tell his lordship that when a man in the insolvent's class of life saw a gentleman holding so high a judicial situation as Mr McDermott, willing, as he alleged, to sell such an office, that he had perfect grounds for believing that there was nothing illegal in his purchasing it.

Commissioner – There is a great deal in that. He might certainly say that he had a "judicial opinion" on the subject. I will hear your application.

Mr Huggard then proceeded to read the affidavit, which stated that **Morto Hurly**, of Tralee, now deceased, the late Interpreter to the Court of the county of Kerry, having been for a long time in a delicate state of health, it became known to deponent that William McDermott, Esq, in whose gift the appointment to the office of interpreter was, would dispose of the appointment to the reversion thereof, expectant upon the death of the said Morto Hurly, for a sum of money; that deponent, having caused it to be intimated to Mr McDermott that he was willing to treat for the purchase, Mr McDermott, on the 4th day of April 1854, while the quarter sessions were being held in Tralee, sent for deponent, and told him that he would appoint him to the office when the same would be vacant, for the sum of £30, which sum deponent thereupon paid him. That at a later period of the same day, and while Mr McDermott was presiding as assistant barrister in the court house of Tralee, having recognized deponent in the body of the court, he beckoned to deponent and retired from the bench, when deponent waited upon him in his chamber, and Mr McDermott then told deponent that the sum of £30, which deponent had shortly before given to him was not sufficient, and that he required a further sum of £7, to which deponent assented, and shortly afterwards, on the same day, brought him the further sum of £7. That Morto Hurley (the former interpreter) having died about November, 1856, he applied to Mr McDermott to appoint him in the room of Hurley, and Mr McDermott repeatedly promised, but from time to time avoided to do so, and finally appointed another to the office. That when the insolvent filed his schedule in this court (In March last), he did not return Mr McDermott as a debtor therein for the said sum of £37, because deponent then fully believed that he had regularly purchased the office of inspector (sic), and that Mr McDermott would, in accordance with his agreement and repeated promises, appoint him thereto, and that if he had so appointed him, defendant would have been able, with the assistance of friends, to arrange his detaining creditors' demands by instalments.

Commissioner – What is the value of the appointment?

Mr Huggard- £40 a year, my lord; £30 as interpreter to the quarter sessions, and £10 for the assizes, and though the appointment for the assizes is vested in the High Sheriff, the Barrister's interpreter is generally the person selected.

Commissioner – How is the salary paid?

Mr Huggard – By presentment, at each assizes. The affidavit further stated that when his petition came on for hearing at the last sessions, one of the firm of Messrs George Waters and Sons, who attended to oppose defendant's discharge, caused it to be intimated to the said William McDermott, before whom said petition was about to be heard, that he (Mr Waters) was aware that a sum of money had been given by defendant to the said William McDermott, and that the same was not restored on defendant's schedule, when the said William McDermott sent a message to the said Mr Waters, stating that he would arrange the account with Mr Waters' attorney, who is a practitioner in the said William McDermott court, before the next session. And when defendant's petition came on to be heard, the said William McDermott asked the said Mr Waters to consent to an adjournment to the next sessions, which he agreed to, and the said petition now stands adjourned to the 16th of October next. That (observed Mr Huggard) was the statement on which the application was grounded, and he felt it was unnecessary for him to add one word to it.

Commissioner – Did the insolvent get any acknowledgment or voucher from Mr McDermott for this money?

Mr Huggard – No, my lord

Commissioner – Is there any document to show that Mr McDermott admitted having received a sum of £37 from the insolvent, for any purpose?

Mr Huggard replied that there was. He held in his hand a letter he had received on Tuesday last from Mr McDermott, admitting that he owed the money, but denying that he had received it on the conditions alleged by the deponent.

Commissioner – Read that part which refers to the receipt of the money. You need not read the whole letter as it appears a lengthy epistle.

Mr Huggard then read an extract from the letter, wherein Mr McDermott stated that he borrowed about two years since the sum of £37 from the insolvent; that as the office of interpreter was shortly afterwards likely to become vacant, owing to the precarious health of the man who then held it, and the insolvent being highly recommended to him, he was anxious to meet the wishes of the gentlemen who recommended him, but that the bankruptcy of the insolvent's wife, to whom he had been previously married, and the insolvent having filed his schedule, were obstacles to appointing him.

Commissioner – I feel disposed to send this case before Mr McDermott, as he must be aware of the dealings between the insolvent and himself, leave it to him to say how he will act under such a state of things as the affidavit discloses.

Mr Huggard said it was with great reluctance he made the present application, but he was acting under the direction of counsel. He was a practitioner in Mr McDermott's court, and the letter which he had partly read convinced him that it would be a farce to apply to Mr McDermott for leave to make the correct return.

Commissioner – Why did not the insolvent object at the last session, when this communication took place between Mr McDermott and Mr Waters.

Mr Huggard – He was not consulted on the matter, my lord.

Commissioner – I suppose he did not know what happened in Chamber. I cannot understand how Mr McDermott, with his knowledge of the facts, could have made such a proposal to Mr Waters. He knew the schedule should contain a return of all debts due to the insolvent. Did he want his own to be omitted, and the man to forswear himself?

Mr Huggard – Suppose, my lord, the schedule should come before another barrister than Mr McDermott to be adjudicated upon – one who will know nothing of the nature of this transaction – he will require that the circumstances under which this debt was due to the insolvent should appear on the schedule. The creditors also would have a right to complain of the want of information on the subject; and it was only by having the transaction stated in its true terms that the insolvent would be justified in not having originally returned the money as debt.

The Commissioner observed that the court and the creditors would have a right on the hearing to full explanation; and what he would do was, to direct the schedule to be amended, by returning Mr McDermott as a debtor, by name and abode, and the amount, £37, with the statement "good" "bad" or "doubtful" as Mr H. pleased; but nothing to be inserted in the columns of observation as to the nature of the debt. That could be inquired into at the Sessions and returned as the facts might then be proved. But as Mr McDermott denied the statements, and as the subject was one which deeply involved the purity of the administration of justice, he would not prejudge the case by inserting the insolvent's statement; however, if the insolvent, at the Sessions, established the statements contained in his affidavit, they ought to exonerate him, as it would appear that it was not with any fraudulent intent he had acted as he had done. - Daily Express

Freeman's Journal 12 October 1857 page 4 Galway election.

Martin Walshe, a rural voter, was next called, but, as he could not understand or speak a word of English, the **intervention of an Irish interpreter was required.** The witness stated he voted for Dunkellin and O'Flaherty; got no money, nor did he get a card from Dr Browne; was given a card when going to vote, but did not know what became of it.

Kerry Evening Post 17 October 1857

McDERMOTT, ASSISTANT- BARRISTER, versus Gallivan; PUBLICAN.

Some people may think that we ought to reverse the places of these two worthies; and make poor Gallivan, who lost place money and all, plaintiff. But we prefer the order in which we have headed our combined observations on this subject; inasmuch as we consider that if Gallivan be telling a lie against the Assistant Barrister, he has done him more deadly and cruel wrong than one hundred interpreterships or their price could compensate. If Mr. McDermott be innocent, and that he could fasten this slander on a solvent author, at how many thousand pounds might he not lay damages.

It has been said that the *Daily Express* report has left much matter for grave consideration ; and we now resume it under a grave sense of the importance of the case to the Assistant Barrister individually, and to the public to whom he is set and sworn to administer justice generally.

Again we take up Denis Gallivan's Affidavit, and we find him alleging as follows:

Murto Hurly, the Interpreter to the Court of Quarter Sessions being in a delicate state of health, it became known to deponent, that William M'Dermott, Esq in whose gift the office of interpreter was, would 'dispose of the appointment to the reversion thereof for a sum of money ; and deponent caused it to be intimated to Mr. M'Dermott that he was willing to treat for the purchase. Whereupon Mr. M'Dermott on "the 4th of April, 1851, sent for deponent, &c."

Now upon this statement, supposing it uncontroverted we venture to say that it discloses a state of things of the very gravest influence upon the administration of public justice. "It became known to me," says Denis Gallivan, " that William M'Dermott, Esq., would dispose of "a place in his court for a sum of money " Good God, is it really coming to this - that the venality of a presiding judge is to be discussed over a pint of whiskey, or whispered over the counter of a pot-house ? Is it come to this; that the small integrity, perhaps the ignorance of a licensed publican, is to be debauched by the common repute of a minister of justice : and, above all, is the minister of justice sunk so low that he shall be open to such a proposition, and not at once hold up the propose " to public exposure and condign punishment. Either Gallivan offered to treat with Mr. M'Dermott, or he did not. If he did, even though Mr. M'Dermott silently declined the proposal, he lowered the dignity and purity of his position by not making; an example of the proposer promptly and openly. :We have had Barristers before this who would have acted differently. " Mr McDermott sent for me," says Gallivan. So would odd eccentric Stephen Rice have sent for him; or proud, haughty William Deane Freeman would have sent for him ; or honest, but incompetent, John Finley would have sent for him—any or each of these men would have sent for Gallivan; but it would have been to send him farther, into the dock. They would, each or any of them, have had him on the table before the assembled court, read him such a lecture as he never had in his life before, and ended by committing him to jail for gross contempt of the court in which they presided. If It it be true that after any such proposal, Denis Gallivan was closetted with William M'Dermott, once or oftener on the 4th of April, 1854, no part of the after story is improbable: and even supposing to have come out of his office unbribed on such an occasion, we should say, if on oath in the jury box, that he laid himself under suspicions, discreditable to his office and himself, by ever allowing any such conference at all. Caesar' s wife ought not to be suspected. A dispenser of Justice ought to tower above such degrading proposals ; and the case is the same with a judge or with a woman—

" He comes too near, who comes to be denied."

We look upon this statement of Gallivan's of its "becoming known" that Mr. M'Dermott was approachable with money, as the most dangerous ingredient in the whole case—dangerous we mean to the only thing we consider of importance in the whole affair—the administration of fair and evenhanded justice among us. For if it became known to Gallivan, of course it could have become known to others—who can tell to how many others, or where the reputation for venality is to stop in such a case.....

1858

Kerry Evening Post 9 January 1858

TO THE EDITOR OF THE KERRY EVENING POST

Sir,—Our Quarter Sessions Court this week presented, what we all agreed was, a most imposing spectacle of an array of justice. The Chairman supported by the Stipendary Justice, actual or expectant, the Interpreter in his place, but those idle gentlemen, the unpaid Magistrates, as a body absent, on pretence but unsavoury smells in the court. It is the gossip of the Bar of us Attorneys, that the Chairman intends to make it the ground of an application to the Chief Secretary to get two Justices in Eyre appointed to go circuit with him, in order to guard against the casualties of "empty benches;" and that he means to recommend Mr. James O'Connell and Mr. Nicholas Donovan for the first appointment, "without purchase."—I am, Sir, A SOLICITOR.

We can give another bit of gossip, which the "mutual friend" is "ventilating" hard and fast—namely, that Denis Gallivan has counter-sworn himself, and confessed his former affidavit to be all lies. If this be true, Mr M'Dermott ought to spend thirty seven pounds in placarding the document through the empire. "Thirty seven pounds," aye, or more - such a document would be worth any money to him.

In reference to the attendance of local Magistrates at the Tralee Sessions this week, only three gentlemen out of the large and influential body of Justices resident in the central division of the county, were present; and though there are fourteen Magistrates resident within the limits of the Tralee Petty Sessions district, only two Mr. M'Dermott....

Southern Reporter and Cork Commercial Courier 8 March 1858 new police court

Complainant was an Irish witness, and gave her testimony through an interpreter; before her marriage she had been employed as a spinner in farmers' houses, chiefly about Glasheen and the Irish-speaking region between this city and Macroom, a district in which the peasantry still speak Irish and wear home manufacture, notwithstanding its close proximity to the Athens of the South, with all its educational insitutions and "monster houses".

Father and daughter fined 10s for assault or 14 days.

Freeman's Journal 10 March 1858 Assize Intelligence Kilkenny City Court 4

Manslaughter – Mysterious Case

James Haberton was indicted for the manslaughter of John Walsh, at Ballincray, in this county, on the 25th day of Jan. last. Messrs George, QC and Curtis prosecuted on behalf of the Crown. The prisoner was defended by Mr E. Johnstone. Mary Walsh, a very old woman, was examined by Mr Curtis, **through an interpreter.**

Freeman's Journal 12 March 1858 Assize Intelligence: Extraordinary Case', 4.

Michael, John, Thady and Alice Conway were indicted for maliciously damaging the property of Constantine Cleary, by cutting the tongue out of his horse, at Knockmeelin, in this county, on the 6th of August last. Michael Henagan, **sworn through the interpreter....**

Freeman's Journal 13 March 1858 Assize Intelligence, 4.

County Mayo – Castlebar, March 14. (Before Mr Justice O'Brien) – Conviction for Rape – the Heights of Alma – Thomas Burke (aged about 25) was arraigned for a felonious assault on Margaret Sheridan, at the Neal, in this county, on the 7th October, 1857. The crown prosecuted, and the prisoner was defended by Mr George O Malley. The details are unfit for publication; but there was a peculiarity in the case which renders a short summary necessary. Margaret Sheridan, the prosecutrix, deposed that the offence was committed by force and violence, and against her will, in the garden-house, in Lord Kilmaine's garden, at the Neal Park, at mid-day on the 7th of October last; that she, and prisoner, and a lad named Martin Thornton, were working in the garden together, the two former pulling apples, and she (prosecutrix) gathering those that fell from the trees; she went

from her work into the garden house and brought with her there, to warm at the fire, a small child four or five years old, belonging to a man named Wm. Walsh; the prisoner followed her, turned the child out, and then committed the offence charged in the indictment; the lad (Thornton) followed the prisoner, after a short time, into the garden house, attracted, as she believed, by her loud cries and shouting; but instead of showing any sympathy for her he only mocked and laughed at her, and encouraged the prisoner, as if he thought the prosecutrix was a willing party to the transaction, to commit and repeat the offence, and he (Thornton) then went away. The statement of the prosecutrix, as to her after conduct, in bringing the matter with the least reasonably possible delay before her relatives and the nearest magistrate, was fully borne out by other witnesses; and Doctor H Twiss gave his surgical opinion as to her appearances after his examination of her on the morning subsequent to the alleged occurrence, and in sustainment of her evidence, that the offence had been committed. The case for the Crown having closed Mr Malley addressed the jury for the prisoner, and called Martin Thornton, a young lad, aged 16 to 18 years, for the defence. He swore in reply to questions from counsel and the court, that he could not speak nor understand the English language, and was therefore sworn in Irish through the interpreter. His testimony was to some extent in confirmation, but in the most essential parts contradictory, of the statements made this day by the prosecutrix, and to the effect that she must have been a willing party to an improper intercourse with the prisoner on the day in question. Thornton was severely cross-examined by Mr Lloyd through the interpreter. He said again he could not speak English except an odd careless word; did not sing in English the song of "the Heights of Alma" in Kirby's lodging-house in Castlebar on the night before last in presence or hearing of the two young girls, Sarah Anne Gorman and Bridget Reilly, now in court, nor in presence or company of any body else; was not in company with the prisoner, and did not spend any evenings or other time with him during these assizes at Kirby's house or anywhere else in Castlebar; saw the two young girls in Kirby's house going backwards and forwards during these assizes; recognised them as being there. Mr Lloyd went into a rebutting case, and called Sarah Anne Gorman and Bridget Reilly, both of whom deposed that they heard and saw Thornton sing the "Heights of Alma" in Kirby's house on the night before last in the English language, at least the first verse of it. Miss Thornton (sic) said she was daughter of an inspector of National Schools, lodging in Kirby's house, and the girl Bridget Reilly said she was a servant in that house; that Thornton lodged there during these assizes; both said they heard him sing the song "The Heights of Alma", and speak very good English; he sang the first verse of the song "The Heights of Alma" and told the girl Reilly in good English to take away the candle when he was going to bed; the girl Reilly said Thornton, when asked by her what brought Peggy Sheridan and another woman there, replied in very good English that they both came here on the same trial; the two girls swore they saw the prisoner coming in and out of Kirby's house, and saw him speaking to Thornton frequently during these assizes. Mary Reilly said she saw Thornton speaking to the prisoner on yesterday. Thornton was confronted with these two witnesses, and denied that their statements were true; but admitted that he had been in company of and spoken to the prisoner on yesterday. Mr Malley again addressed the jury on the rebutting case, after which the learned judge charged the jury, who, after a few minutes' deliberation, brought in a verdict of guilty. The judge subsequently ordered a prosecution against Thornton, who was held to bail to answer at next assizes for wilful perjury, in his evidence on the foregoing trial.

Southern Reporter and Cork Commercial Courier 19 March 1858 Cork spring assizes Slander

Denis Brien, an Irish witness, examined, through Harrington the interpreter

Cork Examiner 19 March 1858 page 4

Cork Spring Assizes 1858

City Court – Yesterday

Action for slander

This was an action for slander, brought by the Rev Edw L Conner, Prebendary of Drimoleague, against Mr Herbert Eyre O'Donnell, a resident of the same parish, the ground of action being that the defendant had, on several occasions, charged the plaintiff with being the father of an illegitimate child, which was under the care of a woman named Boyd; and also with other immoral conduct. [...] **Denis O'Brien was then sworn and examined through an interpreter, but his evidence was a repetition of that of McCarthy; the conversation referred to took place in English, and witness understood every word of it, though he did not understand English well.**

Galway Vindicator 8 May 1858 page 3 Police Court (before Captain Blake Foster, RN Somerville Esq & John Tannian. This was a summons for trespass by the defendant's sheep.

Mr Somerville was represented by a stupid looking old countryman who could not speak a word of English, and the defendant was one of those hedge lawyers, who seem to have a peculiar aptitude for that species of litigation, known as "Galway practice".

The witness (Dillon) **having been sworn by the interpreter**, stated that he was herd to Mr Somerville, and that three sheep belonging to the defendant had got over a wall and trespassed on a corn field belonging to a man anmed O'Brien. There was a wall around the field.

Defendant – Ask him has he closed his case now (laughter)

Intepreter – He says he has nothing more to say.

....Defendant (to Dillon) Thigan thu shin. Thire-a-volla nish, a roughite (roars of laughter)

Galway Mercury and Connaught Weekly Advertiser 15 May 1858 page 2

Patrick Lydon - **the unhappy man made a short address in irish, which was interpreted into English by the Rev Mr Commins** and to the effect that he wished to speak his last few words on earth to them. I was prosecuted by this woman (meaning his wife) for a crime that I am as innocent of as the child unborn....

Galway Mercury and Connaught weekly advertiser 15 May 1858 page 2 public execution.

Patrick Leyden convicted of the murder of his wife.

The unhappy man made a short address in Irish, which was interpreted into English by the Rev Mr Commons...

Connaught Telegraph 19 May 1858

CASTLEBAR PETTY SESSIONS—WEDNESDAY, MAY 12. Magistrates on the Bench—Captain Barry, H.M., chairman ; Sir Samuel O'Malley, Bart., and William Kearney Esq J Professional gentlemen present—Messrs. Myles Jordan; P. J. Gibbons, and Lcwis O'Donel. ...Bridget Stephens against Thomas Stephens was announced, and Bridget mounted the table to prefer her charge. Mr. O'Donel appeared for the prosecution, and Mr. Jordan conducted the defence.

Mr. O'Donel said that this was a case which he was sorry to see in a court of justice. The mother is the complainant, and the son defendant. He never, in the course of his experience, knew of a case of more unmitigated atrocity. The ruffian son had not only beaten and abused his own mother once or twice, but on several occasions. She had at last been obliged to appeal to the law for protection, and had procured two summonses for two distinct assaults, which summonses he (Mr. O ' Donel), for the convenience of the Court would submit should be tried together, as they related to the same transaction, only at different times.

Bridget sworn—Lives at Greenane in the Parish of Turlough ; remembers well the 27th of April, when Thomas, her luckless son, broke her lock and turned her out ; Thomas got married, and she divided her house and land between him and her other son, and she and her good son live ever since last

Garlic Sunday in one end of the house, and Tom and his wife in the other ; he gave her three slaps on the jaws, knocked her down, dragged her, and took a rod and beat her on the ribs; was running into the other house to stick her with a fork.

Mr. Jordan to the **Interpreter** (she spoke the old language)—Stop her. Nobody can know what she means. The dates and different complaints are mixed up, and all is confusion.

Mr. O'Donel—Oh, the whole matter is quite plain. She is simply telling, the brutal treatment she got from her wicked ill-conditioned son.

Mr. Jordan—Let us, by all means, have the complaint without the confusion of dates and irrelevant matter.

Mr. O'Donel—It is you that is creating all the confusion. Mr. Brown, at the investigation the other day, swore you were paid for confusing that case, and you are likely paid for confusing this one also.

Mr Jordan - I certainly on that occasion had something for my trouble! but Mr. Browne raised all the confusion, without reward or any hope of payment. This old woman, however, is a living pest to her children. She is a constant visitor at this court since ever I entered as a practitioner, and she must not be allowed to go back on old charges that have been settled long ago.

Mr. O'Donel She only goes back the length of a few months, and you, when complaining of that, go back to the time you commenced practising some five-and-twenty years ago (laughter).

Captain Barry It is well, gentlemen, you are both married before these revelations.

During this little passage of arms, Phillips (the Interpreter) and Bridget kept up an animated conversation on their own account.

Mr. Jordan—What is she saying?

Interpreter—She is telling me how wickedly her son beat her. Mr. Jordan—Ask her -

Mr. O'Donel—You may be proud of your client. I could almost wish that your own son may beat you yet.

Mr. Jordan—I could hardly indulge a hope as to the probability of you overrunning the risk of being beaten by your own son. By this bye-battle, and a brisk fire directed against the interpreter—who, in honor of the dear old language, inclined to amplify every word uttered by Bridget into some half-dozen words of indifferent English.

Mr. Jordan contrived to mystify the case so that none in court save himself and his learned friend could tell what it was all about.....

Freeman's Journal 24 May 1858 'The Queen v Thomas Burke', 4.

The Queen v Thomas Burke – The prisoner in this case was tried and convicted of rape at the last Mayo assizes, and sentenced by Mr Justice O'Brien to three years' penal servitude. In his defence he produced a witness named Thornton, who swore that the prosecutrix was a consenting party. This witness stated that he could not speak English, and was allowed to give his evidence in Irish through an interpreter. On cross-examination he denied that on the previous evening he had sung a song

entitled "The Heights of Alma" in a public-house in the presence of two women named Sarah Anne Gorman and Bridget Reilly. These women were subsequently produced by the crown to prove that Thornton did sing the song in question, and consequently that he understood English perfectly well. The counsel for the prisoner objected to the reception of this evidence, and contended that witnesses could not be examined to contradict a statement made by another witness unless that statement related to the issue at trial; whereas in the present case the evidence objected to merely went to the credit of the witness on a collateral matter which had no connection with the offence of which the prisoner was accused. Taylor and Roscoe on evidence were cited in support of this proposition.

Mr Malley appeared for the prisoner.

The Solicitor-General, Mr Robinson, Q.C., and Mr Lloyd, appeared for the crown.

Judgment was reserved until Wednesday.

Freeman's Journal 31 May 1858 'Court of Criminal Appeal: The Queen v Burke', 4.

The judges sat on Saturday at the four law courts, with the exception of Mr Justice Perrin, for the purpose of hearing argued an important question as to the admissibility of certain evidence in the case of

The Queen v Burke – The prisoner Burke was convicted of rape at the last Mayo assizes, and sentence by Mr Justice O'Brien to three years' penal servitude. In his defence he produced a witness named Martin Thornton, who gave certain evidence which went to show that the prosecutrix was a consenting party. – The witness stated that he was unable to speak English, and he was accordingly allowed to give his evidence in Irish through an interpreter. On cross-examination he denied that on the previous evening he had sung a song called "The Heights of Alma" in a public-house in the presence of two women named Sarah Anne Gorman and Bridge Reilly. He also denied that he had been in company with the prisoner, who stood out on bail, a few days before the trial, or that he was any relative of his. The learned judge allowed the crown to produce the two women referred to, who swore positively that Thornton had sung the song in question, from which it was inferred that he understood the English language perfectly well. The learned judge stated in his report that this contradiction of Thornton's statement had a material influence upon the minds of the jury, who disbelieved the defence and convicted the prisoner. The reception of this evidence was objected to Burke's counsel, on the ground that the contradiction went to the credit of the witness on a collateral matter not immediately concerned with the issue at trial. The learned judge resumed the point for the consideration of the Court of Criminal Appeal; and it was accordingly argued a few days ago before several of the judges. Their lordships, however, thought the question so important that they directed it to be re-argued before the twelve judges.

Mr Malley appeared for the prisoner to sustain the objection, and the Solicitor-General, with whom was Mr. E Jordan, was heard for the crown.

Their lordships reserved judgment.

Freeman's Journal 3 June 1858 'Court of Criminal Appeal – Yesterday'

The judges of the three law courts, with the exception of Judges Crampton and Perrin, sat for the purpose of giving judgment on an important question relating to the admissibility of evidence which had been argued on two occasions before the Court of Criminal Appeal. The question arose on the trial of a person named Thos. Burke, who was convicted of rape at the last Mayo Assizes before Mr Justice O'Brien. A witness named Thornton was produced for the defence, who was examined in Irish through an interpreter, in consequence of his professed ignorance of the English language. On cross-examination he denied that on the preceding evening he had sung a song in English called "The Heights of Alma", in the presence of two women who were produced in court. These women were subsequently examined, and proved that the prisoner had sung the song in question and understood the English languages. The prisoner's counsel objected to the reception of this evidence on the

ground that a statement of a witness as to a collateral matter unconnected with the issue at trial could not be contradicted by independent evidence.

The Court being divided,

Mr Justice O'Brien first expressed his opinion. – Having stated the facts of the case, the learned judge proceeded to say that the question involved was one of considerable importance as affecting the interests of justice in those parts of the country where many persons professed not to speak the English language. It was unnecessary for him to dwell on the value of cross-examination as a test for the discovery of the truth. The demeanour of a witness or promptness with which he answered questions that might be unexpected or inconvenient were powerful to go to the jury as to the credit of that witness, and he need not say how the value of that might be weakened and impaired in the case of a witness having a sufficient knowledge of a language to understand the questions put to him, but also pretended ignorance of it, and thus, while the interpreter was performing the useless task of translating a question which the witness understood, gained the opportunity of preparing his answers and thereby evaded the ordeal of a cross-examination. Was the proposition to be laid down that a witness, by pretending ignorance of a language, was to be allowed such an undue advantage? It had been suggested in the course of the argument that the judge might take on himself the office of instituting the inquiry as to why the witness's knowledge of the language – that he might examine the witness on this subject before the trial – that other witnesses might be produced to contradict his testimony – and that the judge should decide in what language the witness should be examined. He (Judge O'Brien) thought that such a course would be open to more serious objection than the subsequent examination of witnesses to contradict the party as to his alleged ignorance of the language. If such evidence were not to be received, the administration of justice in this country would be placed in this position – that a witness, who might depose to a material part of the case, might be denying a knowledge of the English language, give his testimony in a language which would give him an advantage that he was not entitled to, and would not otherwise possess. The general rule relied on, as excluding such evidence, was, that a witness could not be contradicted upon a statement irrelevant and collateral to the issue at trial, viz. the guilt or innocence of the prisoner. The two reasons given for this rule were – first, that a witness could not be expected to come prepared to explain all the acts of his life' and second, that the admission of contradictory evidence on such points would lead to inextricable confusion, by raising an interminable series of collateral issues. But that left still untouched – the question of what was irrelevant or collateral for the purpose of excluding contradictory evidence. He (Judge O'Brien) could find no case in which evidence such as that at present under discussion had been received. On the other hand, he was not aware of any in which such evidence had been rejected, and it would therefore be necessary to examine the decided cases to discover the principle on which they were based. If a witness were asked, on cross-examination, whether he had not committed a crime on some previous occasion, and denied it, evidence could not be produced to contradict him; but surely a case like the present, when the whole evidence of the witness was a fraud upon the court, was not to be compared with the question whether, six months before, the witness had committed a certain crime. As to the argument that it was unreasonable to call upon a witness to explain every act of his life, it was not applicable in the present case. Here the witness was produced as an Irish witness. Could it be contended that either the prisoner or the witness had a right to complain of the latter being taken unawares when questioned upon a matter that was the foundation of his testimony. One exception to the general rule was, that of interest or relationship, from which, if proved, the jury might infer bias on the part of the witness, the existence of which might materially influence his testimony. – Evidence might be given to contradict the witness on that point. He (Judge O'Brien) thought it was going too far to say that the fact of the witness refusing to give evidence in English was proof of bias; but he was of opinion that it was for the jury to say whether his conduct arose from bias or not. Another class of exceptions was, when a witness had tampered with other persons to induce them to give evidence. – If he denied that he had done so, he might be contradicted, and yet this was a collateral matter, unconnected with the issue at trial. The reason was, because the matter was one

that materially affected the prospect of arriving at the truth. He (Judge O'Brien) knew of no circumstance more vitally connected with the case than the manner in which the witness gave his evidence. He thought the question here qualified or affected the entire of the witness's answers, and could not be looked upon as a mere collateral matter, unconnected with the case. The learned judge having referred minutely to the case which had been cited in argument, concluded his opinion that the evidence had been properly received.

Mr Justice Christian said he was sorry that he was obliged to come to a different conclusion, for he entirely concurred with his brother O'Brien as to the importance of the question, and the mischief which might follow in some cases where persons were examined in Irish who were competent to give their evidence in the English language. But he thought, in the present case, that the evidence objected to ought not to have been received, having regard to the stage at the trial at which it was offered and the purpose for which it was given. Before the witness was sworn he professed to be unable to speak the English language. No question was raised on that subject by the crown, and he was allowed to give his direct evidence in Irish. On cross-examination he denied that on a recent occasion he had spoken in English, and two witnesses were examined to prove that he had done so, and their evidence was allowed to go to the jury, and, as the learned judge reported, it was of a character calculated to have an important bearing on the verdict. Now, the rule of law laid down in the case of the Attorney General v. Hitchcock, 1st Exchequer Reports, was to this effect, that if a witness had on a previous occasion either made a statement or done an act contradictory to the evidence which he had given on the table on the matters relevant to the issue, and if on cross-examination he denied that he had so spoken or acted, then witnesses might be called to show that he had sworn untruly – not for the purpose of discrediting him, though it would have that effect, but to remove a portion of the evidence he had given. On the other hand, it was clearly the general rule, that if an antecedent matter be of a kind which, if stated by the witness on his oath, would not be evidence on the issue at trial, witnesses could not be called to prove it, although in so doing they contradicted something that the witness had stated in his evidence. The parties were bound by the answer they received from the witness on irrelevant matters, and the general rule was also applicable to matters relating directly to the subject at issue. To that rule an exception was sought to be established on cases of doubtful authority and of uncertain limits- that in cases in which the antecedent acts of a witness were calculated to show that he was under a bias, or stood towards one of the parties in such a position that bias must necessarily flow from that relation, it had been held that witnesses might be produced to contradict him on that point. The reason was, because that was a matter which went to qualify or cover the whole of his evidence. The difficulty in cases of this kind was to discover how far the limits of this exception could be pushed. This rule of exclusion was one of convenience and not of principle. If, as Lord Cranworth said, human life were a thing of a thousand years, instead of 60 and 70, these inquiries upon collateral matters might be entered into, but the duration of life being so limited, courts had a right to lay down rules which would keep judicial proceedings within reasonable limits. The exceptions to the general rule did not go further than this – that the matter which was to be inquired into must be of a kind to bring the witness into a special connection with the subject matter of the particular issue, or with one of the parties to that issue – as, for example, a previous expression of ill-will towards one of the parties, and a threat to revenge himself by the way he would not give evidence' or where the witness was living as a mistress with one of the parties to the suit. But evidence of contradiction had never been allowed in a case where the matter relied on went only to the general condition of the witness. Here the question, whether on the day before the trial the witness spoke English, had no connection with the issue, which was the guilt or innocence of the prisoner at the bar. The only ground on which it could be argued that the evidence here objected to came within the exception was, that it was a matter tending to qualify or colour the evidence which he has given, and the argument was that when a witness had got himself examined in Irish, through an interpreter, and was afterwards proved to be able to speak English, the inference was that he was a dishonest witness, and was actuated by a desire to deceive the court. If that were the necessary inference, then it might be right to say that

this particular case came within the rule of exclusion. But was it the necessary inference? Were fraud and a desire to deceive the court the reasons that actuated the witness in giving his evidence in Irish? It was perfectly possible that he might not have been actuated by an innocent motive in wishing to be examined in Irish, as being the language he knew best, and in which he could give his evidence in the most satisfactory manner. Suppose any member of that court in a foreign country preferred being examined in his own language, would he not think it a hard thing if witnesses were subsequently called to discredit his testimony by showing that he had been heard to speak a few words in Italian or French? If every lady who sang an Italian song were obliged to give her evidence before an Italian court in the language of that country, some of our countrywomen might find themselves placed in an unpleasant position. Mr Justice Christian proceeded to say that if, when the witness was produced, the objection had been raised to his being examined in Irish, it would have been competent to the judge to hear evidence, in order to enable him to decide in what language the witness should be examined. Even during the progress of the case the judge might enter upon that inquiry with a view of deciding whether he would expunge the evidence from his notes, examine the witness over again, or commit him to jail for having deceived the court. But upon the principle of the general rule already referred to he could not allow evidence to go to the jury contradictory of a collateral matter; and in this case the question of whether the witness did or did not speak English was as much beside the issue at trial as to whether he spoke Greek or Latin. Under these circumstances he was of opinion that the evidence was not properly received.

Mr Justice Keogh concurred in the opinion of the learned judge who had preceded him. He cheerfully adopted in their entirety the conclusive arguments of his brother Christian, expressed as they had been in the most felicitous language, and he would not risk the chance of weakening their force by adding anything to them.

Baron Greene, Baron Richards and Judge Ball also expressed their concurrence with Judges Christian and Keogh.

Baron Pennefeather said that notwithstanding the defence he entertained for the opinion of those who differed from him, he entertained a strong opinion on the case. He thought the mode of investigation which had taken place in this instance was that which was most consonant to justice. Justice would be best attained by a full examination of the credit of the witness; but convenience and other reasons had conduced to lay down rules for the examination of witnesses, and for controlling what might otherwise be considered as the proper course of investigation by the examination fully of everything the witness might have said. Judge Christian in his very able judgment suggested that the judge might examine witnesses to show that the witness who said he could not speak English was telling an untruth. He held that to be highly objectionable; because, supposing the witness could not speak English, still that ought not to exclude his testimony; nor should the matter be imposed upon the judge. The alternative arose whether the crown and the public were to be bound by what the witnesses swore as to his power of telling his testimony in English. He conceived that was an objection not to competency but to credit and that it was one going to the entire of his evidence, showing a bias on his mind favorable to the one side or the other, and the possibility of there being such a bias was a sufficient reason for examining into the matter. To constitute bias and to form an exception to the rule, it was not necessary that the bias should unquestionably follow. It was enough if the situation of things were such that the bias in the mind of the witness was probably or possibly found to exist. There being no decision that the rule excluding the full examination and testing of the witnesses' credit should be extended to a case like the present, he thought the evidence was properly admissible.

The Chief Baron next delivered judgment at great length. He concurred with Baron Pennefeather and Judge O'Brien, holding that the evidence was admissible on three grounds – first, to contradict the witness on the subject, which was most material to the matter on which the jury had to decide; secondly, as directly tending to show the status of the witness in reference to the prisoner on trial, and showing bias; and, thirdly, admissible to frustrate a deliberate fraud of the witness in favour of the prisoner.

Chief Justice Monahan and the Chief Justice of the Queen's Bench also delivered their judgments, concurring with the majority of the court that the evidence was improperly received. The Chief Justice stated that Judge Crampton entertained the same opinion. The conviction was accordingly quashed.

Kerry Evening Post 12 June 1858 House of Lords – McDermott

Belfast Mercury 17 June 1858 page 3 Gweedore Parliamentary enquiry

Charles Gallagher, who spoke in Irish, and was interpreted by the Rev Mr Doherty, examined by Mr McGuire – I live on Lord George Hill estate, and told how a cow's graphs; the price formerly was four shillings; it is now eight shillings; I am there for the last seven years; I lived previously in Dore; I have seven in family; my land would not support me after quarter of the year; the rest of the year. I support my family on turnips and seaweed; I work when I can get labour to do, for 6D to 10 D; sometimes I get food with a 6d, but not with the 10 D; I only eat a inverted, sort of two meals a day.' I might say it is only one meal, but I take two out of it; I have no milk; the meal is composed of potatoes, when I have them, or turnips and seaweed; there was no milk used my house for seven years; the bed, I have is the sort of thing on sticks; there is no take, but Straw on the top; formerly there was no fear of being fined for trespassing, but now cattle trespassing are impounded, and a fine has to be paid; the people had not a stitch of clothes at all until the relief, only sufficient for the purposes of decency; the greater part of the women had not; the men had only breasts of shirts without sleeves; I was obliged to stop at home from chapel for want of clothes; everything I have on I got from the relief committee; I did not see the people so bad since the famine as they are of this year; they had five head of cattle then to 1. They have now.

Kerry Evening Post 19 June 1858

Articles of charge against Wm McDermott Esq

Esq.. has not either in the Insolvent Debtors Court or elsewhere, denied on oath the truth of Denis Gallivan's statements aforesaid. The application to the Insolvent Debtors Court was heard on the 8th October, 1857, and William M'Dermott, Esq., did not appear nor was he represented on the motion; he however wrote a letter admitting that he received the money, but denying that he sold the office. An order was made to amend the schedule of Denis Gallivan by inserting therein the name of Wm. M Dermott, Esq., as a debtor for £37. and the court intimated that the facts could be investigated at the hearing. The petition would in the ordinary course have been heard at the October sessions before William M'Dermott, Esq.. but from some cause he was absent, and a Deputy being appointed, no investigation took place into the nature of the transaction.

Eighth—That William M'Dermott, Esq., received a sum of £20 from Morty Hurly, late Interpreter to the Court of Quarter Sessions for the county of Kerry, on the occasion of his appointment to that office.

Ninth— That he also received a sum of £30 from Michael Collins, the present holder of the aforesaid office of interpreter, on tbe occasion of his appointment to the same.

Tenth—And that he further received a sum of £40 from Thomas Griffin, of Tralee, on holding out to him a promise that he should be appointed to the aforesaid office of interpreter, which sum, however, the said William M'Dermott, Esq., was subsequently induced to refund.

PETITION OF WILLIAM M'DERMOTT, Esquire

To the Right Honourable the Lords Spiritual and Temporal in Parliament assembled

The Humble Petition of William McDermott, Assistant barrister for the County of Kerry, Ireland, Humbly Sboweth—That on Monday, the 7th day of June instant, your petitioner received a letter from the Right Hon. the Earl of Donoughmre dated the 5th day of June instant, informing your petitioner that his lordship would, on behalf of her Majesty's government, on Monday the said 7th of June instant, lay on the table of your lordship's house certain articles of charge against your

petitioner, and move that same be referred to a committee of your lordship's house on Monday, the 21st day of June instant; and that a copy of the said articles of charge could be furnished to your petitioner from your lordships' house as soon as they should be printed. That your petitioner at first intended to have waited until the copy of said articles of charge would be furnished, but upon consideration your petitioner thought it more advisable to come to London; and your petitioner accordingly left his residence in Springfield, in the county of Galway, Ireland, on the morning of Wednesday, the 9th Inst, your petitioner leaving directions that any letters arriving for him should be without delay forwarded to him. Your petitioner humbly sheweth that he has been in London, since Saturday morning and that no letter containing a copy of said articles of charge was received by your petitioner up to this moment, although all letters which had been addressed to your petitioner, and which had arrived at his residence aforesaid, were, as your petitioner verily believes, forwarded to him by the post of this morning ; and your petitioner humbly showed that your petitioner has this day for the first time furnished with a copy of said articles of charge, obtained at the Paper Office of your honourable house. That from the short period which will elapse it will be impossible for your petitioner to be prepared with his defence on the 21st instant, as the charges are numerous, and your petitioner will be obliged to summon several witnesses to rebut said charges, a great proportion of which your petitioner has every hope of being able to rebut, and the remainder of which your petitioner hopes he will be able to explain satisfactorily to your lordships' house. Your petitioner humbly sheweth that the quarter sessions for said county of Kerry will commence on the 22d inst, where petitioner will be obliged to attend; that some of his witnesses are professional men, who practise at said sessions; and that until the termination of said sessions your petitioner could not hope to have the benefit of their testimony, unless at an expense for their loss of time which your petitioner's circumstances would not enable him to give; and that the earliest day upon which your petitioner could hope to be prepared for his defence would be the 10th of July next. That your petitioner humbly hopes your honourable house may be pleased to postpone the hearing of the case and the striking of the committee until the said 10th day of July ; and that your lordships may be pleased to order to the witnesses to be produced by your petitioner their expense', as petitioner will not be able to pay same in consequence of his limited means. And your lordships' petitioner as is duty bound will pray.

WILLIAM McDERMOTT, Springfield, Ballymore.

Dated this 14th day of June 1858

Cork Examiner 21 June 1858 Articles of charge against Wm McDermott, assistant barrister for the county of Kerry alleged by the Viscount Hutchinson 10 points

Cork Examiner 16 July 1858 page 4

James McBride and Thomas Coll were indicted for maliciously destroying and maiming certain sheep, the property of Scotch settlers in Gweedore. There was a separate indictment for stealing sheep. Thomas Coll guilty.

His Lordship in a very impressive manner explained to the prisoner found guilty the enormity of the crime he had committed, of the disgrace he had brought upon his county, and the ignominy to himself, and said – that it would be necessary as an example to deter others from continuing such crime to pass a heavy sentence upon the prisoner – that sentence would be **ten years' penal servitude.**

The prisoner, who could not speak English, unfortunately did not understand a word his lordship addressed to him.

Londonderry Sentinel 16 July 1858 Tendering of an illegal oath Co of Donegal assizes

James Ferry was indicted on the charge of being one of a party who broke into the house of a man named Edward McBride, of Kilcarron, on 30th Dec 1857, and tendered to him an illegal oath...

Mgt McBride, examined by Mr Johnston through an Irish interpreter

Galway Vindicator and Connaught Advertiser 21 July 1858 page 2 County Criminal Court

Michael Connell was indicted for that he on the 18th of June last at Kinnah, did feloniously assault one Catherine Cook and carnally know her.

Catherine Cook sworn and examined through the Irish interpreter.

Not guilty

Cork Examiner 28 July 1858 page 3

Cork Summer Assizes 1858 County Court – Monday

Patrick Donovan and Michael Donovan, were indicted for the murder of Andrew Donovan, on the 1st of June, at Clonakilty.

Sergeant Deasy said that, though the indictment was for murder, the crown would only proceed for manslaughter. [...]

To Mr Coffey - The deceased's wife can speak as good English as the generality of her class in the country. [the wife on her oath had denied that she could not speak English or understand it]

This closed the case for the prosecution.

Mr Coffey addressed the jury for the defence, and called on them to return a verdict for his client, the whole case for the prosecution resting on the wife of the deceased who had directly perjured herself on the table.

Mr Paul Limrick was examined by Mr Coffey, and deposed to having held an inquest on the body of the deceased; Mary Donovan, deceased's wife, was examined before him, and he took down her statement as well as he could; she did not state that one of the prisoners had said "Have that for me"; neither did she state that she had said to the prisoners "don't kill the father of my children"; she made no mention of herself being struck with a stone; she did not state that it was dark when the assault had been committed; she said she could see very well.

To Mr O'Hea – Does not understand Irish; her evidence was given through an interpreter; witness did not think him the most competent of interpreters, several of the jury who understood Irish, differing from him; she stated that she threw herself on the body of her husband; did not take that down; took down the substance and more than the substance of what she stated.

Mr Thomas Wright, solicitor, examined by Mr Exham. Was at the inquest; understands Irish; should say all the jurors understood it as well; the jurors frequently differed from the interpreter's translation; knew the prisoners; they always bore a very good character.

To Mr Leahy- Could not converse in the Irish language.

Baron Greene charged. [...] in reference to the discrepancies between her evidence on the table and that at the inquest, it was not of much value, being mere omissions. [...]

A verdict of manslaughter against the prisoners was returned.

Sentence deferred.

Clare Journal, and Ennis Advertiser 25 October 1858 page 2 Ennis Quarter Sessions A happy family

Connor Fox was placed at the bar and given in charge to jury, charged with assaulting his brother , John Fox, on the night of the 27th August last.....Edmund Fox, an old man, the father of the plaintiff and defendant, was then examined, and gave his evidence in Irish, was **interpreted to the court by Mr Cullinan**; did not send for his son, John Fox, on that night; never wanted to see the rogue in his house; had his misgivings that something would happen, when John came in; he and his son John told Connor to go home to his lodgings; and the traverse shoved the prosecutor to the door for the purpose of putting him out...

Guilty of common assault – one month's imprisonment

Kerry Evening Post 10 November 1858 page 3 Dingle Petty Sessions- Friday

Rae = magistrate

Head Constable Willis v Jeremiah Flaherty. This case was for having no person in charge of the car when the police came up. An Irish witness was produced, whose testimony was not consistent; and Sub Constable Malone, an intelligent policeman, was called on, who stated that it was some time after the police came up that this witness, Daniel Moriarty, came out of Nagle's house. **Mr Rae interpreted in Irish very fluently.** Defendant was fined 1s and costs.

James Oge Moriarty v M Hutchinson and others, for gaff fishing in the close season.

A boy was produced, who after being asked by Mr Rae in Irish if he knew the nature of an oath, answered he did not. He was put down.

Wm Neill, another Irish witness, sworn, stated he saw the accused at the bottom of his own land; saw them doing nothing; saw two salmon in the deep water; saw neither of the accused having a gaff or spear, and saw no salmon with them. The case was dismissed.

Connaught Telegraph 15 December 1858 page 4 Castlebar petty sessions

Anne Carney, a little girl, who **refused to speak English**, though unjustly and unfairly pressed to do so, swore she saw the blows (3 in number) given, and saw Matthew knocked down.

1859

Belfast newsletter 14 March 1859 page 3 Manslaughter.

Condy Gillespie was indicted for assaulting James Gillespie, in December 1857, from the effects of which he died the following July.

Bridget Gillespie was examined through the medium of an Irish interpreter, and deposed to the facts of the case. The prisoner threw the deceased on a bed, and beat him severely. He lingered for some months, and then died. verdict. Not guilty.

Mayo Constitution 15 March 1859 page 2 Crown Court – Manslaughter JUSTICE CHRISTIAN

James Mellet and John McEvaddy were placed at the bar, for the manslaughter of Wiliam Scully, at Ballymiles, in this county, on Sunday, the 12th December 1858.

Mary Scully, the mother of the deceased, having come into the witness box, stated, in the Irish language, that she could not speak English, to which Mr Justice Christian, with very bad taste (in our humble opinion), replied that he wished it to be understood generally, and conveyed to this witness in particular that he would not allow expenses to any witness as who did not give their evidence in English.

[Now with all due respect for the learned judge we do say that such an endeavor to suppress our native language is rather an extreme measure.]

The witness was accordingly ordered to stand by until the interpreter made his appearance; in the mean time, another witness, John Scully, was sworn, and examined by Mr Armstrong QC – Is the father of the deceased; recollects the 12th December last; was at mass in Bohola on that day in company with his wife, Mary Scully, and his two sons, Andrew and Wiliam....

Mary Scully, the Irish witness, was examined, through the medium of the interpreter, by Mr Robinson; she corroborated the testimony of the last witness....

Constable John Foster, who arrested the prisoners and brought them before the magistrate, swore that the informations were read to the prisoners by him, at the desire of the magistrate, and that when he asked them had they any questions to put to the deceased, they (the prisoners at the bar) said that anything they had to say they would say it at the court and there was no use in their speaking there.

Mr Buchanan then proposed to read the informations.

Mr Bourke objected on the ground that, according to the act, it was incumbent upon the magistrate himself to read the informations, and not to depute his studies to a policeman; therefore, as he had

not done so, he held that there was an informality in the informations, and submitted they could not be handed in as evidence against the prisoners at the bar.

The Court after looking over the informations, pronounced them to be bad, not for the reason stated by the counsel for the prisoners, but in consequence of the magistrate's signature not being in its proper place. His lordship commented upon the carelessness of magistrates, and refused to receive the informations in evidence.

Bridget Jeffers and Honor Kelly were produced to establish a dying declaration fixing the guilt upon James Mellott, which was also rejected by the court, as the necessary foundation for the reception of a dying declaration had not been laid by the counsel for the crown.

Dr Henry proved that the deceased came to his death in consequence of a wound having been inflicted upon his skull by some blunt instrument; a stone, in his opinion, would cause such a wound; William Scully died of compression of the brain; the skull was indented; there was contusion of the brain, and the vessels of the brain were enlarged; a blow from a stone would cause the symptoms he described.

Mr Bourke, in a long speech, endeavoured to throw the guilt off his clients, after which he produced Michael McEvady and Bartly Golding, for the defence; at the conclusion of whose testimony, Mr Robinson ably and eloquently addressed the court and the jury, on the part of the crown. He told the jury if a reasonable doubt existed in their minds, as to the guilt of the prisoners at the bar, to give them the benefit of such a doubt; but, on the other hand, if they were satisfied of their guilt, as in his opinion, the evidence would warrant, he trusted that as honest and upright men, and as intelligent jurors, they would not shrink from the duty which devolved upon them, and thereby give to society and the public at large (for whom he acted between the crown and the prisoners at the bar) the benefit of that verdict, which society and the peace of the county demanded at their hands.

Good character of prisoners

James Mellott guilty, James McEvady acquitted. Foreman strongly recommended the prisoner at the bar to the merciful consideration of his lordship. Mellott got 18 months imprisonment

Mayo Constitution 22 March 1859 page 4 Castlebar petty sessions Roche v Kelly Code switching

This was for an assault, the complainant being a young lad, and defendant a man about sixty years of age.....

Biddy Roche, stepmother of the complainant, was brought up to be examined, but having pleaded entirely ignorant of the English language, Mr Phillips, the Irish interpreter, was desired to have her sworn. She gave the following evidence in Irish – Swears she does not speak English, except what a child would understand.

Captain Barry – Well, tell her to consider us as children.

Witness said, in answer to Captain Barry, she was married and lived in the parish of Turlough; knows Mr Fitzgerald,

Captain Barry (to the complainant) – Michael Roche, mind you are on your oath, does this woman speak English?

Roche- She can, sir, she often spoke English?

Captain Barry – Phillips, tell this woman that if she does not speak English, and to the astonishment of every one in court, she began to give her evidence in plain English; said it was true the boy Roche kicked the basket down on the man, and took the tongs to him; called him a rogue and a robber..

Northern Whig 25 March 1859 page 4.

At Mayo Assizes, Judge Christian stated that he would not allow the expenses of any witness who gave evidence in Irish! This is ignoring the ancient gaelic toll of for the land, although the Queens colleges appointed, a professor's chair for the Irish language, and interpreters are provided by grand jury presentment by every county in Ireland for the purpose of examining witnesses before the courts. In many parishes throughout Ireland, the clergy, preaching Irish to their congregations who

love the old tongue, and teachers, as they ought to do, with devoted nurse to their children. – Limerick Chronicle.

Liverpool Mercury 28 March 1859 page 4

At Mayo assizes, Judge Christian stated that he would not allow the expenses of any witness who gave evidence in Irish! This is ignoring the ancient Gaelic tongue of fatherland, although the Queen's colleges appoint a professor's chair for the Irish language, and interpreters are provided by grand jury presentment by every county in Ireland for the purpose of examining witnesses before the courts. In many parishes throughout Ireland the clergy preach in Irish to their congregations, who love the old tongue, and teach it, as they ought to do, with devotedness to their children. – Limerick Chronicle

Cork Examiner 20 April 1859 page 3 Macroom Quarter Sessions – Monday Charge of theft against a parish clerk

The person named Michael Kelly charged with stealing the saddle was, and still we believe is, the parish clerk of the Protestant Church of Kilmichael, and has a reputation in the locality of partaking to a great extent of the character and works of a "souper". [...]

Jeremiah Connell, brother to the last witness, being called, spoke in Irish to any questions asked him. Mr McCarthy (solicitor for defence) – I remember (God forgive me!) sir, I was aiding this fellow in Bandon the last time, and he could speak English then.

The witness, however, continuing to answer questions in Irish, **an interpreter was brought in.**

Cork Examiner 20 April 1859 Ballyvourney petty sessions stolen saddle

Jeremiah Connell, brother to the last witness, being called, spoke in Irish to any questions asked him

Mr McCarthy (solicitor for defence) I remember (God forgive me!) sir, I was aiding this fellow in Bandon the last time, and he could speak English then.

The witness, however, continuing to answer questions in Irish, **an interpreter** was brought in.

Kerry Evening Post 2 July 1859 page 3 Tralee

At the conclusion of the Killarney Sessions, the Chairman, Mr Copinger, stated that at the next October Sessions he would dismiss all the process-servers of the county, forty-three in number, with a view to selection and re-distribution. He also said that he might then find it necessary to make some arrangements with respect to the office of **interpreter**, whose salary, £30 a year, was inadequate to the expenses consequent on travelling over the county. We can perceive that Mr Copinger will insist upon the business of his court being conducted with more system than it used to be in some times past.

The Irishman 24 September 1859 page 4 Ballinrobe Petty Sessions

In another prosecution, which followed, there was case and cross case. Anne Murray, commie, an old woman, charged a couple of this "Souper missionaries with having assaulted her in her own house. Here is her instance of the mild and courteous fashion in which these fellows do their work: – Mr Blake to Anne Murray – tell what these men did or said to you.

As witness would not speak English, she was examined through an interpreter.

Witness – they reviled my Creed, they insulted the scapular, which was round my neck; said it had no more efficacy than a dirty Reich that would be taken out of the Dunghill; they called for their passion (Lavelle) a devil Antichrist. I told them to leave my house; they would not until they saw me go for a candlestick to the dresser; they then went out.

Mr Buchanan cross-examined the witness, but her testimony remained unshaken. Her very looks exhibited truth.

The Irish interpreter not being expert at translation, several persons were giving versions of what witness said, as did Rev Mr Conway; but Col Knox told him he should not do so.

Rev Mr Conway replied that as the bench he called on parties to do so, he would.

Mr Buchanan, though opposed to witness, here remarked that the interpreter did not give the exact meaning of what she said. The last part of the sentence was 'Dornelly made a snap of my neck to pull off the scapular'.

Saunders's News-Letter 10 October 1859 page 3 Remarkably sudden death –

on Wednesday inst, Stephen Nealus, the crier and interpreter of Irish at Assizes and sessions in this county, suddenly fell down in the main street of Omagh, while conversing with the sub Sheriff, John White, Esq. It was soon evident that he was seized with a fit of apoplexy. The death of Stephen Nealus will be a public loss, as the sheriffs of Omagh will not easily supply his place. He was an efficient public officer, who frequently received the thanks of the judges of assize and the chairman of quarter sessions. He was in the 62nd year of his age, and has left a wife and one daughter, with suitable provision for their comfort. – Tyrone Constitution.

Belfast Morning News 11 October 1859 page 3 sudden death

on Wednesday inst, Stephen Nealus, the crier and interpreter of Irish at Assizes and sessions in Co, suddenly fell down in the main street of Omagh, while conversing with the sub Sheriff, John White, Esq. It was soon evident that he was seized with a fit of apoplexy. The death of Stephen Nealus will be a public loss, as the sheriffs of Omagh will not easily supply his place. He was in the 62nd year of his age, and has left a wife and one daughter, with suitable provision for their comfort. – Constitution.

The Irish Times and Daily Advertiser 5 December 1859 'Ash v Toomey', 4.

The further hearing of this case, which was a suit instituted to try the validity of the will of John Hallissy, deceased, of the county of Cork, and the particulars of which have been published, was resumed at the sitting of the court.

Mr White here intimated that they were desirous of examining an Irish witness, and as Mr Brown, who had been examined, was conversant with the language, he could act as **interpreter**.

The court at first declined to allow a witness to be sworn as interpreter; but, upon the understanding that the defendant's solicitor, who likewise could speak Irish, would check the evidence, Mr Brown was sworn.

The Irish witness, Cornelius Toomey, was then examined.

1860

Southern Reporter and Cork Commercial Courier 2 January 1860 Killarney Quarter Sessions

Leslie v O'Leary and Company

This was an action brought by the plaintiff, a young respectable looking lad, against the Messrs O'Leary and Co to recover the sum of £20, a fee given by the plaintiff, to serve in the drapery trade for a period of four years; and after having spent but a year and nine months in that establishment, the defendants sent him away....

Bridge Leary sworn. She could not speak English, and the assistance of an interpreter was obtained. She said about the month of August she was buying goods from a boy named Leslie....

Dispute over amount charged/money

The Waterford News 13 January 1860 page 4 Quarter Sessions Kirwan v Connolly

This was a double action, one for £5 11s, for carpenter's work done by plaintiff for defendant, and the second for £4 10s for cash lent.

Mr Ambrose moved, and Mr Delandre defended.

The plaintiff, a rough-looking countryman, persisted in giving his testimony in Irish despite the assurance of several parties to the court that he was a linguist, and could tell his tale well in English. The substance of the complaint was, that plaintiff had done certain work for Edward Connolly, of Feddins, in this county, deceased, and that the amount now sought for him was due. The present defendant, Thomas Connolly, was brother to the deceased, and was managing his property at present.

Mr Delandre cross-examined the plaintiff, during the course of which much laughter was excited in court by Kirwan repeatedly clutching at a stout alpeen, which he had put on the table, every that a difficult question was put to him to answer.

Mr Delandre asked Kirwan, through the interpreter, if he was a Poleen or a Gow?

Witness (clutching at the alpeen, his eyes glaring the while at Mr Delandre) said he was neither the one nor the other, and he was no blackguard (great laughter).

Mr Delandre told Kirwan to lay down the stick.

The interpreter took the stick and laid it on the table, evidently against Kirwan's will

Thomas Connolly deposed that the only demand made to him by Kirwan on foot of any claim for work which he had against his brother, was for 4s 6d.

The case was dismissed as not proven, as was also the claim for money alleged to have been lent.

Cork Examiner 25 January 1860 page 3

Curious Case – At the police-office yesterday, Sir Wm Hackette and Mr Tabuteau, RM, presiding, a labourer named Denis Horgan, aged sixty years, residing in Fair-lane, summoned his intended mother-in-law, Mary Mountjoy, for the recovery of 13s 6d, which he gave her for the purpose of getting married to her daughter, said daughter afterwards refusing to marry him. **From the statement of complainant, who spoke Irish, his niece acting as interpreter**, it appeared that he was about being married to defendant's daughter, when defendant asked him for the loan of the above sum, in order to purchase some article of bedding. Complainant reluctantly gave the money which, as the daughter refused to marry him, he sought to recover. Mr Blake appeared for the defendant, and said that the article in question was bought, but that the magistrates had no jurisdiction in the case. The Bench referred it to a superior court. **Southern Reporter and Cork Commercial Courier 25 January 1860 says interpreter was his sister-in-law, fraud and breach of promise**

Connaught Telegraph 29 February 1860 Claremorris petty sessions

John Jennings and Bridget Jennings, his wife, v John Diviny; and John Diviny v Johm, Bridge, and William Jennings

There were cause and cross-cause, arising out of a quarrel on their way home from the market of Claremorris, on 11th January last. They were postponed from the court held 26th January until to-day, in consequence of Mrs Jennings being unable to attend. She now appeared and had her head adorned with bandages, and her dexter optic was graced with a livid halo, suggestive of an affray.

The Bench decided upon hearing both cases together.

Mr Jordan appeared for the Jenningses, and Messrs Glynn and Kelly for Diviny.

John Jennings being sworn, he said, in the Irish language, in reply to a question from his solicitor, Mr Jordan, that he could not speak English.

Mr Glynn- We understand on this side that he does.

Captain Fitzmaurice (to Mr Glynn) – If you have a witness that he can speak English, we will not hear him unless he does so.

Mr Glynn called upon Sub-Constable Palmer, who proved that Jennings could speak English, and heard him do so.

The witness still persevered, after several remonstrances from his solicitor.

Their Worships ordered him to be removed, and put into the dock.

Ballyshannon Herald 16 March 1860 page 2 Ballyshannon petty sessions

Magistrates present – Thomas John Atkinson, Simon Sheil, and T Dillon RM Esqrs

Catherine Sharpe charged Mary Ann McGuire with throwing water on her. As the plaintiff could only speak Irish, **James Daly acted as interpreter**. The defendant said the charge was without foundation. The plaintiff came to lodge with her and had given her 3s of which she was now only due her a few pence. The bench desired the defendant to give plaintiff the balance due, and dismissed the case. [James Daly a summons server, Ballyshannon Herald 17 Sept 1858]

Nenagh Guardian Tipperary 17 March 1860 (North Riding) Spring Assizes, 2.

Presentments

Edwin Sadleir, Esq. Secretary Grand Jury, then read from the County Book the list of presentments. The several county officers' salaries passed without remark, except the presentment of Mr Thomas Heffernan, interpreter, for £2, his half year's salary, due this assizes, on the reading of which Mr Lanigan asked if the situation was necessary, as he hadn't known an instance for several years of the interpreter's services being required?

Mr Dwyer – We can't say when he may be required in Tipperary, as only the other day an interpreter had to be taken before a committee of the House of Commons in the case of the Clare election petition (laughter).

The presentment passed.

Waterford mail, 16 July 1860 city court.

The secretary read a memorial from the County Irish interpreter – who had been appointed for a similar office in the city by the chairman of quarter sessions, Mr Richards – praying that city grand jury would fix the salary for his services in that capacity.

Several members having expressed an opinion that no such officer was wanted in the city, the memorial was rejected.

Mayo Constitution 17 July 1860 page 3 Castlebar petty sessions

The Chairman enquired of **Gregg** the summons server....

Waterford News 20 July 1860 Irish interpreter.

The secretary read an application from Mr Hackett, Irish interpreter at city quarter sessions and Assizes, claiming payment of salary. Accompanying the application was a certificate of his appointment to the office by the chairman of sessions, John H. Richards, Esq.

Capt Newport, said he did not see what they wanted with such an officer at all.

The Foreman said he believed that for several years back the office had been left vacant.

Mr Hackett, in reply to the grand jury, said that such was the fact.

The application was negatived.

This presentment was subsequently brought before the judge by Mr Slattery, solicitor, Lismore, for Hackett, when his Lordship directed. The presentment to pass for two pounds, and recommended the grand jury to communicate with the chairman on the subject of the appointment not be necessary.

The Waterford News 20 July 1860 page 2 City court the grand jury – Irish interpreter

The Secretary read an application from **Mr Hackett, Irish interpreter at city quarter sessions and assizes, claiming payment of his salary**. Accompanying the application was a certificate of his appointment to the office by the chairman of sessions, John H Richards, Esq.

Captain Newport said he did not see what they wanted with such an officer at all.

The Foreman said he believed that for several years back the office had been left vacant.

Mr Hackett, in reply to the grand jury, said that such was the fact.

The application was negatived.

This presentment was subsequently brought before the Judge by Mr Slattery, solicitor, Lismore, for Hackett, when his Lordship directed the presentment to pass for £2, and recommended the grand jury to communicate with the chairman on the subject of the appointment not being necessary.

Waterford Chronicle 21 July 1860 page 3 city court Irish interpreter

Denis Hackett applied to the court for 10 L, his salary as Irish interpreter, which the grand jury had disallowed, on the ground that he had not produced the assistant barrister's certificates.

The court, after hearing evidence, referred it to the grand jury to allow a reasonable sum for the two Assizes he had attended to, and suggested that the allowance should be 1/- for each sessions.

Nenagh Guardian 25 July 1860, Untitled page 4

The Irish interpreter at Waterford Assizes and sessions is to receive in future only £1 for each quarterly and half-yearly attendance. = £6 a year

This did not happen – they continued to be paid £5 each in spring and summer until 1888 when payment was reduced to £3 each.

Dublin Evening Packet and Correspondent 2 August 1860 page 4

Summer Assizes 1860 Co Galway Lavelle v John Bole.

John Prendergast, a peasant, **who had to be examined through an Irish interpreter**, deposed – that he lived in the mountains of Partry, and was a tenant of Lord Plunket's. Was a Roman Catholic, and went to mass. He intended to bring up his children, Roman Catholics. He was asked by the agents of Lord Plunket if he would send his children to their school. He said he would not, and after that he got a notice to quit his farm. After that, he said children to the school, but he took them away again in a short time, as his conscience accused him.

Limerick Reporter 10 August 1860 page 3 Tipperary North Riding Assizes page 3 Nenagh

The witness Gaugan was again called, but the County Interpreter, Mr Heffernan, had left as usual on the conclusion of the Crown business, not deeming that his services would be required.

The Judge ordered the Interpreter to be called, and said he would nil his salary presentment if he did not answer. It was said that the interpreter was gone when the crown business was over.

The Rev John Scanlan PP Nenagh, was requested to interpret and complied, and the examination of Gaugan proceeded. He gave the worst description of his treatment of a small patch of land.

Freeman's Journal 11 August 1860 page 4 Assizes Intelligence Tipperary north riding Howley v Richey

Bartholemew Gaughan, a miserable looking Irish speaking witness, was then produced – **the interpreter was called but was not to be found**, and it was stated he had left the town some days ago.

His Lordship said he would certainly nil his salary.

At the request of his lordship the Rev Mr Scanlan, administrator of Nenagh, acted as interpreter.

The Irish Times 11 August 1860 'Assize Intelligence: Tipperary (North Riding) – Nenagh, Aug 10.

Patrick C. Howley v W. Richey jun. Bartholomew Gaughan, a very old man, in a very tattered suit, was produced on the part of the defendant. He could not speak English, and as the authorised interpreter was not in Nenagh, the Rev. Mr Scanlan, P.P., acted as his interpreter.

Waterford mail, 13 August 1860 page 5 Tipperary North Riding Libel

some difficulty arose as to interpreting the evidence of an Irish witness, the interpreter not being present, and the Rev father Scanlon, undertook the task.

Tipperary Vindicator 14 August 1860 Tipperary North Riding summer assizes

the witness Gaughan was again called, there was no interpreter present.

Court – if the interpreter of the County does not come here, although not the Crown Judge, I shall nil his salary.

The Rev John Scanlon being present in court consented to act as interpreter for the occasion and the witness having been sworn in Irish, deposed - my name is Bartholomew Gaughan; I live in Owneybeg, on the property of Mr Howley.....

Tipperary Vindicator 14 August 1860 page 4 Tipperary (North Riding) Summer Assizes

The witness Gaughan was again called, but there was no interpreter present.

Court - If the interpreter of the county does not come here, although not the Crown Judge, I shall nil his salary.

The Rev John Scanlan being present in court consented to act as interpreter for the occasion, and the witness having been sworn in Irish, deposed – My name is Bartholomew Gaughan; I live in Owneybeg, on the property of Mr Howley; I hold at the outmost about an acre of land; where I live is a pit of gravel, where a road was cleared off, or a place from which the gravel was taken to make the road; I pay £1 a year for the land; I recollect the 2nd of April last, and recollect being called on to pay the rent that day by James Berry, bailiff of Mr Howley....

Mr Armstrong – Would you ask him, Mr Scanlan, if he did not understand every word the counsel was saying?

Mr Scanlan having put the question,

The witness replied, in his own language, that he knew counsel was asking him to interpret, but nothing more.

To the Court – The day the notice was served I had the 10s earned, except that day's work, but it was previously to that time the 5s due.

Clare Journal and Ennis advertiser 24 September 1860 page 1 Ennis petty sessions.

Thomas Gallery, summoned Mary O'Brien for inciting his servant to steal £12. Of all.... The servant girl who could not speak English, had to be provided with an Irish **interpreter**, proved that Mrs O'Brien incited her to take the ball from her master, saying at the time, but it was believed she could have for her hard Labour.

Southern Reporter and Cork Commercial Courier Police Office 5 December 1860

Hannah Griffin, St Finbar's, charged Mary Shea with assault; she was lodging in her house, and gave her notice to leave; upon which Mrs Shea said she would not allow her; and took up a spade threatening to kill her, she smashed her box with a blow of the spade and spoiled all her clothes.

Defendant, an Irish witness, said through an interpreter, she caught Miss Griffin in bed with her husband twice.

Wife fined 1s

1861

Mayo Constitution 1 January 1861 page 3 Conry v Butler

The plaintiff sued the defendant for £10, amount of a promissory note.

The daughter of the plaintiff was the wife of defendant's son, and the marriage deed was put in as evidence of an agreement that the young couple were to go to live with the plaintiff.

The defence was that the plaintiff had not carried out the agreement.

Mr Kelly observed that they had taken wife and all from the party (laughter).

Peter Ripplingham, who drew up the document was put up to prove the signing of it, by the principal and witnesses.

Mr Griffin complained, that having paid a license, his rights as a conveyancer had been invaded by an unauthorized party, the man put on the table, who had been in his (Mr G's) employment at the time as clerk.

The Court decreed for the amount with stay to the 1st Feb 1861.

Mr Jordan was with Mr Kelly for defendant.

Connaught Telegraph 2 January 1861 page 3 Continued insults to the Irish speaking public

On Monday last, we left the Petty Sessions Court of this town, under disgust of a Catholic Solicitor, who taunted a countrywoman with perjury, because she would not speak the English language. To the credit of Mr AN Blake, JP, a Protestant, he called up a respectable young man, who swore that she could not speak English. It ought to have been enough for the esteemed presiding magistrate, John F Browne Esq, that Mrs Bourke, when on her oath, said that she could not speak English, to have protected her from outrage. Our magistrates must know that, even in India, in order to the obtainment of the post of Judge or magistrate, a man must have, first, a sufficient knowledge of the native language. As the government has such a regard for the prejudices of remote and uncivilized nations, it ought to enforce the same rule at home. It is time to inform the Irish Executive of this increasing improper conduct on the part of Irish magistrates and professional gentlemen. We feel it will be done. We repeat that, though persons may understand what is being said in a strange language, it does not follow that they can express thoughts in it. To speak a language with ease, one must think in that language. There are numbers of Irish ladies and gentlemen who can read and write French with accuracy, and yet they would hesitate to give sworn evidence in it. Now, the English tongue is more strange to our Irish speaking peasantry than the French to the persons alluded above. Magistrates ought seriously look to this. –Connaught Patriot

Belfast Newsletter 12 January 1861 page 4 Irish Witnesses

Any one who is acquainted with local courts in Kerry knows that the peasantry generally seem anxious to give their evidence in Irish, and persevere in doing so, insisting that they cannot speak English. Magistrates and chairmen of sessions find in many instances that his is but affected ignorance, intended to cover dishonest testimony. Two instances of this affectation occurred at the sessions there on Saturday. One was that of a witness who stated that he could not speak English, but who said, on further examination, that he was a pensioner, ten years in the army, and was drilled in Irish. Of course, his worship would hear no more from him. The other was a plaintiff, who could scarcely be got to speak English at all, but, when threatened by the Court, spoke it so articulately that his worship said he was the best English witness that came before him during the sessions. Kerry Post

Sligo Champion 9 March 1861 page 2 the murder near Tubbercurry Crown Court

Biddy Harran examined by Mr Sidney, through an Irish **interpreter** – knew the prisoner; never saw + a scythe with him; he used to be crying through the house and His hands; saw him with falling sickness; since he took the disease in his head.

To Mr Burke – she was an orphan, and did not go to school; never said a word of English; doesn't know if the doctor ever came to see him; she was not there; the priest came to him; agrees while ago, when he had the fever...

Freeman's Journal 14 March 1861 Spring Assizes County Tipperary (South Riding) 4

Heffernan v Lonergan – This was an action for slander brought by Mr Heffernan, the interpreter for Irish speaking witnesses in the county Tipperary, against a shopkeeper and farmer of the county of Cahir, where plaintiff also carries on business as an auctioneer. The plaintiff had given evidence at the last October sessions at Clonmel against persons named Connell, father and son, the latter for stealing, and the former for receiving a purse dropped by a cattle dealer, named Flynn, containing 137l in notes at the Cahir railway station, and which the plaintiff had seen the younger Connell pick

up. The son was found guilty. The defendant, who had gone bail for the appearance of one of the Connells, met the plaintiff standing at the shop door of one Mr Patrick Ryan, and in the presence of a mperson named William Dwyer, called plaintiff an old sinner, who had sworn falsely against the Connells at the trial in Clonmel – that plaintiff knew nothing about the purse of money – that he had committed perjury, and God help him for false swearing. The defendant sought to justify the language used by showing that plaintiff did not swear informations till long after the occurence, and that he had made inquiries from the defendant under what circumstances the purse ...jury found for the plaintiff sixpence damages.

Dublin Evening Mail 14 March 1861 page 4 Slander Thomas Heffernan v Thomas Lonergan

This was an action for slander, in imputing to the plaintiff that he had been guilty of perjury; and the defendant denied the speaking of the words, and also that they were spoken in a defamatory sense. Sergeant Armstrong, Messrs C Hemphill QC and H Lover were for plaintiffs; Messrs C Rolleston QC and C Shaw for defendant.

The plaintiff is the interpreter for Irish-speaking witnesses in the county of Tipperary for the last twenty-five years, and also an auctioneer carrying on business in the town of Caher, and the defendant is a farmer and also a general dealer in the same town. The plaintiff was examined, and his case was, that in the month of June last he happened to be at the railway station at Caher, when he saw a young man named Connell pick up a bag on the platform, and after drawing the strings walk away with it. It appeared that, in fact, a cattle dealer of the name of Flynn had dropped the purse, which, it turned out subsequently, contained £137 in notes; and on the 8th of August, the plaintiff who had previously intimated to Mr Cheater and others a wish to be present at any investigation, swore an information stating what he had seen Connell do on the day the purse was lost. The result was that the lad and his father, who lived close to Heffernan, were tried at the last Clonmel October Sessins, before Sergeant Howley, and the former found guilty, and sentenced to three months' imprisonment. The defendant, Lonergan, who had gone bail for one of the other members of the Connell family, according to the evidence of the plaintiff, used to make it a practice to insult him, but not before witnesses; but on the 12th November last Lonergan accosted him while at the shop door of Mr P Ryan, and in the presence of a third party, William Dwyer, he then called him an old sinner, who had sworn falsely against the Connells at the trial in Clonmel – that he knew nothing about the purse of money, that he had committed perjury, and God help him for false swearing. The plaintiff added that he called upon Dwyer to remember the words, and wrote them down himself, when he was scarcely gone three yards from the door.

The jury at ten o'clock came into court with a verdict for the plaintiff, with sixpence damages and sixpence costs.

Cork Examiner 8 April 1861 Killarney Quarter Sessions

Mary Dennehy, an old woman, was next sworn. **Being unable to speak English, she was examined through an interpreter.**

Cork Examiner 8 April 1861 page 3

Highway robbery at Killarney

Michael Cronin, a butcher's messenger, and his brother-in-law John Sheehan, a navvy, were indicted for stealing the sum of £5 from a farmer named Brosnehan; they were also indicted with maliciously assaulting the prosecutor with intent to do him grievous bodily harm. [...]

Mary Dennehy, an old woman, was next sworn. Being unable to speak English, she was examined through an interpreter. – She said she saw the prosecutor passing up High-street on the night of the 9th March; she had not proceeded far when she heard a screech; saw two men immediately after; it was about 11 o'clock that time; did not take any particular notice of them, but one of them was taller than the other.

Dublin Evening Mail 18 May 1861 page 1 Dublin Gazette – Friday, May 17

Court of Bankruptcy and Insolvency

At Cashel, on the 19th June

Thomas Heffernan, late of Caher, in the county of Tipperary, county interpreter and auctioneer.

Waterford News 5 July 1861 Dungarvan petty sessions robbery

Mary Keane, servant maid, charged Margaret power with stealing a dress, her property, valued at 12 shillings, on the 22nd June last, at Dungarvan, and finding same in Mrs Declan Hannigan's pawn office in said town. [...] The court directed the **interpreter** to inform the prisoner in Irish that she was charged by Mary Keane with stealing her dress on the 22nd June at Mr Christopher's on the square of Dungarvan, and to know if she had any objection to be tried by the court? The prisoners stated that she was never guilty of taking a dress; that her father and people were strictly honest, and that she was not guilty of the charge imputed to her. Daniel Morrissy, pawn office clerk, sworn. Court: do you remember a particular dress being pawned in your office on the 22nd June? Clark: yes, gentlemen I do; I received a plaid dress from the prisoner on 22 June, upon which I gave five shillings. Court: do you know her? I know her personally; she lives about Ardmore. Court, to interpreter: ask the prisoner what she has to say in extenuation? Interpreter: she says, your worships, that she is not guilty. Court: . Ask her Is Morrissy's statement true? Interpreter: she says it is false, and that her name is Anne Ross and not Margaret power. Court: ask her where is the pawn ticket she got from the clerk the day she pawned the dress? Interpreter: the prisoner says she hasn't it. Court to clerk: did she ever previously pawn any articles in your office? clerk: she pawned a blanket about two years ago, and gave the name of Anne Ross; as the article redeemed it was canted. Court: you said that you knew the prisoner; did you not know that she was acting dishonestly when she gave the name of Margaret power instead of Anne Ross? Clerk: I knew her well personally, but at the time she was pawning the present dress I did not think of that through pressure of business until after, when I looked over the book. Mr John Hannigan, pawn office proprietor, stated to the court that persons very often pledge for parties, and give the names of those for whom they pledge; when they pledge for themselves they give their real name. Court to clerk: what might the value of the dress be? The clerk said he lent five shillings on it, but it was worth more. Court: as she does not plead guilty to the charge, we must send the case to the Assizes to Waterford, which was accordingly done.

Tipperary Vindicator 9 July 1861 page 4

The services of Hackett, the Irish interpreter, were repeatedly called in to requisition in the Waterford County Court, this week. The parties, who were ignorant of the "Bearla", or gibberish, as they disparagingly style the English language, were mostly from the County of Waterford.

Waterford News 23 August 1861 page 3 appointment of process officer.

Patrick Hackett (sessions Irish interpreter) has been appointed process officer for the division of Dungarvan, by John H Richards, Esq, chairman of the County.

Waterford Mail 4 September 1861

each joint owner was bound to keep one (specified) hoof properly shod, The details of the trial were carried in *Irish*, through **interpreter**. It seems that the poor horse was lamed from the neglect of one of the parties, whom may designate A, to have his

Dublin Evening Packet and Corresondent 12 September 1861 page 4 Ballinrobe Petty Sessions Sub-Inspector Abbott v Rev P Lavelle

Mr Bourke = Swear the witness.

Here there was another difficulty, as the witness either could not or would not speak English, and **there was no interpreter in court.**

Clerk of the court – Is there any one in court who can interpret Irish?

Not one of the crowd who thronged the court came forward.

Colonel Knox – We have no funds to pay an interpreter.

Mr Bourke – Sub-Inspector Abbott tells me that when this woman made a report to him about this matter, she spoke English, though she refuses to do so now. If she persists in refusing, I think she ought to be committed to prison.

Sub-Inspector Abbot – She made her statement to me in English, but once or twice she said she would rather tell it in Irish.

The woman was repeatedly asked to give her evidence in English, but she professed her inability to do so, and

The Chairman said under those circumstances the bench would adjourn the case for a week.

This concluded the proceedings.

Dublin evening packet and correspondent 12 September 1861 Ballinrobe petty sessions sub Inspector Abbott versus Reverend P Lavelle

this was a summons against father Lavelle for having on 24 August, at Cappaduff, violently assaulted Ellen Walsh.

the prosecutrix, a sickly looking woman, having been called on the table [...]

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The woman was repeatedly asked to give her evidence in English, but she professed her inability to do so, and

The churchman said under these circumstances the bench would adjourn the case for a week.

Dublin Evening Mail 12 September 1861 page 3

Extraordinary case at Ballinrobe - fr Lavelle

Dublin Evening Mail 12 September 1861 page 2 Encore Partry

The full report of proceedings at the Ballinrobe Petty Sessions Court which will be found in our columns this evening, will sufficiently inform our readers of the facts of the very curious and characteristic case to which they relate. [...]

The bench was occupied by ten magistrates, of whom half were Protestants and half were Roman Catholics; and in every instance in which an issue was tried, the result was “no rule”, the Court being equally divided. [...] At length a charge, brought by a s Sub-Inspector of Constabulary against the Rev P Lavelle had arrived at the point of hearing, when it appeared that Ellen Walsh, the principal witness, became suddenly affected with inability to speak the English language. No interpreter was at hand in the Celtic metropolis of Connaught, and the progress of the investigation was of necessity stayed for a week.

Dublin Evening Mail 12 September 1861 page 3 Ballinrobe

Sub-Inspector Abbott v Rev P Lavelle

This was a summons against Father Lavelle for having on the 24th of August, at Cappaduff, violently assaulted Ellen Walsh.

The prosecutrix, a sickly looking woman, having been called on the table [...]

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Sub-Inspector Abbott – She made her statement to me in English, but once or twice she said she would rather tell it in Irish.

The woman was repeatedly asked to give evidence in English, but she professed her inability to do so, and

The Chairman said under those circumstances the bench would adjourn the case for a week.

Cork Constitution 13 September 1861 The Partry Doings – Lavelle

Ellen Walsh – no person could be found to act as an interpreter, although it was notorious that there were many persons in court who could have done so had they wished. Case adjourned for a week.

The Irish Times 13 September 1861 'The Rev. Mr Lavelle on the Boards', 3.

Ballinrobe Petty Sessions, August 10th

The next case called on was the Queen at the prosecution of Sub-Inspector Abbott v the Rev. Father Lavelle for an assault on one Ellen Walsh. Messrs Blake and Griffin objected to this case being called on, as the plaintiff in the case was not the person assaulted, and as the woman Ellen Walsh did not want to prosecute, being coerced to do so by the Crown.

Mr Bourke said the Crown had that prerogative of bringing into this or any other court a person who committed any breach of the law.

Mr Blake asked the bench to allow the summons to be put in the usual way, placing the woman as plaintiff, and to allow the case to stand over to the next week, when they would be prepared with their defence, as the woman did not wish to prosecute, being forced to do so.

The Bench said they would hear what the woman herself had to say on the matter.

The woman then was placed upon the table; fear and terror were pictured in her countenance. In answer to the Court, she said she could not speak English, and as no one could be found to act as interpreter, the court adjourned the case to next court-day.

Morning Post 17 September 1861 page 6 The Bench in Ireland

Some attention has been drawn to the charges brought against the Rev Mr Lavelle the celebrated hero of the Irish College in Paris by the conduct of the bench. The first charge against him was for “using violent and threatening language, and putting complainant in fear and terror of his life”. The case, it will be recollected, came before 10 magistrates at Ballinrobe petty sessions on the 10th inst, when, on a legal objection being raised by Mr Lavelle’s counsel to the manner in which the summons was served, five of the magistrates, who were Roman Catholics, voted that the service was illegal, and their five Protestant colleagues voted the other way. In the second case, in which he was charged with “riotously and maliciously injuring a pound” the magistrates divided in the same way on a somewhat similar objection. But these points, which were referred to yesterday, have a peculiar significance when it is remembered that the case against the shopkeeper at Cork, for exhibiting and offensive and semi-disloyal placard, also broke down from a division of opinion amongst the magistrates. How are these things to be accounted for? One would think sensible men could not

differ on such subject. In the third case brought against Mr Lavelle at Ballinrobe, a poor woman who had charged him with violently assaulting her professed her inability to give evidence in English, although she had laid her informations in that language' and, as the bench decided it hasd no funds to pay an Irish **interpreter**, the case was adjourned, but not before a cue? Was given to her conduct by Mr Lavelle's counsel (in the preceding cases) exclaiming "that she was under compulsions, and that if she were not she would rather cut her head off than prosecute her prieset". Can the same feeling animate others than this poor woman? Her conduct is explained by the foregoing words. What explanation can be offered for the differences of opinion amongst the magistrates at Cork and Ballinrobe?

Dublin Evening Mail 19 September 1861 page 4

Ballinrobe Petty Sessions – Prosecution of Father Lavelle (from our own reporter)

Ellen Walsh was accordingly called on the table, and the interpreter, Patrick Flyn (sic), having been sworn to interpret truly, the witness was handed the book.

Interpreter – She says she is not satisfied to be sworn at all.

Mr Bourke – You must be sworn, woman, or there will be a warrant issued against you, and you will be sent to gaol.

Interpreter – She is not willing. She says she is not in a condition to swear.

Mr Bourke – It will do you no harm, if you tell the truth.

Mr Kenny, addressing the witness (who was standing on the table), asked her, in Irish, to sit down.

Mr Blake – now, Mr Kenny, I object. I must know what it was that a member of the court has said to this woman.

Mr Kenny – I asked her to sit down on the chair, and I believe a magistrate has a right to address a witness if he thinks proper.

Chairman – Mr Kenny has a perfect right to speak to the witness.

Mr Blake –I object to any membe of the Bench addressing the witness in a language which I cannot understand.

Chairman – If I could speak Irish, I would speak to her myself.

Mr Kenny- I do not care one farthing for Mr Blake's objection.

Chairman – Take the book, woman

Interpreter – She is not satisfied to take the book.

Chairman – Explain to her that if she does not take it she will be sent to gaol for seven days.

Interpreter – Whatever he did to her she has forgiven it to him (applause in court).

Waterford News 20 September 1861 petty sessions

Trespass of donkey – Patrick Keane summoned John Quarry for the trespass of his donkey on the eighth inst. Complainant, having been sworn, stated that he found the donkey in question trespassing on lands under his charge, that he was not aware of who the owner of the donkey was, and upon this ground. He pounded it at Abbey side. Court: well' Quarry' what have you to say to this charge? Quarry stated that he had not one word of English, and could not tell his story. **Irish interpreter**, said that he could speak English. Court: you must make your defence in English. Quarry repeatedly stated he could not. The court, informed him that his case could not be heard if he did not speak in English. Quarry, on hearing this caution, rattled out in English in gallant style, to the astonishment of the whole court. Mr McGuire: we congratulate you on your great success, and rapid progress in the English language (great laughter). Court: in what college were you educated? Quarry: by the hoky, gentlemen, I learned at Croughaun Collish (Roars of laughter, in which graduate himself heartily joined). Fined one shilling and costs.

Mayo Constitution 24 September 1861 page 4 Ballinrobe petty sessions – Sept 17th

Sub-Inspector Abbott v Rev P Lavelle

The court has since obtained the county interpreter

Ellen Walsh was produced and was evidently an unwilling witness. Whether from coercion as was alleged on one side, or intimidation on the other, or the effects of both, together the woman presented a most harassing, pitiable, and depressed appearance; she looked poorly and was what is commonly known "far gone" in that way – "in which ladies wish to be who love their lords". She remained standing.

The Chairman called on the interpreter to swear the witness

Mr P Flynn, County Interpreter, who was brought here special on this day said, that although he was generally sworn for courts of Quarter Sessions and Assize, he would suggest that the court swear him here, as he was not in the habit of interpreting in the Petty Sessions court. He was then sworn and directed to swear Ellen Walsh, the witness on the table and proceeded.

The witness would not take the book nor reach for it at all –

The interpreter explained to her.

Witness (per interpreter) replied that she was not satisfied to swear at all.

Mr Bourke – she must swear

To Witness – You must be sworn or a warrant will be sent against you, when you will be sent to jail.

Dismissed without prejudice

Ballyshannon Herald 27 September 1861 page 4 Father Lavelle case Ballinrobe petty sessions

Ellen Walsh was accordingly called on the table, and the interpreter, Patrick Flynn, having been sworn to interpret truly, the witness was handed the book.

Interpreter – She says she is not satisfied to be sworn at all.

Mr Bourke – You must be sworn, woman, or there will be a warrant issued against you, and you will be sent to jail. [Mr Walter J Bourke attended to prosecute on behalf of the Crown.]

Interpreter – She is not willing. She says she is not in a condition to swear.

Mr Bourke, It will do you no harm, if you tell the truth.

Mr Kenny, addressing the witness (who was standing on the table) asked her, in Irish, to sit down.

Mr Blake – Now, Mr Kenny, I object. I must know what it was that a member of the court has said to this woman.

Mr Kenny – I asked her to sit down on the chair, and I believe a magistrate has a right to address a witness if he thinks proper.

Chairman – Mr Kenny has a perfect right to speak to the witness.

Mr Blake – I object to any member of the Bench addressing the witness in a language which I cannot understand. [Mr Dominick Blake and Mr John Griffin defended the Rev Mr Lavelle]

Chairman – If I could speak Irish I would speak to her myself.

Mr Kenny – I do not care one farthing for Mr Blake's objection.

Chairman – Take the book, woman

Interpreter - She is not satisfied to take the book.

Chairman – Explain to her that if she does not take it she will be sent to gaol for seven days.

Interpreter – Whatever he did to her she has forgiven it to him (applause in court).

Colonel Knox – If these demonstrations are repeated, the court must be cleared.

Woman discharged

Ballyshannon Herald 4 October 1861 Mayo magistrates and Ballinrobe Justice (From the L.D. Standard)

A salutary alarm arose in clerical circles, and though Ellen Walsh, it is stated, could speak English fluently enough when making her original complaint, yet, when brought before the Magistrates for the purpose of having informations sent forward to the Assizes, she could not be made to comprehend a word of any language, save good Connaught Irish! A whole day was spent in fencing, and at length the inquiry was adjourned for a week, in order that a qualified interpreter might be found to translate the woman's statement into English.

The Waterford News 4 October 1861 petty sessions

Sir Nugent (Humble) in a brief manner observed that the wife of the defendant was in the service of James Keane for a period of 11 years, during which time she conducted herself with the greatest propriety, and Mr Keane regretted he could not give his personal attendance, owing to his present illness. He (Sir N Humble) impressed on the mind of defendant (through the Irish interpreter) that the court did not believe one word of her husband's statement, which was most disgraceful, and called on the chair man to inflict the severest sentence of the law on him, not so much for desertion, but for his improper conduct wrote his wife. The court sentenced the defendant to 3 months imprisonment in the County jail.

Dundalk Democrat and People's Journal 2 November 1861 page 7.

The Celtic tongue – in many of the cases for trial at the quarter sessions for the County, some of the parties were unable to speak English, though curiously enough, they all seemed to understand it. In one case, the plaintiff, his wife, and their witness could not speak English. Hackett, the Irish interpreter, was kept constantly employed. – Tipperary free press.

Mayo Constitution 12 November 1861 page 4 Castlebar petty sessions Mr Stritch RM – assault

Thomas Hannan, of Grallagh, attended again on this day to prosecute William Hoban, Owen Lavelle, James Bourke, Mary, Michael and Pat Lavelle, for assault at his own house on the 23rd October.

It appeared that the defendants were returning from the fair of Strade on the night in question, and with a view to shorten the road, took to go through prosecutor's garden – In accomplishing this a part of the wall fell or was thrown down, and whether because of his remonstrance, or any violence on his part, but a melee ensued, an accurate description of which it was impossible to obtain, so incomplete and contradictory was the evidence of the prosecutor. His cranium was encased in a semi-eastern Golgotha – turban like exterior indications stirabout poultice were noticeable on it – the whole, at any rate, was intended as a display of medical appliance, in consequence of the injuries received by the wearer.

In the course of the examination, it came to pass, that the court ordered the prosecutor to unravel the tying of his head and having done so as safe, sound, and well-developed a baldy pate was disclosed as ever came under our view on these unfortunate occasions.

The revelation of the affair as obtained through Gregg, the interpreter and indicted on the day after the occurrence, differed widely from the narrative of Hannon on this day, although it was not stated that he had been at the fair. – Hannon gave his evidence in Irish and his wife endeavoured to follow suit. It became known that she could speak English and refusing to tell her name in the latter tongue caused her to be taken into custody for contempt.

Cork Examiner 2 November 1861 page 4 Skibbereen Quarter Sessions – Thursday

[Before Mr Moody, Chairman for West Riding]

At the sitting of the court the action of ejectment brought by Mr James Morrogh, JP, of Laurentinum, Doneraile, against Ellen Walsh, and Patrick Walsh, her son, which had been adjourned from Tuesday, was resumed. [...]

Thomas Walsh, the son of the defendant, Ellen Walsh, was then sworn and examined by Mr Heazle **through the Irish interpreter** – I am 55 years of age; I have been living with my mother since I was born on the lands of Inchabeg; I never left them unless to go to market; my mother is in possession of the farm in question up to twenty years; she knocked down about sixteen houses on it, and with the stones she filled drains and made ditches; in consequence of these improvements, Mr Morrogh promised her £20, out of which he gave £10; he gave no more than £10; my mother built a new house on the farm out of her own pocket; it cost £35; it is 12 feet in breadth, 12 feet in height, and 40 feet in length; before she built the house a promise was made to her by Mr Morrogh to build a

new house himself, and he afterwards promised on the floor of her own house to give her a lease for twenty-one year; that was twelve months after the house was built. [...]

Cross-examined by Mr Downing (through the interpreter) – Well, my poor man, you cannot speak a word of English? No, nor understand it. Does Mr Morrogh speak Irish? – He does not. And in what language did he promise the lease, for you heard him, you know (laughter).? – He promised it in English, and my brother interpreted it to me. Who was the brother – that is the “good boy”? – Yes. How many years is it since Mr Morrogh took the property? – It is up to twenty years. [...]

1862

Mayo Constitution 14 January 1862 County Interpreter

The above office had been held by the late Mr Patrick Flynn, Law Clerk, for many years. The deceased had great abilities as an Irish interpreter and his long connection with law courts and the legal profession aided him in a most important degree in the discharge of his duties. Coupled with these, it is well-known, that deceased prided himself with good reason, as one well acquainted with the general history of his native county, and particularly with the genealogy of its inhabitants. Deceased was rarely found in error, though often appealed to on these subjects, which he always dispensed with a pleasing detail and cheerfulness. Patrick Flynn was well known in this county as a man of rare intelligence, of his position in life few made more friends than he. We know that he poor man caught his last illness in discharge of his duties at the present Sessions, and we know, besides, with regret, that he leaves his widow and a long family unprovided for.

Southern Reporter and Cork Commercial Courier 12 February 1862

Patrick Kelly was charged with stealing a coat, the property of Daniel Lynch.

The prisoner was unable to speak English, and his son who was in court, was sworn as an interpreter. The evidence given was to the effect that the prisoner slept at a lodging house at which the prosecutor also stopped. The prisoner went away early in the morning, and when the prosecutor got out of bed, he missed his coat.

A Mrs Buckley, of the military barracks, said she bought the coat from the prisoner for 3s 9d. he represented himself as a recruit, but that was a falsehood.

The case was postponed, there being only one magistrate present.

Dublin weekly nation 1 March 1862.

Appointment of Irish interpreter – Mr Henry Roche has been appointed interpreter of the Irish language for the quarter sessions courts of this county, in the room of Mr P Flynn, deceased – an appointment which has given general satisfaction. We take it for granted that Mr Roche will also be selected by the grand jury for a like post at the Assizes. – Mayo Telegraph

Cork Examiner 4 March 1862 page 3 City Court

This was an appeal from the decision of Mr Moody, late chairman of the West Riding, dismissing an action brought by Mr Morrogh, a magistrate of the county, against Ellen Walsh, of Inchbeg.... James Carey stated that he had served an ejection notice on respondent....

The terms of this agreement had to be conveyed to the respondent and her eldest son through an interpreter. She appeared not to heed what was taking place, and the son was too stupefied by his grief to understand what was said to him. His Lordship directed the interpreter to tell them “that it was all right” and to explain the decision to them more fully out of court.

Mayo Constitution 11 March 1862 page 1 appointment of assizes interpreter

The candidates were Mr Henry Roache, and Mr Owen Dunne

Mr Davis, clerk of the peace, said he had been asked by the chairman of the county, to mention to the grand jury that he had appointed Mr Roache to the office of interpreter for the quarter sessions court.

Mr O'Malley, instructed by Mr Gibbons, appeared in support of Mr Roache, made a brief but telling statement in support of his client's qualifications as an Irish interpreter, and also relied with much force on the substantial certificates which he produced in favour of his clients character from the Earl of Lucan, Sir R L Blosse, Bart., Mervyn Pratt, Esq and other gentlemen.

Mr O'Dowde, solicitor, appeared for Mr Dunne and made a lengthened statement in his support, producing a number of respectable certificates as to character and competency,

Mr O'Malley contended that it was desirable that the same party should hold both offices as many subjects arising in the court below were re-discussed at Assizes, it was consequently of the first importance that the same party should hold both offices.

Sir R L Blosse observed that both candidates possessed very proper testimonials as to character and ability; but he conceived it was important that the same person should hold both offices for the reasons stated. The post of interpreter was one of great trust, having much to do with the administration of justice.

After a similar remark by Mr JC Walsh,

Mr N J Ferrall moved, and Mr O'Grady seconded, the appointment of Mr Roache, which was carried nem con.

Waterford Mail 12 March 1862 page 3 attempt to procure abortion.

Andrew Spratt was called, and surrenders himself into custody on a charge of having administered a quantity of a certain noxious thing to Mary Cronin, with the intention of procuring a miscarriage.

Mr Rolleston, QC, instructed by Mr Slattery, appeared for the prisoner, and Sgt Armstrong, with Mr O'Donnell, QC, for the prosecutrix.

The first witness called was the prosecutrix, Mary Cronin, who was **examined in Irish through the interpreter by Serjeant Armstrong**. Once married; is a widow now; her. Her husband is 10 or 11 years dead; knows Jacob Spratt, Coolcornack; was in his employment; left his employment after harvest; Jacob Spratt has a wife; as the daughter and sons; they are Andrew and Patrick (witness here identified the prisoners); while in Jacob Spratt employment there was an intimacy between me and Andrew; found myself in the family way by him; told himself; he told her not to tell his father or mother; then he gave her some bottles; told her he had some bottles for her; asked me what I drink the bottle at the well; did not show me the bottle at the well; it was Saturday evening at the well; he reached a bottle. On Sunday morning, was standing at the dresser at that time; the bottle was about the size of the half pipe; there was a label on it, she tasted it; it had an ugly taste; she threw it in the ditch into the bushes near the house; saw the bottle after words: it was in her hands: Spratt gave it to her after words: sword with John Dower, labouring man in the house: did not hear a Spratt say anything to Dower about it: it was Tuesday morning, he... Spratt was acquitted.

Connaught Telegraph 12 March 1862 Mayo Spring Assizes 1862 Grand Jury Room

Office of Interpreter page 1

Mr Davis came forward and said that the office of interpreter for the QS Court, rendered vacant by the death of Patrick Flynn, had been conferred on Henry Roach.

Mr O'Malley (Barrister) with Mr Gibbons (Solicitor) appeared on the part of Mr Roach, in order that he might also be appointed Interpreter for the Assizes.

Mr O'Dowd (Solicitor) appeared on the part of a man named Owen Dunne, who, he said, had excellent recommendations as to his competency and character from the Rector and Parish Priest, and several other respectable gentlemen connected with the County.

Mr O'Malley argued on the part of his client that it would not be worth his while to accept the one if he did not get the other. The sum of £30 a year would not enable him to go round the County four

times a year, staying a week in each town; and it would be only fair to give the man who had to go round the County in this manner the small salary which the appointment of Assizes Interpreter allowed him – namely, £10 a year.

Foreman – Were they always amalgamated?

Mr O'Malley said they were since two brothers of the name of Lavelle held the situations. Before and ever since then they had always been amalgamated.

Sir Robert Blossie and Mr Walsh were of the opinion that it would be more conducive to the interest of the public business that the situations be held by one man.

Mr O'Dowd said that Roach had already held the office of relieving officer, which he thought would prevent him from properly filling the duties of interpreter.

The Foreman overruled this objection, and Mr Roach was unanimously appointed to hold both situations.

Connaught Watchman 15 March 1862 page 1

Mr Roache, who had received from the chairman of the county the appointment of Interpreter for the quarter sessions court, was appointed to a similar office for the Assizes.

Mayo Constitution 18 March 1862 Mayo Assizes

Peggy Ryan, an Irish witness, examined by Mr Costello. **The answers were given through Mr Henry Roache, Interpreter**

Mayo Constitution 22 April 1862 page 4

Patrick Gregg, summons server, also gave them a good character.

Mayo Constitution 3 June 1862 page 3

Relieving officer – The Commissioners write for further information, respecting the division of the relief district between relieving officers, Cannon ? and Roache. The guardians passed a resolution in which they state as an additional reply to the commissioners letter, that from the manner in which Mr Roache discharged the duties of relieving officer, for a period of 13 years. They, upon his appointment as interpreter are desirous to secure his services for a portion of the union, he having applied for same; the more particularly, as the principal duty, as required in the town of Castlebar, is to be discharged by another. From the manner in which the duty has been discharged since his appointment, they have great confidence that he will be able to do the duty for the benefit of the union. Should an exigency arise they will act in accordance therewith.

Galway Vindicator and Connaught Advertiser 11 June 1862 page 3 Petty Sessions (Galway city?) obscene language

EC Burke esq in the Chair. Other magistrates present E Maunseel and Anthony O'Flaherty Esqrs
bridget Conneely summoned Kate Clancy, a respectable looking person, for assaulting her and using obscene language on last Sunday week.

Complainant was unable to give her evidence in English, **and there was no sworn interpreter.**

Mr EC Burke said that a case appeared before the bench on the last court day, which was adjourned, on account of there being no interpreter.

Defendant said that Conneely could talk English well enough, she spoke to her in no other language.

Mr EC Burke said if the public business was to be adjourned for want of an interpreter, it was time to have a remedy.

Adjourned to this day week.

Cork Examiner 16 June 1862 page 4 Skibbereen Union Thursday

Applications for relief [to Board of Guardians]

Mr McCarthy Downing – **Mr Becher on that day stated that what those parties stated to him was interpreted from the Irish – that is, whatever was conveyed to him was conveyed by an interpreter between the people and him.** Mr Becher no doubt did make use of the observation, and I called his attention to it and said “you will find you have been misinformed”.

Mr Becher – You did, but I could take my oath that you made that remark, after he said that if the priest said any influence from the landlord was brought to bear on the people to prevent them from telling the truth, that man, whoever he was, told a lie.

Mr McCarthy Downing – He said that too. He said, when I called his attention to the matter, “I shall be very happy to find that I was misinformed.” Mr Ross replied at the time, “Surely, the jury could not be intimidated.” I knew there was no ground for the statement. I asked Mr Limrick (the coroner) could there be any grounds for it, and he said “Oh, law, no, not the slightest”. **There was an Irish interpreter there, and the Rev Mr Collins once interfered to say that he was not giving the answer of the witness correctly.**

Mr Limrick (the coroner) – I swore Mr Becher’s man, Shipsey, and between them both I could not get a correct answer. Mr Porter knew the Irish language, and I got him to interpret the question. I then said “Now, if there is a word that does not bear on my question I will stop it.” There was no intimidation under heaven. I saw the woman fencing and not wishing to answer the questions, and I told her to recollect she was on her oath to tell the truth.

Mayo Constitution 1 July 1862 page 3 Castlebar petty sessions page 3

A line officer – Paddy Gregg, the summons server of Ballyvary – a place that is to him a Paradise, for he has an awful fascination for “sperets” – was sued by one Bartly Lynch for 9s 6d balance of conacre rent. Paddy is the envy of all those having short legs – for his are like those of an ostrich, and his face is a good offer at the old plate in front of Moore’s Almanack. He denied owing a penny. Lynch, in compliance, as the thought, with the law, handed Pat 6d with the summons to serve himself, but the service not being deemed good, the further hearing of the case stands.

Mayo Constitution 8 July 1862 page 3 Ballina quarter sessions Appeals

McLoughlin appellant, Nancy O’Donnell respondent

The appeal was from a decision of the Belmullet bench who convicted appellant on the charge of assaulting respondent on the 7th May, by striking her with a loy? And knocking her down, which concluded a dispute between them, on the subject of a trespass by respondents cows, on the oats field of appellant.

Appellant was fined £2 and £1 costs, or proportionate imprisonment in case of default....

The respondent (an Irish witness) was then sworn

Mr RP Bourke – Ask her if she remembers the day on which she was assaulted

Interpreter (having put the question) She says she did not sleep any since (laughter).....

Waterford mail 16 July 1862 page 3 city grand jury.

The Foreman read a letter from the Irish **interpreter**, requesting that the command jury would take his case into consideration, and increase of salary. His present salary airily defrayed his expenses from Dungarvan, as he had to attend four times each year, besides the Assizes, at the quarter sessions.

The secretary said he had been in communication with the barrister on the subject, and that gentleman replied that the Irish interpreter was already receiving enough for his services.

Mr Power said he never knew of such a thing as an Irish interpreter in the city court. They might as well have a Greek interpreter.

Several members having taken Mr Power’s view of the case, it was resolved to inform the applicant that his petition could not be obtained.

Waterford mail 16 July 1862 County Court.

Mary Kirwan, sworn, examined in Irish, through the **interpreter**, by Mr O'Donnell – knows Mrs Meehan's; live near it; knows the man, but not very well; does not know daily.

Saunders newsletter 18 July 1862 page 3 summer Assizes, County Kerry, Crown Court.

Capital conviction – murder

Mary Healey examined in Irish through an **interpreter** – I know Philip James Foley; I reckon I recollect the morning he's lost his life; I saw on the evening before...

Kerry Evening Post, 19 July 1862 page 4 Kerry Summer Assizes

Mary Regan, a very old woman, and an "Irish witness," was then examined by Mr.O. B. Hickson, Q.C., through the interpreter—I recollect the night deceased met his death; I know the deceased; I saw him the evening before his death ; Doyle and Lyne were with him; they came into my bouse and remained there while they smoked; when leaving they carried some fire with them to the next bouse—the weir house; I saw Philip Michael Foley next morning; he came to my house and I let him in; I had no conversation with him; he asked me where were the people who were minding the weir; I told him that I supposed them to be in the weir house; he did not ask me who they were; I supposed he knew who they were; the prisoner sat on a chair, the chair was near the door; he sat there for a good while; while he was sitting there the deceased came to the door; the prisoner and the deceased spoke to each other; they spoke in English, which I do not understand; they were not speaking angry; they were talking as friendly as you (**interpreter**) and I now are; the deceased then went out first; I don't know where he went to and did not see him after till I saw him dead; after the deceased went out Lyne and Doyle came in; I can't prove that Doyle remained there, but Lyne and I were " always" in the house; Doyle went out first and called me then; I heard a shot before that; before I heard the shot the prisoner went out; It was not long after the prisoner left the house that I heard the shot; I cannot say how long it was; the prisoner came into my bouse after I heard the shot; he sat down in the same place in which he was sitting before he went out; I did not go out; Doyle called me when he found the man dead, I have a daughter; she was asleep in her bed up to this time; she did not get up until she went out for the deceased; Lyne and I were sitting at each side of the fire; Doyle and Lyne and the prisoner were talking in English to each other. Mr. Coffey did not cross examine this witness.

Munster Express 19 July 1862 page 7 County court burglary and assault Waterford

Mary Kirwan sworn, examined in Irish through the interpreter

The Waterford News 1 August 1862 page 4 Petty Sessions Dungarvan

Magistrates on the bench – Captain WF Barry RM and Samuel R Fitzgerald ESq

Stealing donkey and car – Ellen Downing charged her son, Patrick Downing, with stealing her donkey and car, on Thursday last, the 24th inst, at Dungarvan. ...The summons-server acted as interpreter, complainant not being able to speak English. ...

Mr Slattery Why don't you speak English?

Complainant I couldn't spoke English (renewed laughter)

Galway Vindicator 6 August 1862 page 3 Town Court [Galway]

Larceny – Martin Conneely was indicted for stealing fowl, in the month of July last.

Winifred Folan, examined through **Mr Reid interpreter**, by Mr O'Neill – Lost fowl on the 17th July, there were five chickens and two ducks; saw them with the police; knew them.

Guilty

Mayo Constitution 26 August 1862 page 3 Castlebar petty sessions

Before AR Stritch Esq RM

Professional gentlemen present were: Mr Louis O'Donel and Mr PT Gibbons

Trespass – John Hughes summoned Mary Wilson for continuous trespass at Danganmore, near Bellevary. The complainant was the tenant of Mr Malley, defendant the tenant of Lady De Clifford. The place in dispute was the way to a bog. The complainant proved the trespass.

The defendant's witness was next sworn, and intimated that she was an Irish witness.

Court – I had a witness this day week, who swore she could not speak English, and she spoke very good English afterwards.

Mr O'Donel – It is perfectly disgusting to hear them at times.

Court – It is no disgrace not to be able to speak English; but it is wrong to say you cannot, when you can do so.

Mr Gibbons – I would not like to give evidence in French

Court – To witness. Will you speak English?

Interpreter (Mr Philips) – She says she cannot trust her story in English.

Gregg said she did not speak English. [Gregg was a summons server – Mayo Constitution 17 July 1860]

The Court repeated that the party he before referred to said the same thing last week, and afterwards spoke capital English. To witness – Do you know Hughe's land?

Witness – I do not know Hughe's land.

Court – Gregg, I asked you could she speak English, and you said she could not.

Gregg- I never heard her, your worship.

Court – Never volunteer your opinion or observations - never while I am upon the bench. To the witness – How long do you know Gregg? How many years? Do you know him five years?

Witness - I do sir.

Court – Have you been often speaking to him?

Witness – I have

Court – To Gregg. I do not believe you – never give your opinion uninited in this court again. I think you are very fond of encouraging litigation in this Court; and in this case you back up a woman in a false statement, and who is willing to tell a lie on her oath, by saying she cannot speak English, while she can speak it as well as is necessary.

Mr O'Donel – to witness. Do you know the land....

Court – When this woman makes a mistake in her English tell me; she has not made one as yet.

Mr O'Donel – Were you there that day?

Witness – I was

Mr O'Donel – Who are the people who have turf on that bog of Lady De Clifford?

Witness – I do not all – they all bring it that way; I often saw Jack Rowland and ourselves bringing it.

Mrs Wison fined 2s 6d and 1s 6d costs or a weeks imprisonment

Mrs Wilson I will go to jail, I would not give them the satisfaction.

Court – I have a great mind to send you up another month for contempt.

Assault – Bridget Harte summoned Mary McCormack for assaulting her at the mearing of their farms at a place called Gort, near Pontoon.....

Defendant, in Irish, said she had another witness. [...]

Mary McCormack, (defendant in last case) on coming to the book, rushed forward to kiss it before the oath was administered, and was checked by his worship.

Court – Now, on your oath do you not understand English?

Interpreter – She says she has no knowledge of what you may say, no more than the cow or the horse.

She then proceeded to give her evidence in Irish.

Waterford Chronicle 24 October 1862 page 3 county quarter sessions McCarthy v Mulcahy

The plaintiff in this case, being unable to speak any language except the vernacular, was obliged to prove it through the medium of an interpreter. **Hackett, being sworn to give a true interpretation,**

communicated Pat McCarthy's grievance to the court, by which it appeared that having sold two cows for £17, he lent defendant this amount – Decree granted.

Waterford Mail 24 October 1862 assault.

Michael Green, was indicted for having on 13 July last, sorted John Connors, of having beaten him, and caused him actual bodily harm; and on the second count of common assault. John Connors was examined by Mr Kelly, through **Hackett, the Irish interpreter...**

Munster Express 25 October 1862 page 5 Assault Waterford Michaelmas Quarter Sessions

Michael Green was indicted for having on the 13th July last assaulted John Connors, of having beaten him, and caused him actual bodily harm; and on a second account of common assault. John Connors was examined by Mr Kelly through Hackett, the Irish interpreter.

The Waterford News 31 October 1862 page 4

Assault – Mr Michael Greene surrendered to stand his trial for having, on the 13th day of July, assaulted John Connors, who, on being examined, deposed, through the Irish **interpreter**, that he lives at Portlaw, and was at the “patron” of Mothill; was in Portlaw that day, standing at the back of his own door, in Queen-street, when he was struck by Michael Greene, whom he now identifies; was struck by a stick in the side of the head and knocked down....

Coleraine Chronicle 1 November 1862 page 2 A Judge on lawyers' beards

The beard of **Mr Bernard**, the Interpreter of the Court of Queen's Bench, our reporter informs us, has fallen under the displeasure of the Hon Mr Justice Mondelet. The learned Judge did not make a formal order, but he said he expected an expression of opinion would be enough for an officer of the Court.

Mayo Constitution 23 December 1862 page 2 Ballinrobe petty sessions Charge of assault against a RC clergyman excommunication of John, Thomas and James Horan at the RC chapel of Balllyovee (Partry)

John Horan v the Rev Patrick Lavellle

The Chairman suggested that the witness be left in his hands, and both sides having agreed, he said Mr Interpreter will you tell him he can give an answer or not as he likes.

Colonel Knox – I think, Mr Chairman, you should also tell him to answer or not as he likes, or as he is advised by counsel.

Mr O'Malley – As him, sir, who was it sent him to Mr Griffin?

No answer

Chairman – Does he wish to answer it?

Interpreter (Mr Roche) He does not like he says to answer that = Henry Roach

1863

Clare Journal and Ennis advertiser 5 January 1863 page 3. Ennis quarter sessions Illegally dredging oysters

Martin Linnane, the next witness, who spoke Irish, which was interpreted by Charles O'Connell, Esq, solicitor – I am newly 74 years of age; knows the oyster beds; have lived there all my lifetime; my father with 10 into Mr Common; he died about 40 years ago, the tenants had a lease of the beds with their lands; would not let anyone take oysters; sold them out 3S and 3-D per hundred; was a tenant of the oyster beds after my father's death and still.

Waterford Mail, 4 February 1863 page 3 Stradbally petty sessions. Code switching

Forcible possession.

Patrick Power summoned commerce Meehan for taking forcible possession of this property, by making a ditch on the side of his (complainant's) grounds.

Col, Beresford is it a contract road?

Plaintiff – no; the ground was divided by my father years ago, and I have remained in undisputed possession ever since. Sir Edward Kennedy is my landlord.

The defendant, when interrogated, replied in Irish; but when he was told by the magistrates that he should speak English, he did so, after a few moments pause, to the great amusement of the court. He denied that that part of the ground was belonging to complainant.

The magistrates considered that they had no jurisdiction in this case.

The Waterford News 13 February 1863 page 3 alleged violation of the game laws.

Patrick Hackett, interpreter and gamekeeper, charged Mr Michael O'Keeffe, with keeping two greyhounds in his possession, he being not duly qualified as the law required. The prosecutor could not sustain his charge, and Mr Thomas Dee, publican, proved that Mr O'Keeffe was possessed of the required qualification in-house property in Dungarvan, which was over £60. Charge dismissed.

The Waterford news 6 March 1863 page 3

County Court

Criminal business

Larceny – Laurence Keily was indicted for having stolen a flannel vest and drawers from one James Keily.

The prisoner, **through the Irish interpreter**, first said he took the goods by mistake (laughter) and then that he stole the vest. Having been previously sentenced to one month's imprisonment for larceny, his lordship ordered that he be imprisoned for three months at hard labour from the date of the committal, directing a nolle prosequi to be entered on the count for the drawers.

Saunders newsletter 21 March 1863 Cork County criminal court page 3 assault and robbery.

John Donoghoe, aged 26, and Michael Carty, aged 26, were severally indicted for violently assaulting an old man named Nicholas Slack, at Scarteen, in this County, on 30 January, 1862, and robbing him of about five pounds, &c....

The prosecutor (who was a very feeble man, of nearly 80 years of age, and dressed in the garb of the mendicant) was examined, through an interpreter, in Irish, and deposed that the prisoners were first cousins – that he knew them well, and that on the day in question he was in a field setting some rags upon one of his knees, when he was attacked by them and robbed of his money, which was the savings of his life.

Upon cross-examination, it appeared that the prosecutor was not sure as to get indication of the prisoners shortly after the occurrence, and pointed out another person as being concerned in the attack upon him.

The jury (who were locked up for last night) were discharged this morning without being able to give a verdict.

The prisoner is to be tried again at the present Assizes.

Mayo Constitution 31 March 1863 page 1 Ballinrobe petty sessions Partry Charge of Assault Robert Holmes v the Rev Patrick Lavelle The Defence

The complainant is the bailiff of the Right Hon Lord Plunket, residing at Cappaghduff. He also holds the office of pound keeper. The defendant is the RC clergyman of that parish. The charge was for assaulting the complainant at Guurtenmore on the 12th inst. There was a cross case....

John Prendergast (an Irish witness) was sworn. Mr Rush at the pressing request of the litigants and the Court consented to act as interpreter.

Witness to Rev Mr Lavelle (through interpreter) Went to Ballintober on Mon last; was present when Mr Holmes met Fr Lavelle; saw Fr Lavelle coming up to Holmes riding.

Did you hear him say anything? I did

I know you do not understand English. – Did you hear him say any particular thing? – He heard him tell Holmes not to put the sheep in the pound, but to follow himself (Father Lavelle) for the trespass.

Chairman – Just ask him did Fr Lavelle say that in English or Irish.

He said it in English.

Chairman – Does he understand English?

Witness – Not well, but he heard him speak of the trespass, and he understood that he spoke of not putting the sheep to the pound.

Rev Mr Lavelle – As him did he hear the word trespass.

Chairman – Ask him did he understand that question.

Rev Mr Lavelle – Ask him if he understands you sir; that is the way.

Chairman – Did you understand what Mr Lavelle said to Holmes?

Witness – Yes.

The Rev Mr Lavelle said that he was certain the Chairman understood French; but while he might not understand every word spoken, he would be familiar with the bearing of the sentence – besides the word ‘trespass’ was well known for there was no Irish for it.

Chairman – Ask him if at the time Mr Lavelle spoke to Mr Holmes, he understood what he said to him.

Witness said he did not.

Chairman – How much did he understand?...

Rev Mr Lavelle to the interpreter – Impress it upon him, as he hopes for heaven....

Dublin Evening Mail 3 April 1863 page 4 Ballinrobe Petty Sessions

Robert Holmes v the Rev Patrick Lavelle

The complainant is the bailiff of the Right Hon. Lord Plunket, residing at Cappaghduff. He also holds the office of pound-keeper. The defendant is the Roman Catholic clergyman of that parish. The charge was for assaulting the complainant at Gourtenmore, on the 12th inst. There was a cross case.

John Prendergast (an Irish witness) was sworn. Mr Rush, at the pressing request of the litigants and the court, consented to act as **interpreter**.

Witness (to Rev Mr Lavelle) through interpreter – Was present when Mr Holmes met Father Lavelle; I heard him tell Holmes not to put the sheep in the pound, but to follow him for the trespass.

Chairman – Just ask him did Father Lavelle say that in English or in Irish? – He said it in English.

Chairman – Do you understand English?

Witness – Not well, but heard him speak of the trespass, and understood that he spoke of not putting the sheep in the pound.

Chairman – Ask him if at the time Mr Lavelle spoke to Mr Holmes he understood what he said to him.

Witness said he did not.

Chairman – How much did he understand?

Mr Griffin objected to the evidence of such a witness.

Chairman – Have you any other witness, Mr Lavelle?

Rev Mr Lavelle – I have not, sir.

Rev Mr Lavelle (to witness) – To the best of your belief – and for the wealth of the world do not tell a lie – which did Holmes or I appear on that occasion the more violent?

Mr Griffin objected.

Rev Mr Lavelle (to the interpreter) – Impose it on him, as he hopes for heaven.

Mr Griffin objected – This was humbug.

Munster Express 18 April 1863 page 5 Tramore petty sessions

Michael Power of Ballygarron against Catherine Flahavan of same place.
Defendant, his late wife's sister came to house and broke in window and demanded his wife's cloak....

Mary Flahavan, a younger sister of defendant, was sworn. She at first spoke in Irish, and said she could not speak English, but it being known to the clerk of the court that she could, she was induced to give her evidence in English, which she did in a most grammatical manner.

Johanna Power, the nurse tender, an Irish witness, corroborated the last witness in every particular.

....

The witness spoke the mother tongue with great volubility, and so rapidly that Mr Edward Hunt, who acted as interpreter, could not by any means keep pace with her.

The bench desired all parties to go home and live in peace.

Dublin Evening Mail 16 May 1863 page 3

Court of Exchequer – This Day

(Before Baron Fitzgerald and a Special Jury)

Action for alleged libel [...]

The action was brought to recover damages for a libel alleged to have been contained in a letter signed "WR Falkiner" published in the Mayo Constitution on the 4th December 1860, and of which it was charged that the defendant was the author. [...]

Michael Cavanagh, the plaintiff, examined through the medium of an Irish **interpreter** deposed that he was 84 years of age, and that he resided at Partry since he was a boy; he was evicted two years ago last Christmas; his son-in-law was in the house when he was evicted by the sheriff and a good many of the "King's army"; had a fire by the wall side when turned out; heard of a man being killed in the neighbourhood, but had nothing to say to it; heard of houses being burned, but why should he have anything to say to them? Got a notice to quit.

Mr Beytagh – Ask him was he solicited to send any one to school.

Mr Macdonagh objected. This was part of an unfounded slander upon Lord Plunket.

The evidence was rejected.

Cross-examine by Mr Dowse – I did not know Mr Casey until I came to this city, a week last Wednesday; I was brought here by Father Lavelle; there was another man, John Prendergast, brought here with me; I did not pay anything for counsel or attorney; Father Lavelle is paying for them; it is a good while since I heard of Mr Fowler; I cannot speak English nor read it.

Ask him does he know what a libel is.

Interpreter – I do not know what a libel is in Irish (laughter)

Mr Morris – They have no work in Irish for such things (renewed laughter).

Cross-examination continued – There were twelve tenants evicted on the same day with me; Tom Lally was one; his son was put into jail; the father and son lived in the one house; Edward Joyce was one of those evicted; he was put in prison "for making out that he was a liar".

Mr Dowse – That is the Irish for perjury. A high tone of morality (a laugh)

Saunders Newsletter 18 May 1863 page 3 court of Exchequer Saturday.

Michael Cavanagh, versus the Rev James F Fowler

Mr Blake was sworn as Irish **interpreter**, and through him the "administered to the plaintiff, Michael Cavanagh, an aged peasant, was examined by Mr Beytagh. ...

Mr Dowse – ask him if he knows he's plaintiff in this action?

Interpreter – he says he knows Mr Lavelle, brought him here; Mr Lavelle, brought him and another man, John Prendergast; he gave no money to support this action; father Lavelle is paying for all the fun here now; it was a good while since. He heard of Mr Fowler first; witness cannot read English; it is in consequence of the Constitution that he is brought into it; he cannot read Irish.

Does he know what a libel is? I don't know what a libel is. (Laughter).

At the instance of plaintiff's counsel. **Mr Carey, was sworn as additional interpreter.** Mr Blake having stated that he could only interpret to the best of his skill

Cork Constitution 19 May 1863 page 3 Court of Exchequer Dublin Action for libel

Michael Cavanagh v the Rev James Fowler – This was an action for alleged libel and oral slander. Damages were laid at £500. Letter in the Mayo Constitution.....

Michael Cavanagh, the plaintiff, examined through the medium of an Irish interpreter, deposed that he was 84 years of age, and that he resided at Partry since he was a boy; he was evicted two years ago last Christmas; his son-in-law was in the house when he was evicted by the sheriff and a good many of the “King’s Army”, had a fire by the wall side when turned out; heard of a man being killed in the neighbourhood, but had nothing to say to it; heard of houses being burned, but why should have anything to say to them? Got a notice to quit.

Southern Reporter and Cork Commercial Courier 19 May 1863 Court of Exchequer

Michael Cavanagh v the Rev James F Fowler

The action was for written libel. Damages were laid at £500. The defendant pleaded amongst other defences, that he did not publish the alleged libel; that it was not a libel; and that he did not publish it in the defamatory sense imputed....

Mr Blake was sworn as Irish interpreter, and through thim the oath was administered to the plaintiff Michael Cavanagh, an aged peasant who was examined by Mr Beytagh – He deposed that he was 84 years of age and had been a tenant on Partry since he was a little boy. Doses not recollect when Lord Plunket became owner.

Mr Dowse – Ask him if he knows he is plaintiff in this action?

Interpreter – He says he knows Mr Lavelle brought him here. Witness cannot read English. It is in consequence of the Constitution that he is borught into it; he cannot read Irish.

Does he know what a libel is? I don’t know what a libel is (laughter)

At the instance of plaintiff’s counsel Mr Carey was sworn in as additional interpreter, Mr Blake having stated that he could only interpret to the best of his skill.

Mayo Constitution 30 June 1863 page 3 Important poor law enquiry at Achill – outdoor relief – charges agasinst the guardians and officials, by the Rev Edmond Thomas RCC – alleged deaths by starvation

Dr Brodie, the experienced and efficient Poor Law Inpector for this district

The gentleman against whom he directs his most serious attack is Wm Pike, JP, of Glendarary House, a gentleman who, together with being the owner of estates in England, and in other parts of this country: is proprietor of three fourths of the island of Achill, which represents a gross area of 54,000 acres....

Mary Gallagher, the first witness, evinced a desire to be sworn in Irish.

Rev Mr Thomas – She can tell her story best in Irish.

Dr Brodie – I want to know whether she speaks English or Irish.

Dr Evans – I heard her speak English.

Rev Mr Thomas – She does but not well; she cannot tell her story in English. I say it is not fair.

Dr Brodie – It makes no great matter now – where is the interpreter?

Mr Pike – Perhaps Mr McHugh would act as interpreter.

Rev Mr Thomas – he is a poor law guardian.

Mr Pike – He is not. However, I am sure he would do what is correct. Here is Moran.

Rev Mr Thomas No – he is the bailiff of Mr Pike

Mr Pike – I have no feeling whatever in the matter; but I will not be roughed in this way.

Rev Mr Thomas – I do not want you to do so.

Mr Pike – I could not allow you if you were ever so well inclined.

Rev Mr Thomas – My gown protects me from that; only for that I would give you another answer.

Mr Pike – Oh, we are losing time with this gasconade – There is Thomas McNulty, perhaps he would kindly act.

Rev Mr Thomas – I object to him.

Dr Brodie – Well, you have not suggested any one; and I will have McNulty sworn.

After a brief delay,

Dr Brodie decided that Mary Gallagher could speak English. She was accordingly sworn.

Hearing adjourned to next day.

The Waterford News 3 July 1863 Dungarvan Correspondence Sessions - Saturday

Wages – Mary Connors charged Patrick Terry with owing her £2 3s, she being in his service nine months; she got to the amount of 27s, and there was a balance of, at least, 18s due to her. Court: What had you per quarter? Complainant: I had 15s. Hackett, the interpreter, stated to the court that Mrs Terry told him she agreed with complainant for 12s a quarter. Court: It was the duty of Mrs Terry to attend and defend her case. Complainant said she had 15s the first quarter, and that her mother settled with Mrs Terry for the last two quarters. The mother of complainant deposed that she went to Mrs Terry, when her daughter's time was up, to bring her home, as she would get 18s in another place; Mrs Terry said "Let her remain and I will allow her 12s: I have not much to do". Complainant said she would not remain if she did not get the 15s per quarter. Decreed for 18s with costs. Adjourned

Dublin evening mail 17 July 1863 page 4 County of Donegal whiteboy case.

The Queen , versus Dominick Molloy and several others.

Lifford, July 15 – the prisoners were indicted for it that they unlawfully, riotously, and maliciously did assemble, in the island of Arranmore, on the night of Monday, 9 March last, and did break into the house of Hugh Montgomery, and there did assault him, against the peace, &c.

As most of the prisoners were unable to understand the indictment, it was interpreted to them by an Irish **interpreter**. They pleaded not guilty....

Southern Reporter and Cork Commercial Courier 18 July 1863 Donegal Assizes important whiteboy case

The Queen v Dominick Molloy and several others

Lifford, Wed July 15 – the prisoners, eleven in number, were indicted for that they unlawfully, riotously, and maliciously did assemble, in the island of Arranmore, on the night of Monday ,the 9th of March, last, and did break into the house of Hugh Montgomery, and there did assault him against the peace &c.

As most of the prisoners were unable to understand the indictment, **it was interpreted to them through the mouth of the Irish interpreter**. They pleaded not guilty....

Patrick Coll and O'Donnell were sentenced to four years' penal servitude; the rest to twelve months' hard labour

Cork Examiner 24 July 1863 page 2 County Court – This day Criminal business

Jeremiah Leary was indicted for having stolen two lambs, the property of Daniel Crowley, Insihannon. The case was lately brought before the magistrates at the Police-office, and fully reported. [...]

Patrick Harrington, Irish interpreter, was examined and gave the prisoner a good character. [Should be Philip Harrington]

Ballyshannon Herald 24 July 1863 Assizes Intelligence County of Donegal Crown Court Whiteboy offence

Charged with forcibly entering the house of Hugh Montgomery, on the island of Arranmore, assaulting him and robbing him of goods and money. The prisoners pleaded not guilty.

All Irish speaking witnesses were examined and cross examined through interpreter

Irish Times 1 August 1863 Summer Assizes 1863 Galway The Murder Case

John Tierney, an Irish witness, was **examined through an interpreter**

The jury were not allowed to separate; bailiffs were placed in charge of them; and his lordship ordered them to be supplied with refreshments.

Galway Vindicator 19 September 1863 page 3 Local Reports Petty Sessions – Burke, Starkie, Comyn, Blake Forster

Assault on bailiffs. John Glynn, Bridget Barrett, John Kearns and Ellen Bane were brought up charged with having on the 7th September assaulted Michael McTigh at Curcullen.

Mr Edmond Concannon appeared for the complainant, and Mr Regan defended the prisoners.

Michael McTigh, whose head was bandaged and bore marks of severe ill-usage, was examined by Mr Concannon through Mr Reid, Irish Intepreter.....

The Irish Times 1 August 1863 ‘Summer Assizes 1863 – Galway’, 3.

The Murder Case [Daniel McQuelter]

John Tierney, an Irish witness, was examined through an **interpreter**.

The Irish Times and Daily Advertiser 5 August 1863 ‘The Romance of the Peerage: The Egmont Case’, 3. Galway

Grattan v Daly dispute about a plot of land

Martin King was examined by Mr Monahan through an **interpreter**, and corroborated the testimony of the previous witness.

Cork Examiner 23 October 1863 page 2 The Threatening notice case at Youghal

An adjourned enquiry was held yesterday in the bridewell, Youghal, before Captain Barry RM, into the charge brought against Martin Sweeney, of having threatened the Hon Mr Smyth and posted a threatening notice on the door of the house of one of My Smyth’s tenantry. The prisoner is a quiet-looking young man.

Mr W Parker, solicitor, appered on behalf of Mr Smyth. [...]

Owen McCarthy was examined and gave his evidence in Irish, Mr Parker acting as interpreter. He disposed to having seen Moriarty’s hay rick on fire, and having found the notice on the door; the notice was pasted on the door; could not read but believe the document produced to be it; gave it to Mr Hutchinson.

The Irish Times and Daily Advertiser 5 December 1863 ‘Trawling in Galway Bay’ Commissioners of Fisheries

Mortimer Daly was examined through an **interpreter**.

Eleven other witnesses spoke English.

1864

Cork Examiner 26 January 1864 page 2 Editorial

Every one knows the habit so common amongst the country people, when compelled to appear as witnesses, of refusing to speak English, evidently in the belief that they may be overreached unless they have the privilege of speaking a tongue whose niceties are more thoroughly known to them.

Freeman’s Journal, 30 January 1864, page 4 The Education Question –Emigration –Flax and the Marriages Act

In a Lenten Pastoral addressed to the clergy and laity of the diocese of Tuam, his Grace the Most Rev Dr **MacHale**, Lord Archbishop, thus refers to the subjects indicated above: -

Education through the English, and forbidden through our native language, became the insidious instrument of that policy; yet though long and vigorously at work, and wielded by hands at once skilful and powerful, fortunately it has not succeeded. It is not a matter of conjecture, it is a matter to which we can bear personal testimony, that giving any valuable education to the Catholic people of Ireland was a matter of utter indifference to some of the projectors of the present system of education, compared to the amalgamation of the races, and if possible of their religion, by the destruction of the language of Ireland. But, now that the depths of their anti-Catholic schemes is revealed to the world by their creating and fostering schismatical schools, and endeavouring to seduce the youth from their faith, and their spiritual allegiance to their pastors, we should view with no less alarm their designs to extinguish the language of our people. To what tyrannical lengths this hatred of our people and their language is carried is manifest by the scenes that so often occur at sessions and assizes, when solicitors, advocates, justices, and barristers, brow-beat Irish witnesses forcing them to give evidence in a foreign tongue which they do not understand.

The Irish Times 9 February 1864 'Literary Notices: Dublin University Magazine for February', 4.

An Irish-English Dictionary. By Edward O'Reilly. Dublin: James Duffy

It is the only medium through which instruction can be conveyed to at least four fifths of the people of Ireland.

The great utility of this language to the lawyer is proved frequently in the year. In every county, at every sessions, trials occur in which prisoners or witnesses can be heard only through the medium of an interpreter, probably but ill qualified for the office.

Londonderry Sentinel 15 March 1864 Shooting at the person Crown court (probably Donegal)

Andy Rogers was indicted for shooting at Thomas McGee, with intent to disable him, on 26th January last, at Mullaghderg. The prisoner pleaded not guilty ...

Thomas McGee was examined thorough an interpreter

Guilty –six months in jail

Southern Reporter and Cork Commercial Courier 16 March 1864 Cork spring assizes Charge of rape

John Coghlan was indicted for violating Catherine Coghlan, a married woman, on the 12th of November at Common Mountain.

Catherine Coghlan was sworn and examined by Sir Colman O'Loughlen – As she stated she could speak no English, the services of the interpreter had to be called into requisition.

Mr Wright, solicitor, said the woman could speak English.

The Court told her that she would not be paid her expenses unless she spoke English.

.... Mr Murphy – Come now, my good woman, did you not speak English within the last week?

The witness seemed to understand the question, but replied to it in Irish.

Cross examination continued

... prisoner acquitted

Waterford Mail 16 March 1864 page 3 Waterford Spring Assizes – County Court

Patrick Coffey was called, but was unable to speak English, the interpreter was absent, and was fined £5. After some delay the interpreter came into court and was cross-examined by Mr W Ryan.

Denis Meara, examined by Mr O'Donnell QC, through the **interpreter** – I live at Runatounpaun; I knew Connolly's house; my house is about a mile from his; I recollect the day Connolly was missed;

Waterford news 18 March 1864. County Court

Patrick Coffey examined, through the Irish **interpreter**, by Mr Ryan – lives half a mile and half the quarter from Congress house; was at Connolly's house that morning. He was Mr; that was on

Tuesday; saw the prisoner, his daughter, and commonly there; the prisoner put a handle in a stage for him; Connolly went out to dig potatoes in the garden; never saw him alive after that; saw the police, raising a head from the father, but could not say it was Connolly's head.

Munster Express 19 March 1864 page 5 Waterford Spring Assizes Frightful murder

Thomas Walsh was placed in the dock and charged with having foully and willfully murdered an old man named Thomas Connolly, of Collnacrasca, near Ballymacarberry..on 29th September last..... Patrick Coffey was called, but was unable to speak English, the interpreter was absent, and was fined £5. After some delay the interpreter came into court and was cross-examined by Mr W Ryan. ... Denis Meara, examined by Mr O'Donnell QC through the interpreter....

Cork Examiner 16 April 1864 Mallow Mallow quarter sessions Robbery of £18

Mary Connors was indicted for stealing a sum of £18, the monies of Julia Healy, on the 1st of November, at Lisnacon, near Kanturk.

Mr Pigott appeared as counsel, with Mr C O'Callaghan as agent, for the prisoner.

Julia Healy, the prosecutrix, an old begarwoman, who stated she had no certain place of residence, **was examined by Mr O'Connell, through an interpreter, as she only speak irish....**

Prisoner acquitted

Southern Reporter & Cork Commercial Chronicle 7 May 1864 Skibbreen petty sessions

John Molony and Michael Molony a Thomas, John, James and Margaret Barry. This case was for an assault. There was a cross case also by the Barrys. Both cases were heard together.....

Re-examined by Mr Fuller – My son was at the bog before me. He was not long when he returned and said that the Molonys had broken the turf, I took a shovel with me. Molony struck me with a shovel, and knocked off my hat. The hat produced. It has no mark on it. It was with the fist of the shovel he struck it. All was over when Owen Keefe came. My son James was present. I did not see my son or anybody else strike Michael Molony. I was down at the time. I saw no one strike John Molony. I did strike him (this answer was not given up by the interpreter).

Munster Express 2 July 1864 page 5 JN Higgins v Some Tenants at Glenary Waterford Quarter Sessions

This was a suit to try the question of title under a landlord of cutting turf on a commonage near Clonmel.

Patrick Curran examined by Mr Anderson through an interpreter....

Clare Journal and Ennis advertiser 7 July 1864 page 3 Daly v McGuire record court

Mr Brereton, QC, briefly addressed the court for the defendant, contending that portion of the work done before. Mr Daly came into possession, and she only got redone by Mr Donahoe, for the carrying out of which they were now suited for. He (counsel), asked the jury to take into consideration the fact, that, while the plaintiff was a shrewd man of business, the defendant was an **illiterate man did not speak English, and for whom the arrangements of the lease had to be interpreted by an Irish interpreter.**

Waterford news 8 July 1864 page 4 petty sessions.

Patrick Hackett, interpreter to the court, against same* for striking and cutting him on the evening of the 28th ult, while in the discharge of his duty in serving him with a summons. Complainant stated that he did not wish to have him severely punished. The sentence of the court was two months imprisonment.

*McGrath seemed to be in court a lot on various charges

Kerry Evening Post 16 July 1864 page 3 Co Kerry Assizes The Criminal Business

Patrick Sullivan was then placed in the dock, charged with manslaughter. Prisoner defended by Mr Muphy BL instructed by Mr Edward Morphy soicitor

Mary Mahony,-widow to deceased, was examined through an **interpreter** as to her condition, by Mr. Henn —Recollected the day of the quarrel; left the bog before her husband, and went to meet him again when be was not able to come; went to a dung-hill near the house, and then tuned back to meet him; be could not come home across the ditch without getting on both his knees; he let himself down on his knees. Mr. Murphy—As any man climbing a ditch would do. Witness—Assisted deceased to cross that ditch, and another between him and the house; went in along with him; her little girl was preparing the breakfast before them; he was complaining of pain; he lay down after he had taken two or three spoonfuls of his breakfast; he desired her to remove the ware; there was a bed in the house, but he did not wait to go on it; only to stretch on the table; the bed was occupied by sick children in small pox; the deceased man lay down upon the table, and was screaming with pain; be was complaining of his heart and chest, and had a swelling about the stomach; she observed it herself, and was obliged to be stuping him with hot cloths until Dr. Mayberry come to him, which be did, on the same day, having been sent for by witness; on the following day after breaktast the deceased man was removed to hospital; was present when the deceased man died on the Sunday night after he was removed to hospital; was present when her husband swore an information while in hospital.- His Lordshi p—It was not a dy ing information. Mr. Murphy, in cross-examination—Did you say; In good English, he was not able to eat anything ? Witness (through interpeter)—I swear I did not, I did not speak any English since I came on the table; I never speak it before gentlemen; never, unless wben speaking a little to the children, who speak but little English , never having been at school; deceased told her not to speak Irish to them. Mr Murpby—If you do not speak English you will get no expenses. Do you know what I am saying ? Witness—Not having the question explained, I do not

Londonderry Standard 27 July 1864 page 2 manslaughter. Assize intelligence County of Donegal

Mary Doughan was indicted for having, on seventh June last, feloniously keeled one Catherine Gallagher. The prisoner pleaded guilty, and threw herself on the mercy of the court. She was ordered to stand aside. The indictment and pleading were conducted through the medium of the **Irish interpreter**.

Kilkenny Journal and Leinster commercial and literary advertiser 19 October 1864. October quarter sessions County Court. Kilkenny

Thomas Branigan was indicted for having stolen £3.06 shillings the property of John Ford, on 26 August.

The prisoner pleaded not guilty,... The prosecutor, a county Galway man who was unable to speak the English language, was examined in Irish, through an interpreter, Constable Murphy, Freshford.

1865

Skibbereen Eagle 7 January 1865

INTERPRETER WANTED. CORK COUNTY—WEST RIDING. I HEREBY GIVE NOTICE that tht CHAIRMAN will at MACROOM SESSIONS on WEDNESDAY NEXT, at 10 o'clock, a.m.. SELECT and APPOINT a fit and proper PERSON to the Office of INTERPRETER for the WEST RIDING el a Salary of £30 a Yaar. By Order, JAMES RICHARD BULL, Clerk of the Peace-

Mayo Constitution 14 March 1865 page 2 Mayo Assizes Report of the Finance Committee appointed this assizes

The Committee, however, recommend the following matters to the attention of the Grand Jury:

They consider £8 a year sufficient salary to the interpreter at assizes and £16 a year for the interpreter at quarter sessions.

The Committee further considers that assistant criers at [petty] sessions and an interpreter are unnecessary and illegal, and should be dispensed with.

Galway Vindicator 15 March 1865 page 2 OPENING OF THE COMMISSION TOWN COURT JUDGE CHRISTIAN

WR Starkie Esq RM examined by Mr Concanon – Is a magistrate of the county, and county of the town of Galway; investigated the complaint against the prisoner; took the depositions of the deceased Ellen Connor; she was sworn in presence of the witness; she was an Irish witness and was examined through an interpreter, the prisoner cross examined.

[..] Mr TJ Reid examined by Mr Concannon – Is county interpreter. Was present when Mr Starkie the resident magistrate, took the depositions.

Mr O'Neill then read the depositions, which were to the effect that she had received a kick on the thigh from a prisoner on the 4th of February at Mr Foley's house.....

Morning Post 11 July 1865 page 6

Deputies, poll-clerks, inspectors, constables, and (for Irish constituencies) **interpreters**

A Manual of the Practice of Elections in the United Kingdom, with an appendix of statutes and forms, second edition (re-issue) by Henry Jeffreys Bushby, of the Inner Temple, barrister at law. London: Stevens and Haynes

Nation 22 July 1865 'Mr Billington Again', 11.

At the Mayo Assizes on Saturday, a case was brought forward by the plaintiff, Ellen McCormack, formerly a servant in the employment of Benjamin Billington, to show cause why he should not contribute to the support of a child of which he is the alleged father.

The plaintiff, Ellen McCormack, a girl of the peasant class, of a modest and retiring appearance, and apparently not more than twenty years of age, was sworn and examined. **The plaintiff, who gave her evidence in Irish, was examined through an interpreter.**

Clare Journal 12 October 1865 Killadysert petty sessions

Michael Bean, an old and troublesome acquaintance of the bench, summoned John Kelly for 10s, the hire of a horse and guide for two days at 5s per day.

The defendant, who delivered his evidence in the Gaelic language, which was translated for his Worship by an **interpreter** unhesitatingly admitted that he received the two days of the horse as stated by complainant but averred at the same time that he had already compensated and indemnified him for the services rendered.

His worship having heard the particulars of the case pro and con, considered that, under the circumstances, the complainant was entitled to 2s 6d and costs, and an order for that amount was accordingly made.

1866

Southern Reporter and Cork Commercial Courier 6 April 1866 page 2 Police Office

Margaret Lehane, an aged country woman, summoned a lad named Connell for a severe assault, by striking her on the forehead with a stone. **Being unable to make a statement in English, her complaint was dismissed**, although Head Constable O'Neill, and perhaps a dozen other persons might be found in court who could interpret for her.

Mayo Constitution 10 July 1866 page 2 Assizes and Sessions

The anomaly is this day presented in this county of having a court of assize and general gaol delivery, presided over by one of the most eminent of the judges, and a record court presided over by one equally eminent, whilst at the same period of time we have a court of quarter sessions being held at Swinford, and which is likely to continue its sittings for a day longer, or, in fact, during the continuance of the assizes. It does seem to us inconsistent with the due administration of the law that this should be so, inasmuch as it prohibits the presence of the professional gentlemen and the officials, suitors and jurors in one of the two places. For instance, the Clerk of the Peace is bound to be present at the hearing of appeals, and equally bound to be present at the quarter sessions. To do so, we would say, is impossible. **The interpreter is also for both courts.** Then comes the solicitors who are placed in an awkward position towards their clients, and serious loss to themselves individually, as well as to the public, and last, such portion of the public as are necessitated to attend at sessions. We say that this state of things should not have taken place, and we trust that no similar circumstance shall again demand further notice, as some little deference must be paid to the public by having the arrangement of the time for holding the courts and it is fortunate the business is unusually light at this assizes or the result might be very serious to suitors, the profession, public officers, and others.

Freeman's Journal 18 August 1866 4

President – Has the prisoner any questions to ask?

Prisoner – None; but I would suggest the propriety of the witness employing an **interpreter** before he again gives evidence to gentlemen.

President – Your remarks are impertinent – you must not again make such observations. The evidence was read over to you, and if you did not understand it you should have said so at the time

Cork Examiner 21 December 1866 page 2

Youghal Petty Sessions – Yesterday

(Before Colonel Davis, Messrs C. Egan, JS Carberry, J Wilkinson and EF Ryan, RM)

A small farmer named Murphy summoned another small farmer named Stack for the trespass of eleven head of cattle, including five cows, three heifers, and three calves, on his land at Summerfield on the 16th and 18th inst. **Both parties being unable to speak English were examined through the official interpreter.**

1867

Galway Vindicator 23 January 1867 Petty Sessions

There were a large number of cases for hearing. The large attendance of magistrates was owing to appointment which was to be made in connection with the court – that of summons server.

There were two candidates for this office, **Francis Mannion, a respectable solicitor's clerk**, and John Chambers, a late member of the constabulary force. Mr Chambers handed in his application in writing, and Mr Mannion applied personally.

The Attornies present, Messrs McNamara, Regan and Blake, recommended Mr Mannion very strongly, and especially on the grounds that he could act as interpreter.

Mr Mannion was appointed by the casting vote of the chairman.

Tralee Chronicle and Killarney Echo 12 February 1867 page 3

Quarter Sessions Interpreter

We are authorized to share that the office of interpreter at Quarter Sessions has been filled up by the joint selection by the learned Chairman of Messrs Michael Collins and Patrick O'Sullivan. The appointments are sure to give satisfaction, that of Mr Collins especially will be received with gratification, as he is known to be well qualified for the office.

Kerry Evening Post 13 February 1867 page 2

Quarter Sessions – Irish interpreter

The vacancy in this office, caused by the recent death of John Dodd, has been filled by the division of the duties and the appointment thereto of Mr M Collins, the present interpreter at the assizes, and Mr Patrick O’Sullivan. These are on the gift of Mr Barron, the chairman of the county.

Tralee Chronicle and Killarney Echo 1 March 1867 page 4 Kerry Spring Assizes

Grand Jury Room – Tuesday Quarter Sessions Interpreter

Mr Mason, Deputy Clerk of the Crown, said he was desired by Mr Barron, Chairman of the County, to ask that two interpreters be appointed for the county instead of one.

After some discussion it was agreed that two interpreters be appointed, one having the northern, and the other the southern portion of the county, at the respective salaries of £12 and £18 a year.

Kerry Evening Post 6 March 1867 page 3 Kerry Spring Assizes

A jury was then sworn to try Patrick Clifford.

Serjeant Barry stated the case for the crown.

Mary Sullivan, sworn and examined in Irish through the interpreter, said—I am wife to Martin Sullivan, and was daughter of James Leyne, the deceased ; I remember being at Waterville Petty Sessions in July, 1866, In company with Daniel Sullivan, Timothy Sullivan, Patrick Sullivan, Ellen Sullivan, and Mary Leyne (her mother) ; after the petty sessions we went to Patrick Sullivan's public-house; my father, the deceased was there; another party consisting of nine persons came to the house after we came there; their names were Patrick Sheehan, Patrick Kelly, Patrick Sheehan (2nd). Thomas Gallivan, John Shea, Darby Sbeehan, Patrick Daly, and Patrick Clifford (the prisoner); my party were in one room, and the prisoner's party in another room ; we did not delay long, but it was night when we left the bouse; I heard no difference in the world between my party and the prisoner's; when we left the public-house I saw Clifford and his party on the road; the deceased was leading ft horse; there were stones thrown at my party, but not near the public-house; Darby Sheehan threw a stone at my party; we went to a National school house ; when Patrick Daly, James Shea, and Patrick Clifford roee Dp inside a urze hedge aud threw at our party, ami one of them struck the deceased he got two blows; the first on the back when his hat fell off; one of our party was putting on the hat when he got the second blow of a stone on the right side of the head; the stones which struck the deceased came from the three persons I named; I saw no others there but the three ; it was a moonlight night; the deceased went to Patrick Sullivan's to Mastorgeehy, but did notstop long; I was riding behind the deceased, but got into my own cart, and did not see him again that night; the deceased died immediately after getting the blow on the head.

Cross-examined by Mr. Fitzgibbon—The witness said it was about a summons against a Michael Walsh that they were at Court; she did not see Walsh at all on the road; her party had some drink at Sullivan's pubhichouse; hor mother had the signs of drink on her, but her father, the deceased, had not; she did not see the deceased fall when he got the blow on the head ; it was after he got the blow on the head that she rode behind the deceased; she said at the inquest that the stones were thrown from the road and over the ditch too.

Daniel Sullivan, **another Irish witness, sworn,** said—He was at Sullivan's public-house in July last; he left with the deceased's party ; he saw stones thrown near,the National school-house ; one man on the road threw a stone but hit no one; he saw other stones thrown over the ditch; three stones _enme at the first volley; he did not know if they struck any one; two stones came from the same place in the second volley they both struck the deceased; one hit him on the back and threw him down and his hat fell off; he (witness) took up the hat, but before the deceased could recover himself he got the second blow on the right side of the head; they had passed the school-house at the time; when the deceased got the second blow there were streams of blood flowing, and he said God help him that he was killed; he saw three men running away without their coats after the stones

were thrown ; they did not look at the deceased's wounds, as they were afraid of the men behind!
Cross-examined—The witness said he did not see Clifford, the prisoner,' among the men they met; near the public-house; he heard tho deceased complain of the blows ho received; he complained most of the blow on the back.

Southern Reporter & Cork Commercial Courier 19 April 1867 Macroom murder inquest

Catherine Kelleher was the next witness. She was examined **through an interpreter Mr Michael Brosnan**, as follows: - Having been sworn, she said – I am the daughter of the late Denis Kelleher; I am not married; I was in Macroom with my father and the Twohigs on the 12th of this month; it was a fair day there; I left Macroom.....

Examination continued – This boy commenced to scold, and the boy then knocked down her father.

Coroner – That is not the evidence before us, but let it be clearly understood. It is better not to have any discrepancy.

In answer to the interpreter, the witness said it was not the boy but one of the two who came.

Mr Murphy (Juryman) – The witness is going on very well if we get a direct answer to each question; she is giving the same evidence as the last witness.

To the interpreter – It was the boy knocked Twohig down.

Head-constable - I think she says it was one of the two.

A Juryman suggested that the Coroner put the questions to the interpreter and get a direct answer.

This course was adopted, and the witness continued....

Mr Murphy (juror) said the witness gave her evidence clearly, but it was owing to the difference in the interpretation.

A constable of police said what the witness meant to convey was that Twohig was struck by the first man who came up.

Clare Journal 15 July 1867 Ennistymon petty sessions

John Lyons summoned John Doherty for allowing 8 of his cows to trespass on his grasscorn. The complainant stated his case in the mother tongue an **interpreter** being employed, who explained that the cattle came into plaintiff's grasscorn off the public road. Defendant requested an adjournment of the case to next court. The bench not seeing sufficient reason for such rules 8s fine and costs.

Irish Times 30 July 1867 'County of Mayo Crown Court Castlebar', 4 (Before the Hon Mr Justice O'Brien) Rape

John Broderick, an old man of about 80 years of age, was indicted for committing a rape on a little girl of about eleven years of age of the name of Biddy Egan. It appeared from the child's evidence, as also from her mother's, that the child went out to mind the cows that were grazing in a field, the property of Mr Burke, Thornhill, in the neighbourhood of Kul-tye-Magh, on the 10th of September last. That at the same time, it being then about 8 o'clock in the morning, the mother was out in the fields digging potatoes for breakfast; that the old man, the prisoner, who was lame and who could not walk ten steps without his stick, stole over to the child, knocked her down and committed the offence complained of. The mother, hearing the child scream, ran over to the sport, when she seized his stick and beat him with it; he then hobbled off as fast as ever he could go. Both father and mother went to the doctor and before a magistrate, when a warrant was issued for the apprehensions of the accused.

The prisoner denied that he ever committed the offence complained of, and the case set up by his counsel was that he held a small house and bit of land near where the Egans lived, that they were most anxious to turn him out of it, as indeed it appeared, and that they had no easier or shorter way than to trump up this story against him. This defence was plausible enough until the doctor was examined, and his evidence dispelled all doubt.

The prisoner, not understanding the English language, the learned judge caused the interpreter to translate to him into Irish word for word the notes his lordship had taken of the evidence.

The jury found the prisoner guilty.

Sentence deferred.

Ballyshannon Herald 10 August 1867 county of Donegal Assizes. Crown Court

Sent to or caused to be received by Wm Kearney of Erraroory, letter threatening to kill and murder him. This case was tried at the last assizes, when the jury was discharged without agreeing to a verdict. John McGee 40, charged

Examined through an interpreter

Verdict of guilty

Twelve calendar months' imprisonment

Southern Reporter & Cork Commercial Courier 12 August 1867 Kerry summer assizes Trial of Captain Moriarty for treason-felony Charged with being a member of Fenian Society

Patrick Connell [Connor in Cork Constitution same date] **was the next witness examined and gave his evidence through the medium of an interpreter.** He said he was a farmer at Dereen, to the west of Cahirciveen; I know the prisoner at the bar; he was staying with me before last Christmas – two nights before it; prisoner told him he came from America and was not well in health; I heard of the rising; the prisoner left witness's house the day before the rising; he did farm business while in witness's employment; prisoner during that time called himself Morty Shea; the prisoner used to go to Cahirciveen occasionally; knows a man named Kelly, who lives a short distance from witness's house; knew the prisoner to go two nights to Kelly's, gambling for fish with him (laughter)

Connaught Telegraph 4 September 1867 Castlebar petty sessions

Catherine Freeny, of Boham summoned her son Thomas Freeny, to show cause why he should not be placed under a rule of bail for having used abusive and threatening language towards her. **She could not speak English and gave her evidence through the interpreter.**

Cardiff Times 7 September 1867 page 7 Cardiff police intelligence

Wife beating – John Donovan, a cattle dealer, living in Charlotte-street, was charged with flinging a poker at his wife Joanna, which had struck her in the leg. The old woman told in Irish, which was **interpreted** to the Court, that the defendant had been illusing her for two years past, but she had refrained from giving him in charge until Friday night, when she threw a poker at her, the sharp point of which stuck in her leg. The defendant declared that the wife had threatened him with a knife, before he threw the poker at her. PC Tidball, who arrested the prisoner, stated that he saw the woman's foot where it was wounded; the poker had gone completely through the instep and blood was flowing from both sides of the foot. The Bench sent the prisoner to jail for two months' hard labour.

Connaught Telegraph 18 September 1867 page 4

Robbery and attempted murder- Honoria Kennedy, of Ballivary, was brought up in custody, charged with having attempted to murder Anne McHale, of Laughtavary, and also with having robbed her of £14 3s. the prisoner is a young, strong looking woman, and had an infant in her arms. Up to the time of her arrest she resided in the town of Ballivary. Her husband was in England for some months prior to her arrest and did not return until about a week ago. The prosecutrix is a very old and feeble woman, a widow, and resides with her sons at Laughtavary, near Ballivary. **She could not speak English and gave her evidence through the interpreter.** [Prisoner committed for trial]

Clare Journal 23 September 1867 page 3

Ennistymon petty sessions Dangerous assault

Thomas Donovan v Pat Griffy and Ellen Griffy

In this case Mr Henry E Reilly appeared for the plaintiff and Mr Thomas Shannon appeared for the defendant. The plaintiff, Thomas Donovan, said he was unable to speak English (at least he said he was not able to give his evidence with sufficient intelligence in that language) was then allowed to give evidence in the mother tongue **the bailiff of the court being employed as interpreter**. Case adjourned.

Derry Journal 30 October 1867 page 1 Letterkenny quarter sessions assault.

Daniel Gallagher was indicted for that he did unlawfully assault one Michael McBride, on 5 August, 1876, at Ardnagappa, in the County of Donegal, so as to cause actual bodily harm, and in a second count with a common assault. Mr Martin, SCS, prosecuted, and the prisoner was defended by Mr Murray. The prisoner pleaded not guilty, and was given in charge to the first jury.

Michael McBride, examined by Mr Martin, SCS, through an Irish **interpreter**, deposed that the prisoner struck him with a hook on the head intentionally.

Freeman's Journal 1 November 1867 page 4 Commisison Court Trial of John Warren

A man named Whelan, form Ballinagoul, near Dungarvan, was next called to give evidence, **but as he intimated that he could not speak English** he was put back.

1868

Waterford Standard 8 January 1868 page 2

Waterford quarter sessions

Criminal Business. Child Mary Carthy was indicted for having on the 15th December exposed a child named James under two years of age, on the public road near Ronmahoa, thereby endangering his life. The prisoner who professed not to understand English intimated through an interprter that she left the child on the road, but wrapped it carefully, and this was taken as a plea of not guilty. Petty jury sworn....Constable James Burns deposed – I am stationed at Mahon; I recollect the 10th of December, when I arrested the prisoner, and cautioned her not to say anything to criminate herself. Next morning she said she would tell the truth, and I cautioned her again. To the Court – she can speak English and Irish (laughter). Evidence continued – She confessed to having left the children in passage leading to a farmer's house. Guilty verdict, six months' imprisonment.

Ballinrobe Chronicle 9 May 1868 page 1 Ballinrobe Petty Sessions

M Feeney v P Darmody, for an assault on the 13th ult

Mr Griffin, for defence, said he hoped Feeney would follow the example of Rev Mr Lavelle, and withdraw the case.

Mr Blake said he did not think the case against Feeney was for an assault.

Mr Griffin though the other case was worse; many a man would prefer a trivial assault to be called bad names.

Mr Blake – Feeney has been most wantonly assaulted, and under peculiar circumstances; he would go on with it.

Michael Feeney, an Irish witness (**Mr John Cunningham** having consented to act as interpreter), examined by Mr Blake – Knows Darmody, the defendant. When going home to Partry, from Ballinrobe, on the evening of the court day, he had Rev Mr Lavelle processed, Darmody came up to witness, on the road, and spoke to him; did not do anything to Darmody when he went the right hand side of the road and gave witness two thumps in the neck; they did not hurt him very severely; he did not strike Darmody, nor say anything to offend him when he came up; did not speak to Darmody until he spoke to witness first; there were other persons on the road; and Darmody's wife,

who was striving to keep him quiet, and from striking witness again. Darmody did not charge witness with saying or doing anything to himself before he struck him.

Cross-examined by Mr Griffin – Was often in England for the last ten years; was in Chester; might speak a little English, but is satisfied he would not be able to speak English well enough to tell his story; got employment in Chester; is not afraid to tell the name of the man he worked for there.

Mr Blake submitted that his being in England, or who he worked for there, had nothing to do with an assault committed on the high road near Ballinrobe.

Mr Griffin said it had, for he wanted to show that Feeney should have spoken English while employed in Chester, and that it was too bad he would not do so now; his speaking Irish was merely a cover for falsehood.

Mr Blake – This is not a nice way to get out of an assault case; it is clear you have no merits to stand on.

Mr Griffin – I will show that before I am done with this lad, who has no respect for anyone, not even his clergyman.

Cross-examination continued – Had a case against Father Lavelle, the day he met Darmody, was vexed when he was dismissed, and abused Father Lavelle that day; had not a great deal to say about it on the road when Darmody was passing; did not speak a word until Darmody first spoke about it. He abused witness for having gone to law with the priest, and then struck him two thumps; did not call Father Lavelle a rogue and a robber before he was struck by Darmody; said it in court that day, but not on the road to Darmody; did not abuse Darmody when he said it was wrong for him to process Father Lavelle; but said to Darmody, if he had anything out for himself and would not pay him, that he would do the same. Was not drunk at the time; did not take any intoxicating drink that day; did not abuse the magistrates that day because they dismissed the case; maybe, he said, if he got justice, they would make him pay; that was not abusing the magistrates; the police of Partry know witness, and can give him a good character. Was once summoned for an assault; was summoned by Thady Derrig; but he was worse than witness. Was summoned for beating his wife; but it was they commenced the thing, and Mr Kenny knew that, as did also Mr Griffin, who defended him that time. Will swear that he did not call Father Lavelle a “rogue and a robber” before he left the court that day. Darmody said it was a shame for him to do what he did, and to speak that way of his priest. Witness said it was wrong for him that he did not pay, and explained the nature of the case. Defendant did not say witness was an ungrateful fellow to attack Father Lavelle, who had often fed him, and took the hunger out of his belly; but he said that Father Lavelle often fed witness; told him he did not; will say the same now, he never took the hunger off him; if he had hunger in his belly it was Mr Lavelle often put the hunger in him, the way he was with him; did not rush at Darmody and knock off his hat; was not inclined to fight with him, but was intending to return to Ballinrobe for a summons; did not see Darmody’s hat on the ground or knocked off at all; was not long confined to bed from the blows; had not to go to the doctor about it, was not much hurt; but only for how the people were saving him he would be much hurt; witness paid for the summons himself, had the money of his own. [...]

Skibbereen Eagle 30 May 1868 Dunmanway petty sessions

Forcible entrance and insulted daughter

Regan being an Irish witness, **Mr Patrick Crowley was sworn interpreter.**

Waterford Mail 24 June 1868 page 2 appointment of Irish interpreter.

M Hackett, who lately returned from India, where he served for a period of 12 years his Queen and country, was appointed at those sessions as Irish interpreter for the County of Waterford, and civil Bill officer for the Dungarvan district, in the place of the late P Keane. He was highly recommended by the resident and local magistrates as an efficient person to discharge the duties of the respective offices.

Michael Hackett was interpreter at Quarter Sessions until 1871.

Tipperary Vindicator 17 July 1868 page 3 interpreter city court, Limerick.

John Roberts, **interpreter**, then came before his Lordship, to claim a presentment for duties as Irish interpreter. A sum of one pound was awarded the interpreter.

The Waterford News 11 September 1868 Page 4

Reminiscences of a journalist

The "Irish" speaking witnesses were gifted, if not in general, at least, in particular, with the same peculiarity [as deaf ones]. This was not to be wondered at. I have seen some of them resist all the attempts of the "interpreter" to give a reply at certain times, and sent off the table with a strong caution from the learned judge, an indignant shout from the crown counsel, who very well comprehended the cause; and on other occasions, when it was not perfectly safe or easy to assume deafness, the "Irish" witness would adopt an incomprehensibility which would put the "interpreter" to the blush, and force him to declare that he was not so complete a master of the language of the Gaedhil as to convey himself intelligibly to the witness. The "interpreter" indeed, was not always master of the tongue with which he professed to be thoroughly acquainted. I have seen an intelligent juror more than once trip up an "interpreter" and telling the court that the question was not properly put to the witness, owing to the fact that the "interpreter" required a rigid course of instruction himself, and that his "Irish" was often more a very bad description of English than anything else.

Tom Heffernan was for several years the Tipperary interpreter at assizes and quarter sessions, and was, not doubt, considered "a good Irishian", speaking like "one to the manor born". He was well known wherever he went, with his bright red face – as red as can well be imagined. He was up to all the gossip of the countay, resided at a handsome cottage near the town of Cahir, called the Swiss Cottage, and was on familiar terms with the whole county. In addition to his accomplishments as a "linguist", he became an auctioneer and broker, but was not equally successful in that capacity. Tom claimed a certain degree of relationship with some of the gentry of his native county of Waterford. How far the claim went I am not in a position to acquaint the reader; and though he loved the Temperance movement, and almost adored Father Mathew, it was at that respectful distance which forbade him to accept the pledge, or enrol himself under the sacred banner of the apostle of the good cause. Tom, in fact, had an eye to the glass, to which his rubicund physiognomy bore ample testimony, and which reflected the sparkle of the "mountain dew" for which no place was more famous than Cahir. He usually looked well; but it must be confessed that the livery which he was obliged to wear sometimes, in compliance with the wish of the sheriff, did not suit a man of his pretensions, and I am not aware that the "interpreter" as a rule, is asked to wear it. Tom left the stage for a successor who resides in the same town, and who is very well up to his business too. But I think that the days of interpreters in general are wearing away, and that, like other of our native institutions, they are destined to live only in reminiscences for the time to come. – Limerick Reporter

Ballinrobe Chronicle 17 October 1868 page 1

Castlebar Quarter Sessions

Catherine Hopkins was indicted for having on the 5th of August, at Sheeann, assaulted Margaret Hopkins (her daughter-in-law) with intent to do her grievous bodily harm; and in a second court, for a common assault.

The prisoner, who spoke Irish only, was interrogated through the **interpreter**; she said she had not attorney employed; she admitted that there was a little difference between herself and daughter-in-law, and that she was sorry for it.

Mr Bourke, SCS, said that it was a family quarrel, in which the public peace was not endangered. The woman and her husband did not now wish to have the old woman punished; and he had no

objection to allow here out if she pleaded guilty, and gave bail to come up for judgment when called on.

The prisoner was then set at liberty.

The petty jury was then discharged, there being no case to go before them.

The Court then entered on the hearing of Civil Bills.

Waterford Mail 6 November 1868 page 2 Process Officers

The Process Officers for each Division are directed to be in attendance in the several Sessions Twons at Twelve o'Clock on the day for entering Civil Bills in each Division, to deliver over Processes to the Persons who have employed them. They are required to lodge their Books with the Clerk of the Peace (or with such person as he shall appoint) on the day after the last day for services in each Division.

Names of process officers

District of Lismore

1. **Michael Curren**, Lismore
2. George Egerton, Lismore
3. John Neill, Tallow

District of Dungarvan

1. **Michael Hackett**, Dungarvan
2. Thomas Ormond, Dungarvan
3. Patrick Keane, Dungarvan
4. James Cochrane, Leamybrien
5. John Deacon, Ardmore
6. Richard Kennelly, Oldbridge

District of Waterford

1. Michael Corcoran, Waterford,
2. **Richard Phelan**, Passage
3. Edmond Prendergast, Carrickbeg
4. John Quinlan, Tramore
5. Thomas Lenihan, Kilmacthomas

William John Dennehy, Clerk of the Peace, County of Waterford, Peace Office, Waterford, October 1868

Cork Examiner 2 December 1868 page 3

The Late Fatal Affray at Kilbrittain

Yesterday the adjourned inquest on the body of Patrick Donovan, who died from a wound received during the affray between the people and the police at Kilbrittain on the evening of the 23rd November was resumed before Dr Somerville, coroner of the district. [...]

Ellen Donovan, mother of the deceased, was then examined by Mr O'Hea, through an interpreter as she spoke in Irish.

Skibbereen and West Carbery Eagle Dunmanway Intelligence petty sessions 5 December 1868

The clerk announced that there were only 16 cases entered for hearing.

Richard Regan summoned a young man named Thomas Bryan for making a forcible entrance into his dwelling house and insulting his daughter.

Mr JH Bryan appeared for the defence.

Cross-examined by Mr Bryan – **(Regan being an Irish witness, Mr Patrick Crowley was sworn interpreter)**. Could not speak well enough in English to answer the questions; was never in a court before; the reason he did not summon before now was because he had not the price of it.....

1869

Cork Examiner 15 January 1869 Skibberreen petty sessions

Patrick Sweeney, who stands charged with aiding and abetting in the manslaughter of Richard Hallahane, was put forward.

Patrick Hallahane, brother to deceased, was sworn, and **examined through an interpreter.**

Tralee Chronicle 26 January 1869 page 4 Killorglin Petty Sessions The Rossbeigh Sea-Weed case again

(Before E McGillicuddy Esq) Other magistrates present – Messrs Daniel de Courcy McGillicuddy, John D Mahony, Edward Rae, and General Stack, John Clifford, Thade Clifford, James Lyne, and Patrick Clifford v John Murphy, Daniel M Muprhy, Michael Shea and others.

Mr Huggard, Tralee, appeared for plaintiff, and Mr Broderick, Abbeyfeale, for defendants.

The Chairman here retired from the bench, remarking he had an interest on both sides.

Mr Eagar is agent for Mr Mahony and for the Hon Rowland Winn.

Mr Huggard – I would be most happy that you should act in the case as well as in all other cases which I may be engaged on.

Mr Eagar thanked Mr Huggard

John Clifford, sworn and examined, deposed – I, with others, went on to Rosebeigh for sea—weed, and on our way, near Mr Eagar’s lodge, we were stopped by Michael Murphy, he drawing his horse and cart across the road; a number of about 200 men and women collected around us, and told us they would pull out our puddings if we went further.

Mr Huggard – what did they then do to you?

Clifford – Murphy caught me by the throat and struck me with his fist in the head.

Mr Huggard –Were you in terror that day?

Clifford – I was, sir.

Cross-examined by Mr Broderick – Well, John, you are alive and well: are you?

Clifford – I am, sir.

Mr Broderick – How many was with you that day, Jack.

Clifford – Twelve, sir.

Mr Broderick – And how many carts, sir.

Clifford – Six, sir.

Mr Broderick – Now, Jack, were it not for ye going to invade the rights of the Hon Mr Win, there would have been no row?

Clifford – No, sir.

Mr Broderick – You may go down, Jack.

Thade Lyne next testified that he was one of the parties attacked on that day; he said he was afraid, though no one struck him; but his mule was struck with a stick and ran back towards home; he sent his brother after the mule, as his cart was last going back and first returning.

Mr Broderick – Thade, you were in a great terror that day?

Lyne – I was, sir; the women were throwing gutter, and the men had sticks.

Mr Broderick – Had ye any pikes?

Lyne – We had for collecting the sea-weed.

Mr Broderick – Had you any Fenian pikes?

Lyne – We had not.

Mr Broderick – I don’t know: I may.

Mr Broderick – Ye are all Fenians out that way?

Mr Rae – They were nearer home.

Father George O’Sullivan – Not a single one in this town joined them when they were passing.

A young man of rather prepossessing appearance was examined, who seemed to have been more in dread of the women in the affray than the women of him.

Mr Broderick – Are you married?

Witness – No, sir.

Mr Broderick – Don't you know what time of the year this is?

Witness- I do, sir.

Mr Broderick – Now, are you indread of the girls; if you say you are, I'll tell them all (laughter)

Witness – I am not, sir (laughter).

The next witness, who spoke in Irish, was examined by Mr Rae, when some old man in court made some illusions regarding the translation.

The Rev George O'Sullivan called for silence, saying that the translation was good.

Mr Rae immediately stopped, and said he would not again interpret in that court, except for his own information; let his brother magistrates go to school and learn Irish.

After some lengthened remarks from the professional gentlemen at both sides, the body of the court remaining densely thronged with an eager crowd awaiting the decision.

The Magistrates were unanimous in dismissing the case, Mr Rae remarking that high-hadn work should be put a stop to.

Mr Winn's tenants left the court cheering.

WBD Correspondent

Southern Reporter and Cork Commercial Courier 23 March 1869 page 3

Ellen Donovan was the next witness called. As she was unable to convey herself clearly in English, she was examined, through an **interpreter**, by Mr Coffey QC and deposed as follows.....

Ballinrobe Chronicle 10 April 1869 page 1 Ballinrobe Petty Sessions John Gibbons v Michael Lally, for an assault, at Cloonee, on the 2nd inst.

John Gibbons examined: [This was an Irish witness, and, after some difficulty, the gratuitous services of an **interpreter** was procured.] said that on Thursday last he went to work on his own land at Cloonee, county Mayo, and was turned off by the defendant, who shoved and tripped him; told Lally if he had a right to put him off the land to summons; he said he would not summons, and put witness off the land by tripping and shoving; defendant said the land was his, and that witness had no right to go on it; nothing else happened; defendant did not strike witness after.

Mayo Constitution 20 April 1869 page 3 Ballinrobe petty sessions The Portroyal estate

Michael Lally was charged by John Gibbons by direction of Mr Proudfoot, agent for the National Building and Land Investment Co with willfully trespassing on the lands of Clonee on the 3rd instant.

Mrssrs Griffin and Blake appeared for the Investment Co and Mr Alfred Kelly for the defendant.

The Court directed the witness, Gibbons, to be sworn. The latter, however, could not speak English. Mr Stritch requested a man named Rush to act as the interpreter, but he declined, alleging that he had been materially injured in business in consequence of having acted in the same capacity on a previous occasion.

The discussion was then revived....

Michael Rush consented to act as interpreter, upon the understanding that he would receive half a sovereign for his services.

Father Lavelle – I say that statement is totally untrue, and the witness is on his oath....

Freeman's Journal 13 May 1869 'Law Courts – Yesterday', 8.

'Court of Common Pleas: Bartley v Davis'

The plaintiff is an assistant in the shop of the defendant, an ironmonger in Galway, and the action was to recover 100l, part of a sum of 110l. which the plaintiff alleged that the defendant had got from his mother, but which the defendant unlawfully detained. ...

In the course of the day the Most Rev. Dr. McEvilly, Bishop of Galway, who was in court, having been subpoenaed as a witness in reference to a letter of one of the parties which had been submitted for his approval, was unexpectedly called upon to give his services in the capacity of interpreter. The mother of the plaintiff was sworn to give evidence, but she stated that she was not sufficiently acquainted with the English language to enable her to do so. It was necessary to take her evidence in Irish, and no provision having been made for such a contingency, the trial was suddenly brought to a stand. It was, however, suggested that the bishop should act as interpreter, and his lordship having kindly consented, the evidence of the witness was speedily placed before the court and the jury.

Freeman's Journal 15 May 1869 'Law Courts Yesterday. Rolls Court: Hurley v Gillman'

In this case the bill stated that the plaintiff had for some years held a farm of 47 acres at Tettergerman, near Dunmanway, county of Cork, as tenant from year to year to Mr B W Gillman, of Clonakelty, at the yearly rent of 43l. Plaintiff had a wife and two sons, one of whom, Michael, married in 1864. Subsequent to the marriage family disputes arose, and when plaintiff summoned his son before the petty sessions the magistrates requested the parish priest of Drumaleague to arrange the differences, but he declined to do so. Mr Gillman then nominated four arbitrators, who decided plaintiff should give up his house to his son, and live in another house on the farm, and that the farm should be divided in a certain manner. The parties commenced to act on this award, and so acquainted Mr Gillman. He came to the farm with his bailiff, Jeremiah Sullivan, two days after the award. **The bailiff had to act as interpreter** between the landlord and the Irish speaking tenant.

Mayo Constitution 15 June 1869 page 2 Mayo quarter sessions

Nicholas Hughes charged Thomas Connell with assaulting the complainant's wife and child.

Mr Kelly was for the complainant and Mr O'Dowd for the defendant.

Mr Dunn (Interpreter) to defendant – Can you speak English? No, I can't (laughter)

The complainant's wife was examined, her evidence was to the effect that the defendant had a cow trespassing on her land. She subsequently ordered him to take it away which he refused to do. He then assaulted the woman and threw the child into a grip.

Mr O'Dowd to defendant – Do you speak English?

The witness answered in Irish.

Mr O'Dowd – These witnesses do this for the purpose of baffling cross-examination.

The Irish Times and Daily Advertiser 19 June 1869 'The Action for Alleged Libel: Court of Queen's Bench Important Case', 4.

Bryan Comisky, an Irish-speaking witness, examined by Mr Butt, **Mr Butt having been sworn as interpreter:** I live in Dernasa, and have been for about 23 years. SHOULD BE MR BRETT

The Irish Times and Daily Advertiser 22 June 1869 'The Action for Alleged Libel: Court of Queen's Bench', 4.

Andrew McCullagh v Major Knox (proprietor of the Irish Times)

He [Rev. Patrick Lavelle] said that he resided in a very remote part of Ireland, where, strange as it might appear to them – and now appeared to be a matter of fact – that the great body of the people could not speak the English tongue. He informed them that the doctor whom he (the Chief Justice) supposed he saw as less frequently as possible, could speak English; that the parson, whom he also supposed he rarely saw at all - (a laugh) – also spoke English, but that with the exception of these two official persons, in a parish consisting of about 3,000 persons, only two or three really understood the English tongue. ...

Those who spoke only Irish appeared before them also, and they gave their evidence through an interpreter, and one of the jurors had the great advantage of being able occasionally to correct the translation of his evidence, but it would be for them to say, having regard to their testimony, had anything occurred in the manner in which they gave their evidence to disentitle them to belief.

This speaking of Irish exclusively appeared to them as singular, but if they reflected for a moment it was not so. When they crossed over to Holyhead they found numbers of men talking the Welsh tongue, and resolutely refusing to talk any other, and adhering to their peculiarities and characteristics with that tenacity which marked the Celtic race, living as they did in peace and happiness under the English rule.

Waterford Standard 30 June 1869 Dungarvan quarter sessions

Patrick Cunningham was placed in the dock charged with an indecent assault on the person of Bridget Drohan, aged about 10 years.

...**Drohan, the uncle of prosecutrix an Irish witness**, deposed that he recollected the day in question; lived at Colligan, about three miles from Dungarvan, in the county of Waterford, and that prosecutrix was his brother's child; saw her and Cunningham in the "boheen", and heard her bawl and roar; Mr Parker: My good fellow, were you ever in holy orders – great laughter. [He being an Irish witness the interpreter had to explain the nature of the sacrament to him]. Witness said he never was one. Mr Parker: Think of yourself, my good fellow; if I prove you were one, what will you say? Witness:

Witness had supposedly married a couple. Witnesses swore prisoner was a good guy and he was acquitted

Mayo Constitution 19 October 1869 page 4 Castlebar petty sessions Alleged assault

Michael Kelly, of Castlebar, charged Patrick Sweeney, of Rahins, with unlawfully assaulting him on the 9th inst.

The complainant appeared to be a wandering beggar, and from his wild and foolish appearance seems to have earned the appellation of "cuckoo". Being an Irish witness, the services of an interpreter were required.

Case dismissed on its merits

Mayo Constitution 30 November 1869 page 4 Castlebar petty sessions

Assaulting a woman. John McHugh appeared to a summons from Mary McHugh, for having assaulted her when delivering up a cow which had been trespassing in her gardem..... Anne McHugh, defendant's mother, who had to be examined through an interpreter, confirmed this story.....Fine of £1 and costs or a month in jail with hard labour.

Waterford mail 22 December 1869 petty sessions ejectment process

Thomas Foley, labourer, summoned **Michael Hackett, court interpreter**, to show cause why he broke in the door of his house in the early part of the week. George Kelly Esq solicitor appeared for that defence.

Complainant deposed that in the early part of the week his door was closed against the wind, which was blowing tremendously in that direction. Defendant came to serve him with the process, broke in his door, and made three halves of it.

Chairman – I never heard of more than two halves being made of anything (great laughter).

When he came in I went into the room and closed out the door against him; I asked him why he broke my door, and he said if he knew it was my house he would not do it.

Mr Kiely – where you are not aware that Mr Richard Kiely had an ejectment against you for non-payment of rent?

Complainant – yes, but he should not break my door.

Mr Kiely – don't you owe two years rented to him? Complainant – I never took a house from him.

Mr Kiely – did you not take it from Mrs Geary, for whom he has charge of the property?

Complainant – I will not swear any such thing, but I never took the house from him.

Mr Kiely – did he not call on you several times to open the door?

Complainant – I did not hear him.

Mr Kiely – those who do not wish to hear are generally deaf (laughter). Where were you when Hackett came into the house?

Complainant – I was in the room, and I had the door shut against him.

Mr Kiely – why had you the door shut?

Complainant – because I thought he'd strike me with the stick he had in his hand.

Court – did you hear Hackett calling on you to admit him into the house?

Complainant – no, your worships.

Court – when he made an entrance, did you know him?

Complainant – I did, well, your worships.

Mr Kiely – were you not served with a summons to appear in this court by Kiely, for non-payment of rent?

Complainant – I was

Mr Kiely did not the court then order you to give up the possession within 10 days?

Complainant – yes, that was the order.

Mr Kiely – on your oath was it not to keep out the defendant you barred the door on the day in question?

Complainant – it was not, but to keep out the wind.

Mr Dower – when you knew Hackett, why did you enter the room and bar up the door?

Complainant I thought he'd strike me with the stick he had in his hand.

Dismissed.

1870

Lavelle, Patrick, Google Books The Irish Landlord since the revolution: with notices of ancient and modern land tenures in various counties by the Rev Patrick Lavelle, PP, Cong. Dublin: WB Kelly 8 Grafton-street 1870

Bryan Comisky, an Irish-speaking witness, examined by Mr Butt – **Mr Butt having been sworn as interpreter** – I live in Derassa, and have been for about twenty-two years. [Mistake in original: BUTT SHOULD BE BRETT]

A juror (Alderman Tarpey) – Let the witness speak up. (Great laughter)

Alderman Tarpey – I will turn the laugh, perhaps, some other way. I understand the witness, and wish him to speak up.

Examination continued –the Derassa tenants used to graze their cattle on the land, but strangers came as trespassers; the Shrah tenants used to graze their cattle there, but not this year; they had no right to come in. (page 427)

[...] John Comisky, son of the last witness, examined by Mr Butt, through an interpreter: My father is a herd to Mr McCullagh, I have a dog, and help my father to herd the mountain; we keep the cattle off the land; see the cattle and sheep of the Derassa tenants on the mountain; there is no obligation to take care of the tenants' cattle; I do nothing to prevent the tenants' cattle going over the mountain; they have liberty to go over the entire mountain. (page 428)

Anthony Sheridan sworn, and examined by Mr Kaye, through an interpreter – I am a tenant of the company; I have been on the townland since I was born, and my father and my grandfather.

Was he served with an ejectment process? Yes, in or about Patrick's Day: I have no learning, and I cannot say precisely whether it was this year or last year. (Lavelle page 457)

Ballinrobe Chronicle 8 January 1870 page 1

Clonbur Petty Sessions Tuesday

John Munroe v Edward Joyce – Illegal impounding

The plaintiff charged Edward Joyce with illegally impounding three sheep of his, knowing whose sheep they were, and with refusing to give them up when claimed. [...]

E. Jennings examined – Deposed that he went to Cassidy’s with the police; that he cautioned Cassidy (in the capacity of **interpreter** to the Head-Constable) before he (the defendant) made any statement; that he saw a sheep’s head on the hob, which, taking up and concealing, he asked defendant what “ear marks” were on it – defendant mentioned marks which could not be found on it – but he explained this by stating that this sheep formed a part of his wife’s fortune.

In cross-examination, witness stated that there was no attempt at concealment; that part of the meat was bad, and that he could not identify.

Mayo Constitution 8 January 1870 page 2 Castlebar petty sessions

(Before AR STritch Esq RM) Pugnacity of the sex

Thomas Moran appeared to prosecute a charge of assault against Mary Barrett, who was in an interesting condition. He swore she struck him without any provocation, and followed after him with a spade.

An old woman named Kilcourse, aunt to the defendant, was examined, through an interpreter, and stated that Moran used abusive language towards defendant, and that she then attempted to assault him.

His worship said he would bind defendant to the peace for 12 months, if Moran swore an information.

Cork Examiner 31 January 1870 page 4 the Anglicising of Ireland

(from the Pall Mall Gazette)

The Irish language has been long since doomed, but its decline has been remarkable of late. It was no uncommon thing thirty years back to find well-to-do peasant farmers unable to speak a word of English. Ten years since the southern county courts had interpreters constantly at work to repeat the evidence of witnesses in the Saxon tongue, and attorneys were obliged to have a special clerk in their offices to hold converse in their native dialect with the country people. The other day I was snipe shooting in a district where, in 1864, without understanding Irish it was impossible to get any information from the peasantry. Even for the bird of the air and the fishes of the stream they had their own terms. I now observe that the peasantry in this quarter speak English, after an odd fashion, to be sure; and in no case on my last visit did I discover a man or a woman unable to use English. The vernacular of the area is still, however, Irish - that is, the people constantly converse with each other in that tongue, and on Sundays the discourse addressed to them by the priests in Irish too. The place I refer to is crossed by a railway, and is within easy a reach of Cork.

Londonderry Sentinel 18 March 1870 page 1 Record Court

Fishery case Hamilton v Musgrave and others – action for trespass

The next witness was an Irish-speaking person, who was examined through an interpreter. He deposed – I was eleven years old when the French landed in Killala. I know the Teeling river. My uncle paid rent for fishing it to Mr Hamilton.

Denis McGinley, another Irish-speaking witness, deposed generally to the same effect.

The Waterford News 1 April 1870 page 3 Quarter sessions Civil Bills court

Same v William Hassett and John Geary – This was for a balance, £3 14s 4d, for seeds and guano. Both parties went together, and the evidence was that Geary, who is son-in-law of Hackett, got the guano, all but three stone, at 1s 10d, and £3 was paid by Geary. The son-in-law (Geeary) was called on the table and he appeared considerably older than his father-in-law. Geary, through the **interpreter**, deposed that they were to bear the expense equally, as all were put on a garden owned between them. Decree for the amount.

Mayo Constitution 16 April 1870 page 3 prosecution for illicit whiskey Castlebar petty sessions

James Murray, at the prosecution of Sub-Inspector Heard, was summoned for having in his possession a quantity of spirits, the full duty on which had not been fully paid.

An old man, who was examined through the interpreter, deposed that defendant's son had paid him for putting a roof on the barn.

The case was dismissed without prejudice.

Londonderry Sentinel 1 July 1870 Londonderry petty sessions Aggravated assault on females

Head-constable Thompson charged John Carlin, a married man, with having grievously assaulted an old woman, named Mary Curran, and her daughter, Hannah Sweeney, in Greenslead's close, on Friday last. The females are natives of a remote part of Donegal, and one of them was unable to speak English, while the other could only do so very imperfectly. **Robert Hay acted as interpreter.**

The Bench ordered information to be taken and the case returned for trial to the Recorder's Sessions

The Waterford news 22 July 1870 page four Appeal and record court.

Action for injury on board a steamer at the quay.

Michael Fiun, the "Connaught man" examined by Sergeant Armstrong, through the Irish **interpreter,** deposed that he was at work on board that night, and ongoing in alighted on the deck on his feet (a laugh). To Mr Hemphill: sword the man fall in the whole, and cried out that he was killed; there with them to life on the deck – one on the gangway, and the other on the deck.

Irish examiner 25 July 1870 Kinsale petty sessions

Cross summonses. Breaking into a farm hose alleged to belong to the complainant and removing property Michael Donoghue, caretaker to complainant, was sworn and gave his evidence in Irish, **Mr NJ Walsh, Kinsale, acting as interpreter.**

Cork Examiner 25 July 1870 page 3

Kinsale Petty Sessions – Saturday

Richard Barry Murphy v George Richardson, Hanah Murphy, Margaret Murphy, and George Richardson, se.

There were cross summonses also, arising out of the melee at Killaney, on Wednesday last, and much interest was felt in the case. The defendants were charged with breaking into a farm house alleged to belong to the complainant, and removing property. [.....]

Michael Donoghue, caretaker to complainant, was sworn and gave his evidence in Irish, Mr N.J. Walsh, Kinsale, acting as interpreter.

Mayo Examiner 25 July 1870 Crown Court – Friday (Before Mr Justice George) Charge of Murder

Patrick Donohoe, Bridget Donohoe, and Mary Cursane were indicted for the murder of Mary Donohoe (wife of the male prisoner and daughter-in-law and sister-in-law of the female prisoners) at Rossalevin, on the 21st February last. [.....]

Ellen Flaherty, to Mr Blake, QC – The witness wished to give her evidence in Irish, and the interpreter, Mr Roche, (Henry Roach, Relieving Officer) was accordingly sworn – Was about 16 years of age when she got married; her husband is not alive; he is dead two years and three-quarters; since his death she resides in Spiddal; recollect the time this woman died, and will for ever; know the house that deceased lived in; the house she slept in the night before is about a good mile from that house; it was on Sunday night she slept in it and on Monday night; on Monday morning when she went out she left her child in the old man's house; when she returned to the house it was night; she went to the house of deceased on her way to the old man's house; this was about half an hour before sunset; in the house were the mother, and the son, and the deceased (identifieds Bridget And Patt Donohoe); remained about a good hour in that house smoking a pipe; then left for the house she slept in; when going into deceased's house it was in the kitchen door she went; while she was in deceased's house Mary Cursane came in; Johnny Cursane came in - he is the promise of a man, not

twelve years of age; Mary Cursane came in about three minutes after the boy; the old lady said to the boy, "Where are you going" the boy said he was going nowhere; she said "Go home or I'll make you": the boy did not go away then, but left before she left; the man in the room said to the boy, "Johnny, go and tell your mother that your uncle Paddy wants him"; Patt McDonagh (the prisoner) said that; the boy went then and Mary Cursane came soon after ; "Mary come in" Patt McDonagh struck a thump on either a chest or a table that was in the room; Mary Cursane then went to the room and closed the shutter of the window; the mother asked Mary Cursane if she closed the shutter of the room window; she said she did; Mary Cursane went over and whispered her mother in the bed; she got off the bed with her crutches; the old woman said to witness "Where is your lodgings, my woman?" "In such a house" was the reply; "It's time for you to get in it any more" said the old woman; it was not then night; when that was said witness did not go away until she was pleased to do so herself; when Mary Cursane spoke to her she was obliged to go out; Mary Cursane said "Go out you ---, aren't you stiff with us in our own house"; a half an hour elapsed between the time the old woman and Mary spoke; left the house then and there was still daylight; when witness left there were in the house Patt McDonagh, Bridget McDonagh, Mary Cursane, Mary Flaherty (deceased); that's all she saw in the house; did not go three perches from the house when she heard the grievous, pitiful cry; the cry was that of a woman, when she heard that cry she went back, but did not go into the house; stayed at the back door of the house which was half closed and a wisp of straw at the foot of it keeping it out; heard said in "a sort of English" by deceased, "Oh, my brother! Oh, my sister Anne! Oh, Patrick, I'm killed by ye!" heard her call upon her husband to save her; could not understand a word of what deceased said after calling on her husband to protect her; heard Mary Curnane say "Oh, ye devil, we are a long time promising you that, and you have it now!" (sensation in court); she could not understand what she further said at that time; the old woman said, "Patt, she is not dead yet; Patt, give her the shoe" (sensation). "Oh mother" said he "the track of the place of the nails would be in her to-morrow"; the mother said that the people in Foxford would come up tomorrow, and take her home with them; deceased was struck with a kick with his shoe by Patt Donohoe (prisoner); he had a chair striking her; witness remained at the backdoor a good while; when she was dead, and had the last word said, Patt Donohoe said "She's dead now and what shall we do with her?" Then the old woman said, "Put her in the fire (sensation) and we'll say to-morrow she had the falling sickness"; that was all she heard, when she heard the street door opening, and saw Patt McDonagh walking very hard out of the house in the direction of Mr Myles Jordan's house; while witness was in the house at the daytime, deceased left the house and returned back again, having a tin-can of water with her, and a chemise and two small handkerchiefs; it was day when she (witness) left Donohoe's house; went next day to house of deceased, between nine and ten o'clock, and found the full of the house there; Mary Cursane and the "crippled hag" (Bridget Donohoe) were there; did not see the male prisoner there; witness said to the prisoners, "that that girl was a girl of excellent character that they killed"; she said this to all that were in the house; the prisoners were listening to her, but Patt (the male prisoner) was not; "You're a liar" said the old woman, "we did not kill her, but I'll kill you", rising up from the bed.

Cross-examined by Mr McDermott – Earned her bread for the last two years by spinning wool; never begged till within the last year; her husband is dead two and three quarter years; her husband is the father of her child; she was married by Father Devine.

Mr McDermott called the attention of the Court to the fact that witness laughed as soon as he gave his question to the interpreter, thereby showing she understood the English language.

Mr Blake observed that Mr McDermott would not wish to be examined in French. [...]

A Juror (Mr Cannon) – why did you want to stay in the house after being told to go? She thought it was a queer thing not to let her smoke her pipe; she was afraid to alarm the neighbourhood; God was saving her outside, and she hoped he ever would; was not looking at the first blow.

Another juror (Mr Faulkner) – Why did you not attend the inquest? Was afraid.

A juror (Mr Cannon) – How well you were not afraid to go to the house next day and accuse her?

Mayo Constitution 7 August 1870 page 1 Galway Assizes Record Court Libel The Rev Patrick Lavelle v John Bole

John Prendergast an Irish witness was examined through an interpreter – I live in the mountains of Partry; I know the Rev Mr Townsend; I have a kind of knowledge of the Hon Miss Plunket; I am a tenant of his lordships; I am a Catholic, I go to mass, and that is the way I intend to bring up my children; the Minister and Miss Plunket paid me a visit one day;....she asked me would I send my children to school.....

The Waterford News 19 August 1870 page 4

Carrickbeg petty sessions – Monday

Assaults and replications The principal case before the court, and one which took up a good deal of time, was an assault case, in which Bridget Hannigan, of Ross, charged William Butler, of the same place, that he, on the 19th ult, assaulted her with his fist on the head, tearing her hair, and kicking her.....

Michael Hannigan, father of the complainant, examined through an interpreter, corroborated the complainant in every particular with regard to the assault on the 9th ult.

Dismissed without prejudice

Tuam Herald 12 November 1870 'An Important Case' Castletown Petty Sessions

Very Rev Patrick J O'Brien DD summoned three men for cutting an stealing a tree from the graveyard attached to the Catholic Church of Glenamaddy..

Patrick Maguire was the next witness called. He was sworn in Irish by Mr Reilly, J.P., and at the request of the Court, **Mr Michael O'Connor, P.L.G., acted as interpreter.**

Mayo Constitution 3 December 1870 page 4 Kilmain special sessions Malicious burning of stable Eileen Hyland, an Irish witness, was next produced (Mr Rush consented to act as interpreter). She said – I am wife of John Hyland; recalls the morning of St John's Eve. It was in the stable attached to my husband's house the fire took place.....

The Waterford News 9 December 1870 page 3 trespass of cow. Dungarvan petty sessions

Bridget Neil, Irish, witness charged James Lynch, farmer, Ballylemon, with the trespass of his cow and eating the patch of her house last week. The interpreter was understood by the court to say that it was the "cat" the cow eat. Chairman: you must have something in your mouth, which prohibits you from speaking so as to be understood (laughter). Interpreter: oh! No, your worship, she says. the "hatch". Chairman: what hatch? (Laughter). Interpreter: she says the thatch of the house, your worship (renewed laughter). Chairman: I would recommend you to be more accurate in your translation of the Irish language. Defendant: your worships, the wall of complainant's house is built on the boundary of my field, and I came to her to 3 days before I intended to put my cattle on the field, and told her to secure the thatch of her house by putting some bushes on it, fearing the cows may injure it; she did not mind, and consequently he could not help the injury done, as he gave her due notice. Dismissed.

Kerry Evening Post 10 December 1870 page 3 court of common pleas O'Sullivan v Hussey

There were four counts – the first being from illegally entering plaintiff's house and seizing her goods. The defendant pleaded that the goods were not the goods of the plaintiff; and secondly, that they were seized under civil bill decrees. The question the jury had to try was whether any of the goods were the property of plaintiff, and next whether they were sold at a sacrifice.

Michael Collins deposed – I was a witness of the lease; I came into Miss O'Sullivan's parlour the night the sheriff's bailiffs came into the House; they were Horan and another. The witness, amid loud laughter, suiting the action to the word, partly described the comfortable position of the bailiffs in the parlour – Tom, says I, are you here professionally (laughter). I am my lord says he. In the name of

God at whose suit said I – So he showed me a decree at the suit of Daly of Cork, against Miss O'Sullivan. Yerra and then says I I am surprised to see you here tonight. When I was engaged in business we never went in the Execution of our duty on a Saturday night, unless we were afraid they were likely to run away on Sunday (laughter). So I handed back the decree to them and went out.

Chief Justice – in what office are you now?

Witness oh I am in several offices my Lord, I'm interpreter; I am a civil bill officer in Tralee, and I serve legal papers for many respectable firms (laughter). On Monday night I found two or three professionals in the house.

Chief Justice – who were these professionals.

Witness – one was an oysterman my Lord (laughter) named Dooling, Horan, and somebody yelse. It is hard to say who they are. They are an infernal set whoever they are (Laughter).

Chief justice – I am surprised to hear you speak so of your brethren.

Witness – I would have nothing to do with so low a set my Lord (laughter).

Cross examined by the solicitor general – I was a bailiff; I am Not one now; next January will be three years since I retired; I resigned, and said that for a £100 a year I would not be mixed up with such a set.

Solicitor general – you were not dismissed?

Witness – no then. Here I am now for you, and I know you too (Laughter), and I am glad to see you well all the way from Londonderry; and we are of the same politics too (laughter).

Solicitor general – I could not have the heart to ask you any more questions after that.

Mayo Examiner 12 December 1870 page 4 Alleged assault on a woman petty sessions Ballinrobe

Mary Malone, of Derrinascobe, summoned Austin Grady, of the same place, for assault. The wife of Grady lifted a stone off the ground to strike her; Margaret Carrol took the stone from her.

Mr Lynch said that Dr Walsh attended her, and certified that she was suffering from a fracture of the leg.

Defendant – Where was I coming when you came to beat us?(laughter)

The complainant said that defendant threw a stone and struck her.

Mr Stritch – Do you know English? For if you can speak bad English it will do us.

Mr Lynch – Not a man or woman attending the courthouse of Ballinrobe speaks English.

Mr Stritch – I have seen some of them brought to a knowledge of English in a very extraordinary manner.

Defendant – She knows English as well as me, yer honour.

The witness was examined through an interpreter.

Defendant said that he came to the village of late, and they wanted to hunt him out of it; he had no witness but his wife.

Mr Stritch – She cannot be examined.

The Constable proved that he saw the woman's side, which was swelled; he added that these people lived in a remote and awkward place; the parties were on bad terms and the police were anxious to check this state of things.

Mr Stritch – A month at hard labour; the defendant to be also bound to the peace.

Mr Lynch prosecuted.

1871

Kerry Evening Post Killorglin petty sessions 21 January 1871 page 3 Killorglin petty sessions

Dr Sugrue summoned Mary Danahy for not registering the birth of her child.

The mother was then called and began in Irish to say she could not speak English.

Mr Eagar – Indeed you can

Clerk – Take the book

Witnesss – Och, hone, sure I'll tell the truth without swearing at all.

Dr Sugrue – Can't you take the book

Witness – Take it away from me) Often I was and I'd stretch him on the table (laughter)

Mr Eagar – Take the book, madam.

Witness then after devoutly crossing herself was sworn.

1s fine plus costs

The Waterford News 7 April 1871 page 4 Petty sessions

Receiving money under false pretences – Michael Daniel charged **Michael Hackett, late process officer and Irish interpreter**, with receiving from him 4s 1d for two processes, one on Patrick Tobin, and the other on James Tobin, for late quarter sessions. Complainant deposed that on the 14th ult, he gave the processes to defendant, with 4s 1d for their service, and in three or four days after, having ascertained that Hackett was not a process officer, he asked him for the money, but defendant said he gave the processes to Keane, the new process-server. Defendant: did I not offer you a part of the money? Complainant: Yes, you did. Defendant: I thank you for that (laughter). Chairman: did you tell the man you were a process officer? I swear I never did tell him so. Court: did you serve the processes? Defendant: No, your worships; I gave them to Keane, with 3s and a penny stamp duty. Complainant said he did not see the processes since he gave them to Hackett; asked him was he a process-server, and he told me he was. Keane, process-server, was here produced, and he swore Hackett never gave him the processes. Defendant: I sent them to you. Witness: Your worships, I did not get them. Complainant to witness: Did I not ask you did you serve the two processes that Hackett gave you? Witness: Yes, you did, and I told you I got no process from him to serve. The court were of opinion that this was a very serious charge, and the public should be protected against such characters – a man assuming to fill an important office from which he was dismissed. The court, therefore, ordered informations to be taken against Hackett, and have him sent to next quarter sessions for trial, and in default of bail, he was committed to gaol. Trial seems to have been held on 13 March 1872 – Waterford Mirror and Tramore visitor but no report – Michael Hackett, late process server and summons server, obtaining money under false pretences

Mayo Examiner, 17 April 1871 page 2

Mr Rush, of Ballinrobe, has been appointed Quarter Sessions Irish Interpreter by the Chairman, who was guided in his selection by proficiency and high character.

Freeman's Journal 1 June 1871 'Important Arbitration between Landlord and Tenant' 5.

Oughterard

In accordance with a deed of submission, signed by Captain John Philip Nolan, of Ballinderry, and by former tenants of his on the Portacaran property in the county Galway, reciting substantially that certain differences had arisen between Captain Nolan and the tenantry in relation to their eviction from the lands in question in 1864 and 1867, and that these differences were referred to the decision of the arbitrators agreed to by the parties – namely, Sir John Gray, M.P., the Rev Patrick Lavell, P.P., Party, and Mr A.M.Sullivan.

The witnesses for the most part gave their evidence in Irish, which was translated by an interpreter.

Tuam Herald 3 June 1871 'Important Arbitration Case at Oughterard', 1.

Father Lavelle All these men speak Irish only, so we will have to procure an interpreter.

(Mr Clancy, court-keeper, kindly consented to act as interpreter). = John Clancy, bridewell keeper, court keeper and interpreter at quarter sessions.

Ballinrobe Chronicle 24 June 1871 page 1

Shortly after the sitting of the court His Worship referred to the death of Mr Rush, Interpreter, which took place since last Sessions, and stated that he had fourteen applications for the office, each having good testimonials, but of all he considered Peter Rippingham, of Ballinrobe, who was very highly recommended, the most eligible, he would therefore appoint him Interpreter. Mr Rippingham returned thanks, and soon after proceeded to discharge the duties of the office.

Tuam Herald 1 July 1871 'Interpreter', 3.

Shortly after the sitting of the court His Worship referred to the death of Mr Rush, Interpreter, which took place since last Sessions, and stated that he had fourteen applications for the office, each having good testimonials, but of all he considered Peter Rippingham of Ballinrobe, who was very highly recommended, the most eligible, he would therefore appoint him Interpreter.

Mayo Examiner 10 July 1871 page 3 Petty Sessions – Wednesday
(Before Mr Stritch, R.M.)

Mr Charles Crotty and his neighbours

Michael Ludden of Keltharasaghane, v C Crotty, of Kinury

The details of this case, which stood adjourned from last week and was an action for the trespass of 89 cattle on a commonage of which complainant was a joint tenant, appeared in our last. Mr Crotty did not appear personally.

Mr Lynch appeared for the complainant.

It appears that the pasture on which 39 head of cattle of Mr Crotty's were found is held by 40 tenants of one townland on the estate of the late Mr Moore. Each tenant could put on as many cattle as he could ekeep, but was not permitted to allow any cattle not his own to graze there, unless it might be to oblige a next door neighbour. [...]

Michael Maughan (an Irish witness) was examined through the interpreter. He said he held this pasturage jointly with Ludden; he paid £5 10s rent; Ludden pays £4 2s or near it; there is very bad grass on the mountain.

Ballinrobe Chronicle, 29 July 1871 page 1 Crown Court - Thursday

Mr Griffin, solicitor, applied on behalf of the Grand Jury for his Lordship's direction in the case of the presentment made in the name of Roache, late Interpreter, who had quit the country, and that his Lordship would direct the amount to be paid to the representative of the late Micheal Rush and to Peter Rippingham, who had discharged the duties of the office since last assizes.

His Lordship directed the sum referred to be represented to the county, and new presentments passed in favour of those entitled to payment.

Mayo Examiner 31 July 1871 page 2

Mayo Assizes The Grand Jury Tuesday Court Interpreter

Mr Joseph Sheridan, acting Clerk of the Peace, in reply to the foreman, said the county chairman had appointed an **interpreter**.

The Foreman said that Mr Lawrence Sheridan, a very respectable proper man, offered for the office. The appointment was made so that they had nothing to say to it. But if they required an interpreter he should certainly recommend him and vote for him.

Lord John Browne said from what the foreman said he would certainly **vote** for him.

Dundalk Democrat 4 November 1871 Dundalk Petty Sessions Wages case

Mary Rooney summoned Henry Coulter for £2 13s, the amount of wages due her for harvest work.

Mr Dickie, for the plaintiff, said his client could not speak English.

Mr Denvir, for the defence, said they could get an interpreter.

Several persons were then asked could they speak Irish, and they said they could not.

Mr Dickie – You are ashamed of your nationality.

A Voice – Mr Begley can speak Irish.

Mr Begley – I can – godh mur thathu – how are you? I could not interpret. There is Mr McAllister has plenty of Irish.

Mr McAlister – Not a word (laughter)

Mr Dickie – Can any of the police speak Irish?

Sub-constable Walsh said he had some knowledge of the language, but he would not undertake to interpret.

Mr Denvir – Unfortunately when I speak it, I have too much of the Galway accent, and I would hardly be understood (laughter)

The brother of the plaintiff was then sworn to interpret, and the witness declared that she had been working for Mr Coulter at harvest. She worked some days at 2s, and the rest of the time at 1s 6d; the sum she claimed was £2 13s.

Mr Denvir said Mr Coulter did not deny the number of days, but he said he never agreed to give her 2s a day.

Mr Coulter was then examined by Mr Denvir – The plaintiff amfor me at harvest work at 1s 6d per day; she wrought seven days more at lifting flax, at 1s 3d per day; his servant girl then became unwell, and he took plaintiff into his house, at 10d per day and her diet.

To Mr Dickie – I did not send for her when she was working for Dr Pollock; I made no bargain with her more than with anybody else; when she asked for her wages I did not say I had no money; we differed over the amount; I paid men at 1s 6d a day at reaping. Now do you swear that farmers did not pay 2s a day? I am not going to tell what other men gave; I know that 1s 6d was what I gave. What was Dr Pollock paying? He was paying 1s 3d a day.

Mr Dickie – I will examine the plaintiff's brother.

The plaintiff's brother was examined and said 1s 6d a day was the general wages, but some got their diet; and others had got 2s a day; Mr Coulter gave 2s to his daughter.

Mr Coulter denied that had paid 2s to any one.

Mr Denvir – How could the plaintiff expect 2s a day and her diet?

Witness – He put her to work in the house.

Mr Dickie – Whilst she could have wrought at cutting corn.

Mr Robson – the Irish way of settling this, is to divide the difference, and we give a decree for 2l 4s.

Mr Denvir – Very well sir; I suppose that will satisfy the interpreter.

Freeman's Journal 6 December 1871 page 7 Administration of the Poor Law in the West

The investigation was held in the Dispensary Committee-room. Mr RJN St George, Headford Castle, Chairman of the Dispensary Committee, and Mr W Burke, JP, the Vice-Chairman, were present. Mr MV O'Flaherty and Dr French were in attendance. Mr JW Blake, Solicitor, Galway, appeared for Mr Flaherty and the next of kin of the deceased.

Dr Brodie read the letter preferring the charge and replying to Mr Blake said they would take the rest of the correspondence as read. He would now receive the evidence.

Sarah Murphy, widow of the deceased, an Irish witness, examined through an interpreter, deposed – My late husband died on Monday, Oct 2; he had been in good health; he shaved himself quite well on Sunday, and went to Mass; he was dead on Monday; he complained of pains in his back &c, on Sunday; on Sunday evening he expressed a wish to see the doctor; one messenger went for Doctor French on Sunday, and two on Monday; the doctor came about dinner time on Monday; my husband died between six and seven o'clock that evening.

Question over tickets for doctor

1872

The Irish Times and Daily Advertiser 2 January 1872 'Untitled', 2.

At the **Listowel Petty Sessions** on Saturday, a trifling case of assault being before the court, the following amusing incident occurred. Mary Joy, a witness, on being sworn, stated that she could not speak English, and if they (meaning the Court) did not provide one to speak to her in Irish she would not speak a word. Court to Mrs Joy – You can speak English very well. Mrs Joy – No, faix I could not (laughter). Court – Policeman come down and take this woman to bridewell. A policeman immediately came on the table and seized her by the arm. Court – Tell her where she's going. Policeman to Mrs Joy – You must come to bridewell. Mrs Joy – Can't ye get one to talk to me in Irish and I won't. **The magistrates were then obliged to find an interpreter.** Mrs Joy – Ha, faith, I knew I'd make ye spake Irish to me (laughter).

Kerry Evening Post 31 January 1872 page 4 Listowel union – fortnightly meeting

Inquiry into a charge preferred against Mr John Riordan, relieving officer, by the reputed wife of a man named Maurice Harnett for neglecting to admit her husband into the workhouse; and in that event, after being admitted, the husband had been but an hour in the workhouse when he died.

An old man named Thomas Doyle was then sworn. He said he could not speak English since he lost his teeth (laughter)

A guardian – Oh, Mr Harman here can speak Irish

Mr Horsley – Will you interpret, Mr Harman?

Mr Harman – I will, sir

Mr Horsley – Here, take the book so.

Mr Harman – Ah! Indeed I won't take my oath (laughter)

A guardian – The master can speak it

The Master on being asked, said he could not too well but that the Matron could.

Mrs Lavan was then sworn to truly interpret the witness's depositions.

He deposed – I borught a man named Hartnett to the workhouse for my hire, which was 14 pence; hartnett's wife that paid me; he (Hartnett) could not walk as he was very weak; she (wife) had no ticket from the RO; she told me she was looking for him and could not find him; she stopped at Riordan's house on their way to the workhouse, but he (witness) did not.

The witness's depositions were then read.

Londonderry Sentinel 5 March 1872 page 2 The Erraboey murder Lifford crown court

Bernard and Charles McCallog were then put forward. Accused of murdering Mary McFaden Peggy Magee, examined by Mr Johnston (the witness spoke Irish and was examined through an interpreter). Remembered the night McFadden was attacked....

Londonderry Sentinel 7 March 1872 page 1

Rose McCallog (**who spoke Irish through an interpreter**) was the first witness. She deposed – I am a sister to the prisoners. I remember the 1st of August. ...

Drogheda Conservative 9 March 1872 page 3 TRIAL FOR MURDER

At **Donegal Assizes** on Monday Judge Keogh and a jury, elected from the long panel, were engaged for nine hours investigating a case of agrarian murder, in which Charles and Bernard M'Callog were charged with that serious crime.

Bernard is about thirty-five years of age, about five feet six inches in height, of dark complexion, with closely-clipped whiskers. Charles is apparently about ten or twelve years older, his hair being thin and grey, though having a fresh complexion. He is about the same height as the other prisoner, and slightly stouter in appearance. Being asked to plead, - '

Bernard M'Callog said "Not guilty. No, thanks be to God, I never murdered any one."

Charles M'Callog also pleaded not guilty.

Mr. R. Johnston, Q.C., stated the case for the Crown.....

Grace M'Fadden examined—I am the daughter of Owen M'Fadden. I recollect the night of the 1st August last. My father and mother and two sisters, Ellen and Mary, were in the house at the time. My father was making the bed. My mother had a candle in her hand looking at Mary's clothes. Nelly was in the bed behind my mother, and Mary was beside her. I saw Barney and Charles McCallog coming in.. My mother called (witness repeated a phrase in Irish). . .

His Lordship—What is that in English ?

Witness—" Sweet Saviour, help me." .. '

His Lordship made the witness repeat the Irish several times, in order to take it down.

Examination continued—I knew the two men, Barney and Charlie M'Callog. Barney came in first. I saw Barney reauthing over his hand and shooting my mother. I saw Barney M'Callog fire the shot. (Identifies the prisoners). My mother fell off the chair, and then I put the clothes over my head. I heard a second shot. I remained a wee while until I heard my father say, "In the name of God, is that Jemmy Boyle coming to help me?" I was still roaring to Barney that I would swear against him for killing my father. I put the clothes about me and went to meet him. I then heard Barney call out (witness here repeated two Irish phrases, which passed between the brothers, **which she interpreted**, " Where are you Barney ? " I am here, and him on the top of me. ' I was in the middle of the floor, and Charlie gave me that blow, (here witness pointed to a wound above the right temple), and heard no more. I made my way out, and the first I met were the two men coming from Jemmy Boyle's door—Barney and Charlie M'Callog. One of them gave me a blow on the head, and I can't say

Clare Journal 11 March 1872 assize intelligence record court Clare Brew v Herme

Patrick Shannon examined by Mr Smith through an Irish interpreter . he was 76 years of age. Knew Seifield? He was fishing there over 50 years. Knew Cloneen and brought a great many loads of herrings in there and sold them to everybody. He used to put them into cars there.

Cork Constitution 11 March 1872 page 3 Trial for murder

A trial of exceptional interest occurred at the Donegal assizes last week. It was a prosecution of two brothers named Bernard and Charles McCallog for the murder of a woman. The case presented some of the most revolting features of agrarian crime.....

[sister of the prisoners] gave evidence in Irish and it was communicated to the Court through an interpreter.

Freeman's Journal 15 March 1872 'Assize Intelligence: County Mayo', 4.

Castlebar

Mr Justice Fitzgerald sat in the Crown Court at half-past nine o'clock this morning, when the trial of Messrs. Malloy and Smithwick, for the alleged murder of Martin Cleary on the Logduff river, was resumed....

Frank McGowan (who spoke Irish only, and gave evidence through an interpreter'...

The Irish Times and Daily Advertiser 15 March 1872 'Assize Intelligence: County Mayo', 3.

The Fatal Poaching Affray at Ballycroy

Mr Justice Fitzgerald sat in the Crown Court, Castlebar, at half past nine o'clock this morning, when the trial of Messrs Malley and Smithwick, for the alleged murder of Martin Cleary on the Logduff River, was resumed.

Frank McGowan (who spoke Irish only, and gave evidence through an interpreter), examined by Mr Robinson Q.C. – I remember the night that Martin Cleary, the deceased, was killed. I was on the marsh that night, there were a good many people there; a man name Boyle was present; I heard some shots fired, two first, and one immediately afterwards; the place the third shot was fired was nearer to me, but the report was not as strong as the others.

Cork Examiner 25 March 1872 County Crown Court – Saturday page 3

Justice Barry entered Court at ten o'clock, and resumed the hearing of the criminal business.

Manslaughter

Thomas Donovan was indicted for the manslaughter of Cornelius Daly, on the 14th of February last at Ringascreen, near Roscarbery. [...]

From the evidence of John Hicks and Timothy Hayes, it appeared that they, with the prisoner and the deceased, were in company together on the night of Sunday, the 14th February. They had been all drinking heavily during the day in several public houses. The witness Hicks stated he saw the prisoner strike the deceased with a stone, and knock him down dead. [...]

Denis Coleman deposed, through an Irish interpreter, he knew the parties in the case. He had received a letter from Mrs Spillane for Wiliam Coleman; he had been directed not to give the leter to any person but Coleman himself. Witness saw Spillane and Coleman on the morning in question in a butt between eight and nine o'clock, opposite Colman's gate on the Ballinacurra road. Coleman was in the front of the butt and Spillane was sititing in the butt with a cloak over her face.

To Sir Colman O'Loughlin – I am no relation of Coleman's, but was employed by him. There was no other person in the butt at the time.

Cork Constitution 25 March 1872 page 2 The Kinsale abduction case

Wiliam Coleman, a young farmer residing in the neighbourhood of Kinsale, was indicted in company with his farm servant, named Timothy Kidney, on an indictment which charged them with the forcible abduction of Catherine Spillane, a young woman of 16 years of age, the daughter of a respectable farmer residing in the same neighbourhood. The prosecutrix was a person of very attractive appearance, and entitled to a good fortune....

Denis Coleman deposed, **through an Irish interpreter**, that he recollected the occasion in question, and remembered getting a letter form Mrs Spillane for Mr Coleman; she told him to give it to no one but Coleman himself; witness on the morning in question saw Miss Spillane and Coleman passing in a butt; Coleman was sitting on the front of the cart, and Miss Spillane in the body of it, with the hood of her cloak over her head.

Cork Examiner 28 March 1872 page 3 Cork Spring Assizes – 1872

County Crown Court – Yesterday

(Before Mr Justice Barry)

Jeremiah Camion v Henry Campion

The plaintiff is a letter carrier, and resides in Mallow, and the defendant is a gentleman living in Old Georges street in this city. The action is brought to obtain possession of the title deeds relating to the lands of Ballinaparky, Leitrim, &c, in this county, as eldest son and heir at law of the late Jeremiah Campion, and to recover £500 in damages for their detention.

Johanna Morrisey, an Irish witness, who was examined through an interpreter, was examined and deposed – I live at Dunmoon; I knew Mr Bunworth and his daughters, but the one that married; I don't know Jerry Campion; I heard one of the Miss Bunwroth was married.

Freeman's Journal 4 April 1872 'The Galway Election Petition' , 4.

Patrick Monaghan examined by Mr Pearse – I was in Dunmore Chapel at Mass when Father Loftus spoke; I understand Irish.

His Lordship – Repeat in Irish what he said.

Witness gave the Irish, and said it meant a curse on Mrs Griffith, and that anything she would handle would not thrive with her. Some of the Irish words he said he could not translate.

Mr Reade, interpreter, was sworn, and said the translations was the "curse of the congregation on Mrs Griffith, and on anything she would handle or go through."

Cork Examiner 5 April 1872 page 4 Galway Election Petition

The following evidence was given in support of the petition on Wednesday: - [...]

Mr Thomas J Reid, being sworn as interpreter, and the words being repeated in Irish, he said they meant – “May the curse of the congregation (then a word he could not understand) anything she will handle or go through”.

Ballinrobe Chronicle 13 April 1872 page 5 Hollymount Petty Sessions

Edward Flynn, of Shanadullane v Denis Kearney and Bridget Kearney, his wife, for an assault, on the 13th April, at Shanadullane.

Mr Glynn appeared for complainant, and Mr M J Kelly for defendants.

There were about ten other summonses by the parties for assaults arising out of the one transaction – all members of the one family.

Edward Flynn examined by Mr Glynn – One of my daughters is married to the defendant, Kearney, and another to Michael Burke; the beating was on Saturday week; I do not know about the months; Kearney lives nearer to me than Burke; Burke came to help me that day to sow oats; my two unmarried daughters, Sally and Honor, were helping him to ‘stick’ potatoes the day before, and he came over with them; I went for Thomas Conry to look at a sheep that was killed.....

The witness was cross-examined at length by Mr Kelly, to show that he was himself the aggressor, that he accused Kearney with having killed the sheep, and threatened him, and that the attack was made on Kearney by complainant and his family, and that Burke – now the more favored of the two sons-in-law – helped in the affray. **He being an Irish witness, and the questions put through an interpreter, there was a regular passage of arms, or words, between them: the witness considered it was highly impertinent for the man who acted as interpreter to be ‘putting him such questions as he had no right to be enquiring into his family affairs so inquisitively, it was no affair of his, that he was trying to make game of him, and putting cross-questions to make him slip a word for the attorney and damn himself, so he would not answer him anymore, but he would answer the gentleman himself.’**

Londonderry Sentinel 25 July 1872 page 1 County of Donegal Crown Court Lifford

The Erraroey Murder

Bernard McCallog and Charles McCallog were then put forward and indicted for the felonious and wilful murder of Mary McFadden, at Erraroey, on the 1st of August 1871. The prisoners pleaded not guilty.

Owen McFadden was then called, and examined by Mr Hamilton QC.....[Witness repeated the words in Irish as they were spoken by the girls, and they were rendered in English by the Court **interpreter**]..... [Witness gave the words of the question and answer in Irish, which were rendered by the **interpreter**. The answer was – “I’m here, Charlie, and he is on the top of me in the bed”]

Grace McFadden, examined by Mr Richardson QC – I am daughter of Owen McFadden. I was in my father’s house the night my mother was killed. My father and mother and Nellie and Mary were in the bedroom. I was in bed. My mother was sitting next a bed, and was changing clothes on wee Mary. The first thing I saw was Barney McCallog coming, and my mother said –

Interpreter – O, sweet Saviour assist me.

Witness – I saw Barney and Charlie in the room. After the shot was fired I saw my mother falling off the chair, and I heard no more. I heard a second shot, but I don’t know who fired it. I covered my head. When Charlie came in he said [witness repeated the expression in Irish]. I was roaring to Barney that I would swear against him tomorrow for killing my father.

His Lordship – Repeat that in Irish as you said it.

Witness repeated the sentence, and the **interpreter** said, “Barney, I’ll swear against you to-morrow for killing my father.”

Ellen McFadden, examined by Mr Johnston recollected the night my mother was killed....One of them fell, and one of them said old clatchac you (interpreted a “dastardly person”)/

Peggy Magee examined (per **interpreter**)

Leinster Express 27 July 1872 page 6

County Waterford

Mr Clarke QC took his seat in court at ten o'clock, and the grand jury having been re-sworn, his lordship addressed them, congratulating them on the very satisfactory state of the county.

Alice Barry, a baby farmer, charged with neglecting a child, whereby its life was lost, was found guilty, and sentenced to six months' imprisonment with hard labour. **The prisoner could not speak English, and the evidence was interpreted for her.**

Londonderry Sentinel 29 August 1872 page 2 The Ardsbeg homicide – the adjourned inquest

The adjourned **inquest** into the circumstances connected with the death of John Harkan, who was killed at Ardsbeg, near Falcarragh, on the night of the 31st inst by one of the Innisbofin coastguard party, named Joseph Baker, was resumed....

Hugh Green, an Irish speaking witness, was examined through an interpreter

Derry Journal 23 December 1872 page 1 Mr Adair's Glenveigh property, County Donegal – loss of sheep – further enquiry at Churchill petty sessions – close of enquiry.

Letterkenny, Saturday

Neil McIlhinney (Looghbarar) , examined by Constable Walsh, **through an Irish interpreter.**

Londonderry Sentinel 18 January 1873 page 2 Lifford (Co Donegal) land sessions

Michael Friel claimant; the Earl of Leitrim respondent

Michael Friel, the claimant, an Irish-speaking witness, was examined through an interpreter

JURIES (IRELAND) ACT, 1872—CLARE ASSIZES.—QUESTION.

HC Deb 27 February 1873 vol 214 cc1036-71036

§MR. BRUEN

asked the Chief Secretary for Ireland, Whether his attention has been drawn to a report in a Dublin newspaper of incidents that occurred at the Clare Spring Assizes, showing the operation of the Juries Act of last Session; when the panel was called over, several jurors persisted in answering for others, and hardly knew their own names, **others understood only the Irish language**, and when the traversers were arraigned it was discovered that the foreman could neither read nor write; 1037and, whether he has ascertained the truth of these statements; and, if so, whether he will propose a remedy for a condition of the law inconsistent with the due administration of justice?

THE MARQUESS OF HARTINGTON

I have caused inquiry to be made into this subject, and I find that the statements contained in the Question are substantially correct. At the Clare Assizes, the other day, when the panel was called over, the names of several jurors were answered to, though afterwards it turned out that these jurors were not present. In one instance, after the verdict was given, and it was necessary to sign the issue-paper, it was found that the foreman was unable to write, and the issue-paper had to be signed by the second on the list; **and in one instance it was ascertained that a juror was acquainted with the Irish language only, and he consequently was not sworn.** There has not yet been sufficient time to form a correct judgment with regard to the working of the Act. Very careful inquiries are being made during the present Assizes as to its operation; and, if necessary, steps will be taken without delay to amend the Act. I may mention that the Bill, when introduced by the Government, provided a much higher qualification for service on juries than was afterwards inserted. Between the introduction and the second reading of the Bill many suggestions, with a view to reduce the qualification, were proposed. These changes were made in both Houses, and at the request of various influential persons. For instance, on the suggestion of the Chamber of Commerce of the City of Dublin, and of many leading merchants, the qualification of special jurymen was reduced by one-half, and the same was done in other cases relating both to special and common jurors. It is quite

possible, no doubt, that these changes may have been carried too far, and that the amount of qualification may require revision. If the experience of the present Assizes should show this to be the case, the change can be very promptly made. That some such revision of the Irish Act should be necessary need not excite surprise, when it is recollected that in England three Acts have been passed and four or five Committees appointed, within the course of a very few years, upon this very subject.

Kerry Evening Post 1 March 1873 page 3 Limerick Assizes

County record court Wednesday

Assault and illegal expulsion

Sullivan versus O'Sullivan

The plaintiff was examined through the medium of an Irish **interpreter**, and from his evidence it was understood that in May 1870 he was put in possession of the house as caretaker by defendant, at the same time agreeing to pay 5 pounds yearly for some grazing land is attached; in May 1871 his rent was doubled, and subsequently he preferred a claim against the defendant for £23 odd, for work and labour extending over two years; litigation at petty sessions ensued and on 21 November last defendant made a demand for possession of the house and farm, which being refused, he, with two police men and a number of men, came to the house on the following day

HANSARD 1803–2005 → 1870s → 1873 → March 1873 → 6 March 1873 → Lords Sitting → JURIES ACT (IRELAND), 1871.

QUESTION.

HL Deb 06 March 1873 vol 214 cc1382-91382

THE EARL OF LIMERICK

rose to bring under the notice of their Lordships certain statements made with reference to the new Juries Act passed for Ireland in the Session of 1871. The statements had reference to the **Clare Spring Assizes**, and were as follows:—CROWN CoriT—Tuesday. A middle-aged woman named McMahan was arraigned for committing an assault and wounding one Mary O'Loughlin. The prisoner was brought before the judge at the last assizes, but being found incapable of pleading was put back. The following jury, summoned under the new Act, was then empannelled to try whether, on the present occasion, the prisoner was in such a state of mind as to be capable of pleading: Pat Halloran, foreman; John Baily, Martin Eagan, James Fahy, John B. LeFair, James Nagle, Anthony O'Brien, Edmund St. Lawrence, Edmund Vaughan, John Arkins, Daniel Baker, and John Caher. This being the first jury empannelled under the new Act the proceedings were watched with close attention, and comment was freely indulged in regarding its working. **After the list had been called over and the jurymen had taken their places, it was found that many of them could not speak the English language at all, whilst numbers could neither read nor write, and owing to the ignorance of the duties they were summoned to discharge the Clerk of the Crown made repeated ineffectual attempts before he ultimately succeeded in having them sworn in properly.** Dr. W. Cullinan then gave evi- 1383demo that the woman was incapable of pleading, and on the issue paper being handed up to the foreman, it was found he was totally ignorant of the art of writing, and the verdict had to be written by another jurymen who happened to write. Every person in court seemed to be amused at the whole proceeding and the **grotesque appearance of the jurors**. The woman was then ordered to be sent to an asylum. Several grand jurors expressed strongly their disapproval of the working of the Act; and the following resolution, which was proposed by Mr. William Carey Reeves, was passed unanimously: 'We, the grand jury of the county of Clare, assembled at the Spring Assizes, 1873, beg to protest most strongly against the Juries (Ireland) Bill, 34th and 35th Vict. chap. 65, as the Act is most complicated and expensive to the county rates, and some provisions in it are calculated to impede the administration of justice.' Although several very important cases were tried at the Clare Assizes there was not one conviction. Amongst the cases there was one of an attempted assassination. No harm, fortunately, was done to the person attacked, the weapon having burst,

shattering one hand of the assailant, who was shortly afterwards arrested. No attempts are stated to have been made to prove that he was not the man who held the weapon, yet he was acquitted. Similar, though more general, statements had been made as to the working of the Act in other counties. In Meath the grand jury passed a resolution condemning its working, and it seemed that in Leitrim the jury were scarcely acquainted with the nature of their duties. It was the same in the county with which he was more immediately connected—the county of Limerick. In some cases the Judge was stated to have openly expressed his disapprobation at the conduct of jurors, and in one instance the prosecuting counsel withdrew from the prosecution, seeing that justice could not be obtained. At Limerick, a keeper of the Limerick Lunatic Asylum was indicted for the manslaughter of a lunatic. This man was acquitted, but the Judge refused to make an order for the prisoner's release until he should hear from the Counsel for the Crown that no other charge was to be preferred against him, adding that he had not the least hesitation in pronouncing his entire dissatisfaction with the verdict. In another case, the Judge said that if the jury believed certain evidence, he should direct them to convict the prisoner—adding 1384He was obliged to give this direction plainly to them, because during the present assizes verdicts had been returned by juries which quite amazed him, and which were, in some instances, in direct opposition to the evidence. Nevertheless, the jury could not agree; and the Judge said he would discharge this jury and have another sworn to try the prisoner in the morning; and he would, in so doing, impose the obligation on the Crown that they should see that no friends or relatives of the prisoner were empanelled. On the following morning the prisoner pleaded guilty, and the Judge, in passing sentence, said that the jury sworn the day before to try the case had forgotten the obligation of their oaths and acted corruptly. If these statements were correct, contempt would be thrown upon the very idea of a Court of Justice, and it was most undesirable that justice should be made ridiculous in Ireland. It might be said that the new Act was only on its trial, and that time would cure many of these defects. But this appeared to him to be impossible; because, as the Act had led to the introduction on juries of persons who, from ignorance or incapacity, were incapable of discharging the duty of a juror, it appeared to him that, short of an alteration in the law itself, nothing could bring about an improvement. The working of the Act had produced a very grave state of things, because by means of it the administration of justice in the Criminal Courts was almost paralyzed throughout a large portion of Ireland. He begged, therefore, to ask, Whether Her Majesty's Government has any information as to the truth or otherwise of the statements made in respect of the occurrences at the Clare Assizes; also, whether Her Majesty's Government propose to introduce during the present Session of Parliament a Bill to amend the Juries Act (Ireland) 1871?

§LORD O'HAGAN

said, the Notice given by the noble Earl was a very reasonable one, because the subject itself was a very important one, and the statements made with respect to the working of the new Act ought to be investigated, but he could only answer as to the particular case placed upon the Paper, but he hoped that when he had answered the Question of which the noble Earl had given Notice he should be allowed to say a few words on the principle and the pro- 1385visions of the Act itself, as it had been subjected to such hostile criticism. He thought, however, he had reason to complain that the noble Earl, travelling beyond his Notice, had referred to circumstances alleged to have occurred at other assizes than those of the county of Clare, and had asked for an explanation of those as well as of the circumstances referred to in his Notice.

THE EARL OF LIMERICK

said, that several days ago he sent to a Member of the Government Notice that he would refer to those other circumstances.

§LORD O'HAGAN

said, that he had unfortunately not arrived in time to receive intimation of the noble Earl's enlarged Notice; but as the statement with reference to the Clare Assizes had already been made in the other House of Parliament, the Irish Government had been able to make inquiry on the subject. The way in which the charges contained in the statements were put forward showed a good deal of

exaggeration on the part of those who made them. Their Lordships had heard the statements, and he would now read to them the explanation of the alleged occurrences addressed to the Under Secretary to the Lord Lieutenant from the Crown Office at Ennis— Crown Office, Ennis, 24th of February, 1873. Dear Sir—I have to acknowledge the receipt of your letter of the 22nd instant, and, in reply, beg to inform you that, in calling over the long panel, in one instance one juror answered for another and was sworn, and when it became necessary, on the close of the trial, to return the verdict and sign the issue paper, it was discovered that the juror could neither read nor write, and the second juror on the issue paper had to sign it as foreman. **In another case a juror, when called, answered, and on coming to the book to be sworn it was ascertained he could not speak English, and he was directed to stand by.** In some instances when jurors were called it was said that they appeared, whereas, on repeating the call, it was found that they did not. There may have been other illiterate persons on the panel, comprising 234 names, but they did not come under my notice in Court.

§"I have the honour to be, Sir,

§"Yours very truly,

§"GEO. SAMPSON.

§"Thos. H. Bourke, Esq."

§Their Lordships would see that the "many who could not speak the English language" reduced themselves to one, and that the "numbers who could neither read nor write" turned out to be one also. **The Act of Parliament provided for the ease of persons who could not speak the English language—they were to be set 1386aside—and the one person who was found to be in that position at the Ennis Assizes was directed to stand aside.** The "statements" appeared to be like the old story of the three black crows; but although these statements were much exaggerated, neither he nor the Government undervalued the importance of the matter; and accordingly directions had been given by the Irish Government for searching inquiries in every county of Ireland with the view of obtaining authentic information as to the working of the Act in order that they might take such action as might seem necessary. Having said so much of the county of Clare, he must decline to follow the noble Earl into the county of Limerick; but he thought it right to say information had reached him that though gentlemen of considerable station had been called on to serve as jurors, they did not answer to their names. One of the objects his hon. and learned Friend the Attorney General for England sought to carry out by the Jury Bill he had now before the House of Commons was to have a mixture of the higher with the lower classes on juries. That would be desirable in Ireland as well as in this country; but it could not be effected if gentlemen would not come forward to serve. He would have said no more, but he thought it due to the Government and to the administration of justice in Ireland that something should be said in reference to the measure with reference to which these questions had arisen; and as he was the person who had introduced the Bill on behalf of the Government, he thought it only becoming that he should rectify some mistakes as to the construction of the Act, calculated more or less to bring the administration of justice into contempt. The condition of things in Ireland when the present Administration came into office made it requisite that something should be done with respect to juries in that country. It was unsatisfactory in the last degree, and yet he was sorry to say it had existed for some 20 years before that time. Economic and political changes in Ireland had made an alteration of the system on which juries were empanelled very desirable. Forty or fifty years ago, the persons who were eligible to serve as jurors were leaseholders or freeholders. In course of time, the list of leaseholders dwindled very considerably, and in fact 1387almost cease to exist, so that the class who had formerly furnished jurors really became extinct. There were rated occupiers in abundance; but as they held only from year to year they were ineligible for serving on juries. The consequence was, that there was scarcely a county in Ireland in which a really legal panel could be constituted, and objections were constantly taken to the way in which it was made up. Owing to the want of qualified jurors among members of the rate-paying classes and to other circumstances, the sub-sheriffs had in their own hands the power of making the panel pretty much as they wished it to be; and this power was

exercised, he would not say generally, but at all events in a sufficient number of instances, in such a manner as to shake the confidence of the people in the administration of justice. From 1850 down to 1871 every successive Government tried to do something to alter the Irish juries system, and no fewer than nine Bills, all of which proved failures, had been introduced with the view of remedying a recognized evil. The evil had become so intolerable that the present Government felt bound to intervene. When the present Act was prepared its provisions were very carefully considered, and three persons of competent qualifications were engaged in its preparation—a Queen's Counsel, and a junior of the Irish Bar, and a statistician to whom the Government were much indebted. The objects kept in view were two—first, to secure in Ireland perfectly impartial juries, who should not be chosen or controlled by any party or faction; and next, to save men of business from a grievance which was felt in England also—that of having to serve too often on juries. The main provisions of the Bill were prepared in accordance with the recommendations of a Committee which sat many years ago, and was one of the strongest Committees ever nominated by the House of Commons, numbering as it did among its members Sir James Graham, Mr. Bright, the late Lord Mayo, Lord Lisgar, and other eminent Members. That Committee was in favour of a rating qualification for jurors. One of the objects of the Act of 1871 was to secure that and to have the jury empanelled by rotation. The system of rotation was the one which had been in use in Scotland since 1388 the 6th of George IV., and the Attorney General proposed to introduce the same system by means of a ballot. In 1858 his right hon. Friend the Lord Chief Justice of the Queen's Bench in Ireland, Mr. Justice Whiteside, and the late Lord Mayo introduced a Bill founded on the same principle, and when speaking in reference to that Bill the right hon. Gentleman said— It made partial juries impossible, converted the Sheriff from a judicial to a Ministerial officer, and compelled him to go through the book in regular order, giving gentlemen who had served a certificate to that effect, and not calling upon them again till others had taken share of duty."—[3 Hansard, cl., 2285.]

§In the various Bills which had preceded the Act of 1871 the qualification proposed for a special juror was from £50 to £60, and that for a common juror from £20 to £30. When the Bill of 1871 was being prepared, the Government took £30 as the qualification for a common juror and £100 as that for a special juror. He (Lord O'Hagan) introduced the Bill in their Lordships' House. Ample time was given for its consideration—two or three months; but no objection was made to the qualification until the Chamber of Commerce in Dublin made a representation to the effect that the Bill would not work in the county and the county of the city of Dublin, nor in other counties, unless the £100 qualification for special jurors were reduced to £50. In consequence of that representation the proposed reduction was made; but after the Bill got to the House of Commons, the Committee, at the instigation of some Irish Members, made a considerable reduction in the qualification for common jurors. It might be thought that reduction in the qualification had been carried too far—he did not say it was so—but as the Government were responsible for the preparation of the Bill, they did not think that a full and searching inquiry on that point ought to be refused. In The Times the other day he read that in England, within some four or five years, they had had three separate Acts to regulate the constitution of English juries, and that there had been four Select Committees of the House of Commons to consider those successive Acts. It would, therefore, have been a marvellous thing if they in Ireland had been able all at once to reach perfection in framing a Juries Act under the circumstances he 1389 had mentioned. He could only say, on the part of the Government, that they were prepared to use, and were already using, every means in their power to obtain sound and accurate information as to the working of that Act, and as soon as that information had been obtained in the course of the present Assizes, it would be the duty of those charged with that particular part of the administration to see whether any amendment of the Act was necessary, and, if so, to effect that amendment as promptly and as completely as possible. He believed that however much the details might require to be modified, it would be perfectly possible, upon the same principles as those on which the present Act was founded, to secure for the administration of justice the services of an intelligent and independent body of jurors, who would be free alike from the dominion of prejudice and from the taint of corruption.

THE MARQUESS OF CLANRICARDE

urged that before Parliament rose seine Bill ought to be introduced, even if it were only to suspend the present Act for a time, because the present state of things called imperatively for an immediate alteration in the mode of empanelling juries. In illustration of the existing system the noble Marquess mentioned, among other cases, one in which five jurymen, who had sat upon an Irish trial, waited the next morning upon the Judge to toll him that they had not at all intended to bring in the verdict which their foreman had returned.

§House adjourned at half past Six o'clock, 'till To-morrow, half past Ten o'clock.

Mayo Examiner 17 March 1873 page 2

A plea for an outlawed language

(From The Irishman)

The splash of a stone, falling into a stagnant pool, could not cause greater sensation amongst the toads and bull-frogs than the new Jury Act has created amongst certain creatures in Ireland. They have been so accustomed to stagnation that movement of any kind startle them into epileptic convulsions. No wonder, then, that when it was made plain to them that they could no longer pack, perjure, and prosecute in the easy old way, that the tidings has been hailed by a general volley of discordant croaking. We propose here to notice only one of their outcries. Under the operations of the new act, it appears, that a juror was empannelled in the county Clare who knew only his native tongue. At this the toads have croaked until their sides ache, and all the venom has been stirred within them until they have become noisome in the last degree. But, they can congratulate themselves on having made their croaking penetrate the precincts of Parliament. The Chief Secretary for Ireland (who should have more sense than to heed them) bowed to their outcry, and promised that care should be taken that the thing should not appear again. Only consider what a terrible catastrophe was this which has caused such imperial excitement. **In the County Clare a juror was empannelled who knew only the language universally known and generally spoken in the County Clare! In Ireland, an Irish juror had the incredible audacity to be conversant with the old and expressive language of Ireland!!** After this admission, who can wonder that there should be immediate action taken, that the English Minister in Ireland should be called to account, and that in the English Parliament he should confess contritely the fulness of the offence, and promise solemnly amendment for the future. It is true that if a similar thing occurred in Poland the English press would have opened its full cry upon the Russians and called them barbarian despots. If it were stated that in Alsace or Lorraine, a French-speaking juror were excluded, and that Bismark, called to account in the Imperial Parliament, should promise a revival of the jury laws – if that were stated, the English press would say, twas just what might be expected from a despotic conqueror who went the sure way to keep the people's hearts permanently estranged. If in Wales a like case occurred – but we can suppose nothing so absurdly impossible. Why, the Government, instead of taking care to exclude a juror who knows nothing but Cymric in Wales – take care, on the contrary, to appoint judges that are competent to understand and speak that language. – When, a short time ago, a minor judge was, by some peculiar interest, appointed, who chanced to be an English-speaking person, there was great excitement – far greater excitement than there was amongst the few fogeys in Ireland who were alarmed at the empannelling of an Irish-speaking juror in Clare. Then, indeed, the English Government became apologetic also – but it was to palliate the nomination of an English-speaking official, not as now, to plead guilty before the nincompoops who are alarmed that an Irish juror should know Irish! But it will be said, “You are comparing things essentially dissimilar. Vastly more people speak Cymric in Wales than Irish in Ireland.” Is that statement true? We take the Official Statistics, for the last Census, 1861, on which the full tables have been published: -

In Ireland – 1,105,586 persons spoke Irish

In Wales – 1,111,780 persons form the total population!

Thus the *whole* population of Wales barely exceeds the number of persons in Ireland who speak Irish! But we will next trim off even that excess in a very curious manner. Of the total number of the inhabitants of Wales then given, we discover from another table that no fewer than 21,147 were Irish-born persons. Of course these *Irish-born* persons have, many of them, Irish families born in Wales, who are not noted, though they, doubtless, double the number of Irish people in Wales. Omitting the families, and deducting merely the Irish-born persons, the whole population of Wales is less by some 15,000 than the Irish speakers in Ireland. Deduct their families, also the number of English who have straggled into Wales, and it is plain that those who speak Irish in Ireland must far outnumber the Welshmen of Wales! And yet an Irish-speaking juror in Ireland is rejected with horror – and and yet the jury laws must be revised so as to exclude Irish-speaking Irishmen – whilst, *for a smaller population* of Welsh-speaking Welshmen, not only must the jurors but the judges be Welsh-speaking Welshmen! We commend this to the attention of those Germans who are publishing works in Germany on the Irish language, and who intend erecting a Chair of Celtic at Leipsig. The English Government will neither recognize frankly our Nationality nor rule us (as they pretend) like a portion of England. For a Yorkshireman, may be a juror in Devonshire, if he settle there, and an easterling in Lancashire, under the same conditions. But no Connemaraman, no Clareman, no Kerryman, no Donegalman – no Irish-speaking man would neither comprehend nor be comprehensible. We reply that precisely that objection lies in the English cases given. Can a Yorkshire peasant comprehend or make himself comprehensible in a southern county? English indeed! – we should like to know if one of these provincials arose in the English Parliament and spoke “English”, what percentage of the English-speaking people there could comprehend him? Suppose a witness in court, would a Lord Hartington on the bench declare that he perfectly understood a Northumberland farmer testify that he had said “Ye ill-farr’d body – ye so pluff an’ leeve a saet a baaks in aa the faugh quarter? Gang wheam!” We should like to see the noble lord and gentlemen who are shocked at the appearance of an Irish-speaking juror in an Irish jury-box when called upon to comprehend the English of such an English-speaking Englishman! Or suppose they catch the word “purdy” in a Durhamman’s evidence, and ask: “What does it mean?” How enlightened they would feel in being assured: “O nobbit a throstan up thing like a Jack at Warts.” Or, in burring Lancashire, suppose the noble lord sat as judge, and put it to the jury whether he should hang the prisoner at the bar, and the foreman, on behalf of the jury, replied: “We wou’d yedd’n” or “We wou’didd’n” – what would the noble judge do? Most probably take it as a verdict of not guilty whereas it means: “We wish you would.” Perhaps the Parliament may appoint, as some desire, a Commission to inquire concerning the scarcity of coal. They go to Newcastle. Now, would any of them, except an autochthonic son of the soil, pretend he could understand such English-speaking persons as the one who sang [.....] If the Tory leader wished he might, using the words of L. D’Israeli, have observed in reply to Lord Hartington that: “Should a peasant of the Yorkshire dales, and one from the vales of Taunton, and another from the Hills of the Chiltern, meet together, they would require an interpreter to be mutually intelligible to each other; but in this dilemma, what county could produce the Englishmen so versed in provincial dialects as to assist his three honest countrymen?” But none of these three mutually incomprehensible Englishmen – incomprehensible to themselves and to those who speak the language, as printed – not one of them would be disqualified as a juror because of his uncouth jargon. *Nay, if all three settled in Ireland, they might all three be called to act as jurors on a panel from which every Irish-speaking juror had been struck off – and that, perhaps in a case where plaintiff, defendant, and witnesses, all delivered their testimony in Irish.* Interpreters would stand between the parties and their counsel and the judge, but the incomprehensible Englishman should enjoy the high privilege of judging without understanding! What do we require? Fair-play. We demand that the beautiful Irish tongue, which is “docile and spirited as an Arab, sweet as music, strong as the wave”, will receive as much consideration as the Cymric of Wales, more than the lumbering and uncouth dialects of England. If the lawyers of the western circuit of England had to learn from a Glossary the “Exmoor language” – let those of the western circuits of Ireland learn the Irish language. If jurors are sworn in England, speaking naught but rugged and barbarous jargons let

it no longer be a fatal disqualification to an Irishman in an Irish county that, whilst comprehending the testimony of the people, he speaks the language of Ossian and of Carolan. No longer give them cause to repeat the lay of suffering: -

We starve by the board, and we thirst amid wassail,
For the guest is the lord and the host is the vassal –
Through the woods let us roam through the hills wild and barren
We are strangers at home – we are exiles in Erinn.

Cork Examiner 12 April 1873 page 1

County of Cork Election

Notice to Presiding Officers, Check Clerks, Court Keepers, **Interpreters**, and all others having Claims against the Returning Officer in connection with the above Election.

The respective Candidates not having paid into the Returning Officer their respective proportions of the balance of the account furnished to them, he regrets that he is not in a position to discharge on this day, as arranged, such claims of the above parties as are at present unsettled.

Kerry Evening Post 26 April 1873 page 3

The juries (Ireland) act

London, Thursday – the select committee of the house of commons to enquire into the working of Lord O'Hagan's juries act for Ireland

Mr Charles Hemphill, who was examined by the chairman. He said he was a Queens counsellor, and had been Chairman of quarter sessions in Kerry since 1871, a leader on the Leinster circuit also, and, being engaged largely at the Nissi Prius sittings in Dublin, he had ample opportunity of judging of the operation of the act on the quartzite. In Kerry he had found the new jewellery man as a rule very intelligent, and in general the petty juries gave true verdicts in conformity with the evidence. The grant and petty juries had been a little awkward in the mechanical part of this work, and he had to make some explanations to i'm on that subject. The change made by the new act and the amendment act was this: – that grand juries were before always selected from the special jury list under the late statute, and the change was in the special jury list. They were recommended by the sheriff from that list. With regard to the exception and disqualification of juries he certainly thought those ought to be disqualified who could neither read nor write. At present the act to did not provide for that. There should be some educational qualification, as he might call it. A remarkable illustration of this defect occurred latterly in the Clonmel fishery case. In this case he appeared for the defendant, and the verdict was given for the defendant. Mr Butt had since obtained a conditional order for a new trial on the ground that one of the jury could neither read nor write. He thought the judge should have the power to strike off the name of an ignorant jury man without the consent of either party. He would further suggest that the chairman should have the same power. As the act at present stood that could not be done. In outlying districts it was found necessary to have **interpreters** that was the case also he believed in Mayo and in Dingle. Every second case required the intervention of an interpreter. With regard to the qualification of juries laid down in the act, he would suggest that there should be a household qualification in addition to the present qualification as rated occupiers, and also that they should be altogether a higher test for special jurors. Under Perrins act, a large property qualification was required, but there were no means of ascertaining the fact, and hence many persons found their way to the jury list who were insufficiently qualified.

London Daily News 12 September 1873 page 5

Formerly, twenty or thirty years ago, **Irish interpreters** were indispensable at all the petty Courts, Courts of Quarter Sessions, and Courts of Assize throughout the county. Now it is very selcom that the assistance of those functionaries is required, thoughg they are still kept in attendance; while in Wales the Chairman of the Sessions is supposed to qualify for his post by studying the Welsh tongue

on account of the difficulty of getting Welsh defendants especially to understand English. Country congregations, which twenty years back were always preached to in Irish by the priests, at the present day readily comprehend the discourses addressed to them in English. Whether there is any practical advantage to be derived from interrupting the decay of a dialect which must be unfitted for everyday intercourse, and which is clumsy and inconvenient to those who still employ it, is a matter for consideration.

Cork Examiner 24 September 1873 page 2

Mallow Quarter Sessions

Lawrence Murphy and Johannah Cronin were indicted for assaulting William O'Leary and Ellen O'Leary, on June 30th.

Mr R Barry defended the prisoners. [...]

Old Mrs Cronin, the woman at whose house the prosecutor was living, was produced, but not being able to speak English, in the absence of the interpreter she could not be examined.

The jury acquitted the prisoners, who were discharged with a caution.

1874

Derry Journal 30 March 1874. Donegal quarter sessions

Robert Henderson, plaintiff; John Boner, Jun, defendant.

This was a claim for £8.11 shillings, value of goods sold and delivered. The defendant denied, through the **interpreter**, that he had purchased the goods, but a clerk of Mr Henderson's (who is a wholesale grocer in Londonderry) identified the defendant as the person who ordered the goods, his Lordship granted a decree

Irish Times 15 May 1874 Parliamentary Election Expenses page 2

Among the witnesses examined before the Committee of the House of Commons to-day, appointed to consider the Parliamentary Elections Returning Officers' Bill, was Mr Johnston, Under Sheriff of Cork. In the course of his examination, he said under the old system in 1868 the election for the county of Cork cost about £762 10s. At the last election it was something much smaller - £22 10s. at the election in 1868 there were seventy-five booths, for each of which he made a charge of £910. Of this £3 were paid for the use of booths, £3 for incidental expenses, stationary &c., £2 for each deputy, £1 for the poll clerk, and 10s for the **interpreter**. These charges were made under the 13th and 14th Vic, cap 68. The £3 for incidental expenses were charged as the sum allowed by the Act, not from any inquiries made into the actual cost. The £3 for booths included the provision of tables and the like. The charge of the private booths was £3. It was the amount actually paid for them, but he thought they might be got for less if hired before an election took place. But when persons knew that an election was imminent, and that the Sheriff was entitled to make that charge, they refused to accept less. He was also acquainted with borough elections. At the last election he had four contested borough elections. The cost of election for the borough of Kinsale was £76 11s 6d. This was principally for advertisements. Some of the advertisements took up columns of papers, and they were charged somewhat higher at Kinsale than in other boroughs, from the fact that the papers were published on the day he received the writ. The cost of advertisements for the four boroughs to which he had referred (in one paper alone) was £6,810.

Derry Journal 22 July 1874 Donegal Assizes, page 1.

Charge of perjury.

Francis Birne was next called on his recognisances to stand his trial for a charge of perjury. Bernal was called three times, but did not appear and Mr Drummond, who stated he appeared in the case, said his client knew no English, and would have to be called, and arraigned in Irish.

The **interpreter, Patrick Gildea**, was then sworn, and translated the charge and the answers of the witnesses to the prisoner, who had just surrendered himself, and two, pleaded not guilty. The same jury was retained to try the case. Evidence was then gone into, the interpreter being used all the time.

Constable John Thompson, examined by Mr Johnston, QC – I am stationed at Killybegs, and recollected 9 March last. I summoned a man named Patrick Gallaher to the petty sessions at Kerry is for selling whiskey without a licence on 16 February last. The prisoner was summoned as a witness in the case, and attended there. I saw him sworn. It was in Irish he was sworn. I do not understand Irish.

To Mr Drummond – the only case was for selling whiskey. I did not know where it was sold. Patrick Gallaher was convicted for selling spirits without a licence in his own house.... The prisoner was discharged.

Kerry Evening Post 15 August 1874 page 3

O'Dorney petty sessions Friday

Patrick Donovan Esquire was the only magistrate on the bench. There were about 30 cases on the orderbook for hearing

A woman named Bridget Connell was summoned at the suit of Mr Thomas Selles, of Balinvoher, for that the defendant did, on or about 3 May last, unlawfully milk complainant's cows.

Mr O'Connor Horgan, solicitor Tralee, prosecuted

Mr Selles - the witness cannot speak English

Mr Donovan – have we an interpreter here?

Mr Rice (Clerk) – we have, sir. Flaherty, the summons server will interpret.

An Old man named Hoare then deposed through the interpreter....

Mayo Examiner 30 November 1874 page 3 Alleged malicious injury Ballinrobe Special Sessions

Timothy Hair applied for £15, the value of a cock of hay burned on his premises at Bunadubber, parish of Ballinchuila. [...]

An Irish witness was offered as to the value of the hay, and as to the loss sustained by applicant.

Mr John Hynes consented to act as interpreter. Witness swore that there was not 2½cwt of the hay injured and burned; the burning never got up as far as the thatch at all; the remaining hay was good; he would buy it if he required hay for his sheep and cattle; he saw not only Hair's sheep, but his lambs and his calves eating it. [John Hynes applied for interpreting job in 1893]

1875

Cork Examiner 28 January 1875 'Cork (E.R) Quarter Sessions pages 2-3

(Before Mr DR Kane, QC)

His Worship entered court yesterday at ten o'clock and resumed the hearing of civil business.

Mackay v the County High Sheriff

This was an action brought by Mr William Mackay, solicitor, against Mr JRA Newman, the High Sheriff of the county, to recover the sum of £40, surplus money paid by plaintiff to defendant in August, 1874, when the plaintiff was a candidate for the office of coroner for the East Riding of the county. [...]

Mr Johnson – His impression was he paid five interpreters at the rate of £5 each.

Leinster Express 13 February 1875 page 2 Untitled code switching

In an action heard in the Second Queen's Bench on Saturday a witness came on the table dressed in the garb of the peasants of the west of Ireland. As it was stated that he could speak nothing but Irish, another peasant similarly attired, was sworn to interpret him. Judge Barry, however, having a

suspicion on the subject, asked the witness did he expect to be paid his expenses, and intimated that if he did not speak in English he would not be allowed anything. His lordship's words had a magical effect, for to the astonishment and amazement of every one in court, the witness answered in excellent English, and proceeded to give his evidence without requiring the slightest assistance from the "interpreter".

Mayo Examiner 12 July 1875 page 6 Grand Jury – Burrishoole North – malicious injury - = Burrishoole (north of Westport on way to Achill)

Bridget Cattigan (Irish witness) – My husband is in England; had a Gallagher's hooker was burned; went out twice that night to look after our boat; had a tongs full of fire with me each time; a small boy was with me each time; we pulled up our own boat; pulled her up as far as the beach; that was my boat that was at Gallagher's quay. [...]

Mr Richard Gibbons was sworn twice to interpret.

Witness said she tied her boat to a stone at the quay with a chain that she had to the boat'; there was no rope in the boat; pulled the chain as long as she could, and tied it round a stone.

Londonderry Sentinel 20 July 1875 page 2 riot and assaults Crown Court Lifford

Riotous assembly, great noise, assaulting Brian Coyle and various other members of the Coyle family
Bryan Coyle jun examined through an interpreter, deposed that he is nephew of last witness..

Catherine Coyle, also an Irish-speaking witness....

Hannah Friel, examined through an interpreter....

Munster Express 31 July 1875 City court [Waterford]

Michael Ronayne appellant and John Ussher respondent.

This was an appeal from the decision of the Chairman of QS in which the sum of £31 had been awarded for disturbance.

the appellant was again called but as he insisted that he could not speak English, and as the Irish interpreter could not be found, Mr P Curran, formerly of the Waterford Chronicle, volunteered his services in that capacity, but Mr Slattery solr, objected that Mr Curran was an interested party.

His Lordship said he wished he had the fiat of the Irish interpreter's presentment.

Mr P Curran was examined and deposed that he knew the farm for the past 9 years, there is a good, substantial dwelling house on it; it would cost £26 or £30 to build one like it at the present day

1876

Derry Journal 17 January 1876 page 1 Lifford Quarter Sessions Assault

Dominick Gallagher, Peter Gallagher, and Paddy Gallagher were placed in the dock and indicted for that they, on the 4th July 1875, did unlawfully assault one Patrick Moy, at Knockletragh, county Donegal, occasioning him actual bodily harm.....

Patrick Moy – brother of previous witness – was next examined. His evidence was given in Irish, he being unable to speak English, and accordingly, the **interpreter** of the Court, **Mr Daniel Boyce**, was sworn to interpret. Witness – who was blind of the left eye – gave evidence corroborative of his brother's testimony. Witness hesitated a good deal during cross-examination.....

For the defence, Catherine McDevitt, who was also examined through the **interpreter**...

Tralee Chronicle and Killarney Echo 18 April 1876 page 3 petty sessions

Tralee Chronicle and Killarney Echo 1843-1881, Tuesday, 18 April, 1876; Page: 3 SNEEM.—

(Before J. C. H. MANSFIELD, Esq., RM, in the chair.) The Queen at the prosecution of Constable Nolan v. Ally Shea. It appears that a woman named Johanna Shea was seriously assaulted by defendant with a spade. Constable Nolan stated that Johanna Shea came to him with a large cut on

her head, which she said was inflicted by defendant. He took her to the doctor who dressed her wound, And she being a poor woman, she was unable to take out a summons. **Johanna Shea, who gave her evidence through an interpreter, she being unable to speak English**, stated that on the day in question, she saw defendant gathering some manure with a spade. She knew it was her own, and told defendant to leave it there, Tbe defendant said it was hers, and on remonstrating with her, she (defendant) took up the spade and gave her a stroke on the head, and knocked her down. A man named Con Shea corroborated tbe last witness's evidence, and defendant was fined 10s and costs.

Dublin Weekly Nation 20 May 1876 page 6 Caswell

As the prisoner was unable to speak English, and there was no Greek interpreter in court, the case was adjourned until Monday.

Londonderry Sentinel 15 July 1876 page 2 Lifford sessions

Mr Daniel Boyce, interpreter at Assize courts and crier to the chairman of the County, tendered his resignation of the post of CBO for the Fannet district, an office which he had held for the last 11 years. His Worship said he regretted to part with such an efficient officer, but was informed that Mr Boyce's other duties precluded his discharging those of process server satisfactorily. The Chairman, therefore, accepted his resignation.

Mayo Examiner 21 August 1876 page 3 Magisterial Enquiry

Ballinrobe, Monday

The Queen at the prosecution of HR McDermott Esq, SI, RIC v Patt Hare and Mary Macken, charged with being concerned in the murder of Sarah Mannion, at Ballyshingadann, near the Neale. [...]

Ellen Casey, an Irish witness examined by Mr McAndrew through the **interpreter** – I live in The Neale; I knew Sarah Mannion well, when alive; saw her last alive on Saturday evening before last fair of Neale; when she heard of the murder; she was in my house that Saturday evening as the post went down, about two hours before night; I do not know where she went to when she left my house; she went down the road towards her own house; saw her in her own house since dead, from the door, but did not go into the house.

Kerry Evening Post 13 September 1876 page 2 Killorglin petty sessions Assault on Sugruess

The magistrates present were – Messrs Edward Rae, in the chair; E McGillicuddy Eagar, and, for a while RP Blennerhassett MP

The Rev George O'Sullivan as usual sat beside their worships....

Most of the principals and witnesses were Irish speaking persons.

Mrs Gubby Sugruess was sworn in English, but after saying a few words of broken English, spoke in Irish and would speak nothing else.

The Chairman threatened to commit her for contempt of court, but she still persisted.

John Murphy was sworn and said she had spoken to him several times in English.

Peter Hussey said he would swear that she could not speak English.

The Chairman said one swore that she could speak English, and another that she could not, so he had to believe his ears, and he directed the police to take her into custody and have her committed for eight days.

Freeman's Journal 4 December 1876 'Second Queen's Bench: Lynch v Kenny', 2.

This was an action to recover two gales of rent. The plaintiff is Major G Lynch, of Clogher House, county Mayo; and the defendant, Mr Fitzgerald Kenny, a relative of his. The action arose in consequence of an alleged agreement by defendant to pay plaintiff an annuity of £2120 in consideration of giving up possession of Clogher House. The defences relied on were substantially that the plaintiff was a trespasser at the time of the agreement, and also that the plaintiff had interfered with and disturbed the defendant in possession. The details of the case were interesting.

Amongst the witnesses was a countryman, dressed in the customary garb of the peasants of the west of Ireland. As it was stated that he could speak nothing but Irish, another peasant, similarly attired, was sworn to interpret him. Judge Barry, however, evidently having a suspicion on the subject, asked the witness did he expect to be paid his expenses, and intimated that if he did not speak English he would not be allowed anything. His lordship's words had a magical effect, for to the astonishment and amazement of everyone in court, the witness answered in excellent English, and proceeded to give his evidence without requiring the slightest assistance from the "interpreter".

1877

The Irish Times 28 February 1877 'Bartholomew Herbert Mc Corkell v Wm G Corscadden', 3.

Mr Holmes said they were not always able to get a good panel under the new system at Lifford; in fact, jurors might be summoned who had never served in that capacity before. Some jurors at Lifford did not even understand the English language, as had been discovered on a recent occasion.

His Lordship – You might have an **interpreter**.

Cork Examiner 30 March 1877 page 3 Kerry Adjourned Assizes - Wednesday

(Before Mr Justice Keogh) The Connor Hill Murder

[..] Mary O'Donnell, wife of the deceased man, examined by Sir Colman O'Loughlen, deposed that her husband left home between nine and ten o'clock on the morning of the 9th December; he was dressed in his ordinary clothes; he was about forty years of age, and the family consisted of themselves and two children; the prisoners lived about a mile from them; they were always on bad terms; about three weeks before the murder she heard Catherine Divane say in Irish that her husband got a blackeye and that he would be news to the country. [...]

Nicholas Neill, a witness **who gave his evidence in Irish**, deposed that last summer, when employed in hay-making he saw the deceased man running towards him pursued by the prisoner and another man. O'Donnell appeared to be in a great fright, and he ran to witness for protection.

John Flaherty gave similar evidence.

Thomas Kennedy, Catherine Kennedy and Catherine Egan, who gave their evidence through an **interpreter**, deposed to hearing the female prisoner using threats against the deceased.

Kerry Evening Post 31 March 1877 page 3

Kerry adjourned assizes

The Clahane murder case

Timothy and Catherine Devane, husband and wife, who had already pleaded not guilty to an indictment charging them with the murder of Thomas O'Donnell, on 9 December last, were put forward for trial.....

Thomas Kennedy, Catherine Kennedy and Catherine Egan who gave their evidence through an **interpreter**, deposed to hearing the female prisoner using threats against the deceased.

Kerry Evening Post 11 April 1877 page 3

Killorglin petty sessions At these sessions on Tuesday the magistrates present were: Messrs Edward Rae, chairman

Constable Mulholland summoned Dennis McCarthy, and Robert McCarthy his son, a boy of some 12 years of age for a similar offence (setting and that in the tide), on the 23rd February.

The Senior defendant could not speak English, and, through the **chairman**, who acted as **interpreter**, put the following question – how far away where are you from me when I was setting the net (laughter).

Chairman – see how these unfortunate people convicted themselves before their eyes.

Galway Vindicator and Connaught Advertiser 27 June 1877 Mr Thomas J. Reid

Mr Thomas J Reid on last Monday resigned the office of Clerk of Petty Sessions, which he had held for upwards of forty years. Mr Reid has been recently unwell, but we are glad to learn that he is fast improving, and that it may be hoped he will for many years enjoy the ? cum dignitas his long public services entitle him to. Mr Reid who was a First Class Clerk and had a salary of £300, retires upon two-thirds of his salary or two hundred a year. Indeed, it was the exertion and ability of Mr Reid, when the late lamented Earl of Mayo was Chief Secretary for Ireland, that Clerks of Petty Sessions were indebted for the great improvement in their position which then took place. Mr Reid was Chairman of their Association and spared neither time nor money in carrying his point. Mr Reid was also Interpreter at the Assizes, Local Inspector of Fisheries, and Registrar of the County Infirmary so that his retirement causes more than one vacancy in the local public service. He discharged all his duties with marked ability and was thoroughly master of Petty Sessions Procedure and of the greatest assistance to the Magistrates in the discharge of their duties. It will be difficult to find a successor for him as Clerk of Petty Sessions so well qualified for the position. We understand there are several candidates. The appointment rests with the Resident Magistrates. It is to be hoped a majority of them will be found to vote to put the right man in the right place in this important public office.

Kerry Evening Post 11 July 1877 page 2 Killorglin petty sessions Unclear what case this was whether civil or crown – mention of trespass, assault and non-compliance with the vaccination law

The magistrates present were Messrs Edward Rae and De de C McGillicuddy

A small farmer named McKenna of Tullig, was sent to gaol for **contempt of court** for swearing that he could not speak English, while Constable Hutchinson proved that he lived near the town, and never conversed with him for the last seven years but in that tongue.

Cork Constitution 31 July 1877 page 2 Fitzgerald v Long Cork Summer assizes – city record court

This was an action to recover the sum of £35, money alleged to have been paid by the plaintiff for the defendant.

The defendant is a farmer in the county Kerry, and the plaintiff is his son-in-law.

The defendant being unable to speak English was examined through an interpreter.

Ballinrobe Chronicle 10 November 1877 page 1 Ballinrobe Petty Sessions Serious assault

Mr Daly, on behalf of six persons, named James Dolan, Michael Burke, John Dolan, Pat Burke, Martin Walshe, and Michael Dolan, brought up in custody charged with an assault endangering life on Pat Mulro, of Lettereneen, at Cappaghduff, on the ??th October, submitted that they be admitted to bail, there being now a certificate from Dr Hanrahan, of Cappaghduff district, that the life of the injured man is out of danger, but he was not sufficiently recovered to be able to attend court this day.

Constable Thomas Evans, of Killanteenne station, who had charge of the case, did not oppose the application. He had seen Mulro, and had heard from Dr Hanrahan that he is not yet able to attend.

Mr McSheehy, R.M., said Constable Evans deserved great credit for his attention to this case. He had even got out of his sick bed on the day that he (Mr McSheehy) had been in the mountains to take the injured man's depositions, and even acted as interpreter on the occasion, but for which his long, dreary journey there of a severe wet day would have been fruitless. He hoped Constable Evans would not suffer by it.

Constable Evans said he had then a very severe cold, and for some days before, but was glad to say his getting up that day did not make him worse.

Cork Constitution 1 December 1877 page 3 Mitchelstown libel case. Court of Queen's bench John Sarsfield Casey

A number of tenants were then examined. They were all comfortably clad.

The first, an aged man, on entering the box, spoke in Irish. Mr Butt said the Clerk of the Crown was the proper interpreter, but that officer declined the duty. Counsel then asked the witness could he speak English, to which he replied "No", which answer elicited loud laughter. Seeing the position he was in, the witness gave vent to his passion in a torrent of Irish, and was ordered "down" without giving any evidence.

Cork Examiner 1 December 1877 page 3 the Mitchelstown Estates Trial of Mr John Sarsfield Casey Fourth Day

The next witness was an old man named John Greene, who was got on the table with difficulty. When about to be sworn, it was found that he could not speak English, he answered "No, he could no" very distinctly. This caused much laughter.

Cork Examiner 3 December 1877 page 4 The Mitchelstown Estates Trial of Mr John Sarsfield Casey (libel case) Fifth day - Saturday

The witness was then examined through an **interpreter**. He said that he was over seventy years of age. His rent had been raised from £2 12s 6d to £7 2s. he never would be able to pay the increased rent. He was not worth three half pence in the world, but owed £9 or £10. This year he had an acre and a half of oats sown, but he did not get two stone of oats from it. He had given £20 fortune to his daughter.

Freeman's Journal 4 December 1877 'The Mitchelstown Case', 2.

Witness having been asked by his lordship whether it was the March gale he was paying, said he could not understand, and looked appealingly round to Mr D.J. Riordan to interpret for him.

Mr Riordan was about to question him in Irish, when Mr Sergeant Armstrong objected.

Mr Butt pressed that he should be examined by an interpreter. It was plain he could speak English, but could not understand many of the questions.

Mr Riordan was then sworn as an interpreter.

Mr Heron objected that Mr Riordan was a witness.

Mr Casey, the defendant, was about to leave in search of another Irish interpreter, when Mr Butt, thinking he was about to interpret, said – "It would be still worse with Mr Casey".

Mr O'Brien, Q.C. – This is all for mere delay and obstruction.

Rev John Walsh, who was present, proffered himself as an interpreter, and was sworn.

Cork Examiner 4 December 1877 page 2 The Mitchelstown Estates

Trial of Mr John Sarsfield Casey Sixth day- Monday (From our reporter)

John O'Shaughnessy examined by Mr O'Brien QC – I am a tenant on Mr Buckley's estate; I went twice to Mr Bridge with the rent, and he would not take it; that was a year ago; the rent I offered was the old rent, £7 4s; when he refused it he said he wanted the land himself; the new rent is £11 9s, I have a son in Australia and two at home; my uncle gave me the farm, for he had neither son nor daughter, but me and my brother; I had to sell a cow to pay the high rent; I went to Mr Bridge with the "rise" and he would not take it, 'twas in the month of March, 1876.

The witness spoke such very bad English that Mr Butt applied for an **interpreter**.

Mr D J Reardon being in court, was solicited to act, and the clerk of the court administered the oath to him, but

His Lordship objected to him, on the ground that he had been a witness in the case.

Rev John Walshe, CC, was asked to interpret, and he consented. The witness then gave evidence in Irish. He said he had eight in the family, and lived on Indian meal and potatoes, so small that the ducks could swallow them (laughter); he never ate meat, for he had no money to buy it; his sons went to service to Mr Bridge to enable them to pay the rent; his uncle used have to bring lime up the mountain in boxes hung at either side of a horse, the passage was so bad, and when they got to the top the services of two men were required lest the boxes would turn over and endanger the life of

one if only one attempted to take off the box; he was one of the tenants highest up on the mountain, and snow remained on the ground a long time there; he refused at first to pay the new rent, and offered the old rent, but Mr Bridge refused to take it; then he sold a cow for £13 15s, and brought the increased rent, but Mr Bridge refused it saying he wanted the land himself; he offered witness £100, but he refused to take it, for it would not pay for the fences; he settled with Mr Bridge either last summer or the summer before; the land was not worth the rent in consequence of the failure of the crops; he set half an acre of oats last year, but two hens would eat all it produced; he would be digging potatoes all day and the ducks would eat all of them, except a few, they were so small; he was greatly in debt - £60 would not pay him; he had no place to go if he were turned out but the workhouse.

Cross-examined by Serjeant Armstrong, the witness said that the farm was returning to its original state of wilderness.

Mr O'Brien, QC, complained that Mr Bridge's bailiff was staring the witness in the face during his examination.

Mr Heron said that the bailiff was beside him merely to explain to him what the witness was saying. The cross-examination was continued at some further length, but nothing material was elicited.

Weekly Irish Times 8 December 1877

'The Mitchelstown Estates: The Casey Trial', 2.

The trial of John Sarsfield Casey, "the Galtee Boy", for alleged malicious libels upon Mr Patton Smith Bridge, published in the Cork Examiner and Freeman's Journal, commenting on the management of the Buckley estates in the counties of Cork, Limerick, and Tipperary, was resumed on Friday week, in the Court of Queen's Bench.

Much amusement was excited in court by the appearance and demeanour of the next witness. He was a decrepit old man, attired in the primitive fashion of knee-breeches, big blue long-tailed coat, and truly typical caubeen. He mounted the table by the aid of two sticks, and when he sat down in the witness chair he commenced talking Irish in the most vigorous manner. Notwithstanding the strenuous efforts of the Registrar to attract his attention for the purpose of handing him the Testament to swear him, the old man utterly ignored him for some time. When he did receive the book he would not stand up to take the oath, but held up the book and continued to speak in Irish, addressing some reporters in front of him, as if in an expostulatory manner, for some moments. Mr Butt asked was there no one in court who could interpret the evidence? And there was no response to this appeal whereupon the learned gentleman said such a fact was a disgrace to the country. The case was thus brought to a standstill for some moments, and it was thought utterly useless to attempt to get a word of English out of the witness. The Registrar appealed to Mr Butt, the crowded court meanwhile enjoying the whole state of affairs immensely, Mr Butt said in a jocular way that he thought it was the duty of the Clerk of the Crown to interpret the evidence, and that drew forth from Mr Goodman the intimation that he would apply to counsel for leave to examine the witness in English. Meanwhile the old man, whose name was John Green, had been rattling away in his native tongue with unabated vigour. Counsel agreed that they had better let him go, and he had got off the chair and was getting the sticks into position for assisting himself in dismounting from the table when Mr Wm O'Brien, Q.C., as a dernier resort, asked him once again - Are you sure you can't speak English? To which John Green replied "No" in the most unmistakable tone - the answer simply convulsing the court with laughter. Green was then made to return to the witness chair, and the book was handed to him once more, but he re-opened fire with the pure Celtic, and proved a thorough irreconcilable, for he was let off the table without assisting the defendant's case by his evidence, Mr Butt remarking - Let him go down and we'll have him instructed in English.

John Green, a decrepit old man, who gave his evidence through an Irish interpreter, deposed - I am seventy years of age. I am not sure but....

1878

Connaught Telegraph 5 January 1878 page 2 Castlerea Petty Sessions

James O'Hora sworn.

Mr MJ Kelly – I have been informed that this man does not speak English.

Chariman – Do you speak English?

Witness – No (laughter)

Mr Mitchell – Was it you sold him the turf?

Witness – Yes

Mr Kelly – I have been informed that he does not speak English.

Chairman – Was it you sold him the turf?

Witness- Yes.

The witness was then sworn in Irish and was examined through an interpreter.

The Waterford News 19 April 1878 page 4

Easter QS Important land claim

Wm Flynn, (an Irish-speaking witness) examined by Mr Mathieson through an interpreter

Londonderry Sentinel 15 June 1878 page 1 Killybegs petty sessions Assaults etc

Mary Shovlin, Stranagartin, parish of Glen, summoned John Boyle, of same place, for assaulting her on 17th May and threatening to take her life. A heifer belonging to complainant had trespassed on defendant's land, and when driving it off the dispute arose. Boyle, according to complainant's statement, knocking her down, and violently assaulting her in sight of her husband. **Several witnesses were produced on both sides, who gave their evidence in the Irish language through an interpreter.. it being almost impossible to make them understand the Qs put by the Bench**, and there being evidently an old quarrel in question, the magistrates dismissed the case, cautioning both parties as to the consequences should they come before them again.

Ballinrobe Chronicle 26 October 1878 page 1 Ballinrobe Petty Sessions Alleged murder case

The Queen at the prosecution of Patrick Burke, Cregduff (who was brought up in custody), charged with having caused the death of a girl named Honor Duddy, on the evening of the 14th instant, near Ballinrobe.

The result of the Coroner's inquest on the body of deceased was published last week.

The case excited considerable interest, and the court was much crowded to the close.

Counselor C O'Malley (instructed by Mr M J Kelly) defended the prisoner.

Dr McArdle, Esq, SI, RIC, conducted the prosecution.

Margaret Philbin, an Irish witness, examined by Mr McArdle, through the interpreter – I live in Cregduff; was in Ballinrobe on Monday last at the market.....

Cork Constitution 20 November 1878 page 2 Carrigaline petty sessions

The magistrates presiding were Messrs Thomas Hayes (in the chair) and CJ Cantillon. There were a great number of cases settled out of court, and only 20 for hearing on the books. Mary Donoghue, of Coolslaugh, an old woman who could speak nothing but Irish, processed her son, William Donoghue, for £1 19s 11d cash lent. The complainant stated, through Patrick Riordan, who acted as interpreter, that the son and his wife used to beat her, and that he refused to pay her her money. Mr Cantillon suggested that they should get their clergyman to settle it and come to some amicable agreement, but he complainant said she would have their worships' decision on it, and leave it to no person. Their worships gave a decree for the amount claimed.

[Patrick Riordan was appointed water bailiff in November 1864 – Cork Examiner 28 March 1865]

Galway Vindicator 27 November 1878 page 3

Petty sessions [Galway] James Wall and his wife Bridget Wall from near Killeen were summoned for refusing to permit their daughter to be taken to the Fever Hospital she being labouring under contagious disease, and the house not sufficiently ventilated. Dr O’Dea, Oranmore, and Relieving Officer Young proved the case. The case against the wife was dismissed: but the Bench imposed a fine of £5, or in default two months imprisonment with hard labour on the old man James Wall, who could speak only Irish, and who appeared dumb founded when Mr Hogan, the Interpreter, explained his position to him. Wall was taken into custody.

T. Hogan, Salmon Weir, Galway -

Kerry Sentinel 6 December 1878 page 3 Milltown petty sessions Assault

A woman named Ellen Dowd, residing at Keel, summoned a young chap named Maurice Dowd, from the same locality, for assaulting her.

On the oath being about to be administered to complainant, she told the magistrates in Irish that she was unable to speak English.

Sir John Godfrey – Who will we get to interpret?

The name of John Quirk was mentioned.

Mr Quirk – Oh, your worships, I understand it very well, but I could not interpret (laughter).

Sir John Godfrey said he thought a man named Michael Corcoran, who was in court, could interpret?

Corcoran – Oh, I beg your pardon, Sir John, I couldn’t do it (renewed laughter).

Mr Eagar – Come here, Corcoran. I hear you are looking out for an interpretership (laughter), so you are better show us now that you are able to fulfil the position.

Corcoran – Very well, sir. He then proceeded to administer the oath in Irish, and examine the witness.

Complainant deposed that defendant kicked her on the leg and cut her.

A man named Patt Barton was then called. He appeared not to be in the witness-box for the first time, and made an attempt to evade the oath by kissing his thumb instead of the book, but a vigilant Sub constable detected him in the act and he had therefore to go through the ordeal of kissing the book after. Nothing material was elicited from his evidence.

Their worships having consulted,

The Chairman said – We fine defendant £1 and costs, or in default a fortnight’s imprisonment.

Defendant was about leaving the court, when

Constable Skuce said – Your worships, this man lives in the farthest off part of this district, adjoining the Aunascaul division, so I would most respectfully ask your workships to order the fine to be paid immediately.

Defendant – I haven’t it now, but if you give me a few days I’ll pay it.

Mr Eagar – When will you bring it?

Defendant – On the next fair day, at the farthest.

On the application of complainant, instead of £1 fine, it was made 10s fine and 10s costs, and the prisoner was not detained.

Kerry Evening Post 7 December 1878 page 4

Milltown petty sessions

Assault

Ellen Dowd, residing in keel, summoned her son-in-law, named Maurice Dowd, for assault.

As the complainant was unable to speak English, their worships experienced no little difficulty in getting an **interpreter**; But eventually by dint of argument they got a man named Michael Corcoran to do it....

Their worships ordered the defendant to pay 10 shilling fine 10s costs and costs of the court, or in default a fortnight's imprisonment.

Cork Examiner 18 December 1878 page 3 Munster Winter Assizes

Mr Justice Dardy entered the City Court at half past ten o'clock.

The Killorglin Murders

John Heffernan was indicted for that he, on the 13th November 1877, murdered Julia Clifford.

Mary Heffernan was then called, but seemed not to understand English.

Mr Morphy, Crown Solicitor, said she had spoken to him in English about her expenses, and Police-constable Doherty also swore that she had spoken in English to him.

The interpreter was then called, and his lordship desired him to inform the witness that unless she gave her evidence in English, she would be placed in the dock. As she refused to comply with the request of the judge she was then placed in the dock.

1879

Cork Examiner 15 February 1879 page 3 Rathcormick

At one o'clock 140 of the 403 electors had registered their votes. Lord Fermoy and Lord Riversdale addressed letters to their tenantry as to the part they should take in the election. Great difficulty was experienced in this district by one of the personating agents of Colonel Colthurst, in getting his declaration of secrecy taken before a magistrate. On Thursday evening he called on Mr JG Nason, JP, Castlecormick, and that gentleman referred him to Mr Rice, Colonel Colthurst's local conducting agent. He went yesterday morning to Mr Thomas Montgomery JP, and it appears that gentleman not only refused to take it but ordered him to leave his place with the utmost dispatch. He then drove to Mr Uniacke Mackay's place at Ballyroberts where he at last succeeded in getting his declaration taken. Some Irish speaking electors lost their votes as there was no magistrates to be had to take the declarations of an interpreter. Other voters by mistaking their petty sessions district found themselves in Rathcormick, when they ought to have been at Riverstown. Others fully qualified were surprised to find that their names were not on the register.

Cork Examiner 21 March 1879

Cork Spring Assizes

County Crown Court

Daniel Cooney pleaded not guilty to an indictment charging him with having at Millstreet, on the 3rd inst. assaulted an old man named Cornelius Creedon, and attempted to steal from his person a purse containing £13 2s 0d.

Cornelius Creedon, who was examined through an **interpreter**, deposed that on the 1st March he saw the prisoner in the town of Millstreet with another man, and they were doing tricks with three cards [laughter]. On the 3rd March he was at the fair in Millstreet, and he was in Michael Murphy's public-house. There was a great crush in the hall. He had his money in his inside vest pocket, and he saw the prisoner open his (witness's) vest. He pretended not to see him until he had all the buttons opened, and then he seized him and gave him over to the police.

Constable McGrath deposed that he arrested the prisoner and found on him some loaded dice.

The jury found the prisoner guilty, and he was sentenced to six months' imprisonment with hard labour.

The Irish Times 21 March 1879 'Spring Assizes', 6.

Attempted Robbery from the Person

A young man named Daniel Cooney pleaded not guilty to an indictment charging him with having, on the 3rd of March last, at Millstreet, attempted to steal from the person of an old man named Cornelius Cregan £13 in bank notes, and two silver coins.

The complainant could speak no English, and was examined by means of an interpreter.

The Irish Times 25 March 1879 (The Spring Assizes: County Galway), 6.

Manslaughter Case

The witnesses in this case had all to be examined through an **Irish interpreter**.

Londonderry Sentinel 19 April 1879 page 2 Killybegs petty sessions Assault etc [Donegal]

Nellie Brogan of Glen charged her sister Sally with assault, and also abusing their mother. All 3 reside in the same house, Sally being married to a man named Ward. Nellie and the mother have half the land, the married sister having the other half, and frequent rows between the sisters are the result. Defendant was examined through an interpreter in the Irish language.

Kerry Sentinel 19 August 1879 page 4 Killorglin petty sessions

Breaking telegraph wire

Constable Nolan, of Glenbeigh, prosecuted a young chap named Michael Burke, of Drum, aged about 9 years, for breaking the telegraph wire.

The Chairman asked defendant did he hear the charge preferred against him.

Defendant stated in Irish that he could not speak English.

...The rule of court is that you be fined 10s or in default 14 days imprisonment

Cork Examiner 26 August 1879 Killorglin petty sessions

During the hearing of one case the interpreter had to be paid one shilling for interpreting the evidence of an Irish-speaking witness, who was the complainant in the case.

Cork Examiner 26 August 1879 page 3 Kerry Intelligence Tralee Petty Sessions

The other adjourned cases, numbering altogether 75, were then proceeded with. During the hearing of one case the **interpreter** had to be paid one shilling for interpreting the evidence of an Irish-speaking witness, who was the complainant in the case. – Adjourned.

Londonderry Sentinel 11 September 1879 page 2 wages cases Killybegs petty sessions

William McGill summoned Ann Byrne for balance of wages £1 5s....

Freeman's Journal 20 September 1879 'Court of Bankruptcy' 3.

In re Denis Cronin – the bankrupt, who had been a farmer and grocer living at Macroom, county Cork, had absconded....

John Cronin, the father of the bankrupt, was called, but as he could not speak English, the **case was adjourned for an Irish interpreter**.

Londonderry Sentinel 13 November 1879 page 2 Killybegs petty sessions Assaults

Mary Boyle, of Meenaharry, summoned Neil Breslin for assault on 10th October last. **Complainant, giving her evidence in Irish, through an interpreter, stated that defendant**, with a number of others, was building a hay-stack on her land.....def made at her with a fork....

Munster Express 13 December 1879 Kilkenny Assizes Calf Stealing

Thomas Tobin was indicted for having, on the 18th of October last, stolen a calf, the property of Kate Ahearn, of Dungarvan. There was a second count for having same in his possession, knowing it to be stolen.

The same jury tried this case.

[Kate Ahearn was the owner of the calf.]

Mr Ryan QC and Mr Coates prosecuted. The prisoner was undefended.....

Patrick Tobin deposed that he was at the fair of Dungarvan held on the 19th of November; he had a springer and a stripper; saw prisoner there; swapped the stripper with him for the calf in question;

knew Kate Ahearn; he (witness) had the calf grazing on the lands of a neighbor when Mrs Ahearn identified it as her property.

Mrs Tobin, a very intelligent woman, and the wife of the last witness, corroborated her husband's evidence.

Prisoner, on being asked, said he wished to question Mrs Tobin, but as he could not speak English very fluently he considered he would occupy too much of the Court's time in doing so. He spoke Irish very well, and wished that an **interpreter** could be procured.

Mrs Tobin, in answer to his lordship, said she could speak Irish, and would act as interpreter.

Prisoner then cross-examined her at some length, but the interpretation showed that nothing of any benefit in his case was elicited. At first the use of the expressive Irish language caused great laughter, but as time wore on the examination became so interesting that a dead silence was observed.

Mrs Tobin, when retiring, received the thanks of the Court for acting as interpreter, but she expressed a hope that she would be remunerated for doing so.

[...] This concluded the case, but his lordship said he wished very much to question the prisoner, but such was rendered impossible in consequence of the absence of an interpreter.

Mr Milling said **Sub-constable Murphy**, James-street station, would act as interpreter.

Sub-constable Murphy in coming forward, stated in answer to his lordship he was but very imperfectly able to speak Irish, although he understood well any conversation carried on by others in that language. He considered he would be quite capable of conveying the meaning of the answers given to questions by the prisoner.

His Lordship said that would not satisfy him, as he wanted one who would be able to hold conversation with the prisoner.

A Constable Hickey was then called, but his statement as regarded his mastership of the language being similar to that of Constable Murphy, his lordship would not accept him as the interpreter.

His Lordship – There is an interpreter in Waterford, and he had every right to be brought here.

Mr Milling said they were not aware of this man speaking Irish. Had they been they would have brought him. He considered they had no alternative but to accept of Mrs Tobin as one.

This was accordingly done.

Judge (through Mrs Tobin to prisoner) – Can you give a satisfactory account of how this calf got into your possession? – If I were not locked up in this sort of manner I would be able to give an account.

Where did you get this calf? I bought it at the fair of Dungarvan.

Did you buy and sell it on the same day? – Yes.

Prisoner here put a question to Mrs Tobin, but before he had finished she answered him quite indignantly.

Judge – What has he said?

Mrs Tobin – He says, my lord, that I engaged the stripper to milk two quarts of milk every morning, and that since he got it it never did so.

Judge – Did you make this engagement? I did, because during the time I had it, it milked that much.

Prisoner, in distinct English, said she engaged the stripper to mild 21/3 quarts of milk every morning (laughter).

Judge - You may retire now Mrs Tobin, as I have no further questions to put to you, and I may state that the court feels thankful for the assistance you have rendered.

Nine months with hard labour.

1880

Londonderry Sentinel 31 January 1880 page 1 Serious Assault Lifford crown sessions

John Sweeney and Bridget Sweeney, husband and wife, were indicted for that they, on the 8th October last, unlawfully did assault Catherine Sweeney, and occasion her actual bodily harm. They pleaded not guilty.

Catherine Sweeney was examined through Mr Daniel Boyce interpreter, she being an Irish-speaking witness.

Catherine Sweeney jun was also examined through the interpreter

Hannah Sweeney, another daughter of the prosecutrix, who spoke Irish only, gave similar testimony...

Giles Sweeney, mother of the male prisoner, was examined (through the interpreter)....

Sentence on husband deferred, wife let off

Ballinrobe Chronicle 7 February 1880 page 1 Clonbur Petty Sessions The Derrypark Case

The Queen at the prosecution of Sub-Inspector WB Law, Esq. v Patrick Henehan, Mathias Joyce, Michael Joyce, Peter Lydon, and Thomas Derrig – For that defendants did, on the 14th of January 1880, at Derrypark, in the county of Galway, unlawfully conspire together with others to prevent the service of legal processes, and obstruct the police in the discharge of their duty, and did then and there with others commit a riot and formed part of an illegal assembly. [.....]

Peter Lydon, the other defendant (Irish speaking) through an **interpreter**, declined to put any questions to the witness. He did not throw a stone or do anything until after he was struck with a gun when going away.

Dundalk Democrat 14 February 1880

Petty Sessions – yesterday - Family Squabble

John Mathews, of Ballybinivey, charged his brothers, Michael and Owen, with having assaulted him both on the 22nd ult, and one of them again on the 30th.

Mr MacMahon defended.

It appeared from the evidence that on the occasion of the alleged assaults the defendants sought to eject the complainant from their common dwelling, they having an aversion to his living there, on the ground that he had no hereditary claim to the place, and that he had not contributed to his own support, much less to that of the holding. He averred that from the time of his father's death he spent about £400 on the place; this the other emphatically denied. As regards the alleged assaults, it was contended for the defence that no more force was used than was rendered necessary for complainant's expulsion.

The bench held over their decision for a month in the hope that within that period some satisfactory settlement might be effected.

A novel element was introduced into the case, and it was as amusing as it was novel. The mother of the litigants – an ancient dame, apparently more than an octogenarian – was put forward as a witness for the defence, but not being able to express herself in the English tongue, **her daughter – a Mrs Conlon – acted as interpreter**. While transferring the oath in Gaelic to the Dowager Mathews, the interpreter, who, it seemed, calculated that the language was common to themselves only in court, took advantage of the situation to caution her mother, that while she was to tell the whole truth, &c, she should also 'hold her tongue'. This significant interlarding of the adjuration was quickly noticed by Mr Supple, S.I., who, to the interpreter's surprise, detected the surreptitious warning (he having some knowledge of the Irish language) and gave it out in court. – The circumstances created much merriment. – However, the examination of the old woman was proceeded with, and whether the verbosity of the answers as given by the interpreter in comparison with their conciseness when leaving the old woman in the vernacular was to be attributed to the comprehensiveness of the Gaelic language or to a pretty liberal sandwiching they received *en route* to their worships, the reporter is unable to say.

Dundalk Democrat 4 September 1880 Dundalk Petty Sessions

The complainant, an old dame who is well known in court from the fact that whenever she appears there something funny always turns up on her examination, as she cannot, or at all events pretends not to be able to speak English, was then put into the witness-box, and Mr Moynagh tried to cross-examine her without an **interpreter**, as it was said she could speak a little English.

Mr Moynagh – Do you and defendant live in the same house? *Tha* (great laughter).

Chairman – That means ‘Yes.’

Mr Moynagh – Oh, then, your worship will translate for me. (To complainant) Do you remember the 26th of August last?

The complainant let go in Gaelic, but as our reporter’s knowledge of that language is rather limited, we are sorry we cannot reproduce Mrs Mathews’ second answer. Neither did the chairman display any more extensive acquaintance with the vernacular than the interpretation of the word ‘Tha’, so the court was at a loss for an interpreter. Mrs Mathews’ daughter was qualified for the task, but her services were objected to both on account of her relationship and of her previous performances in the way of translation. Mr Rogers stating that on a recent occasion in court a gentleman who understood Irish told them she **was putting her own construction on the answers given by her mother**. The head-constable was asked if any of the police force could speak Irish, and said he did not think there was any of them who could. The chairman suggested that they should send for Mr Mathew More Graham.

Mr Rogers said perhaps it would not be necessary to go into the case more fully once they heard the other side. The defendant was arrested on an information, charging him with the larceny of the trap and mare. The settlement that Mr Hamill had tried to effect [they didn’t question Mrs Mathews after all]

Kerry Sentinel 21 September 1880 page 3 Killorglin Petty Session

Same complainant v Thomas Murphy

The first witness examined was a woman named Mary Shea. She could not speak English, and **Mr Coffey, R.O., interpreted the evidence**, which was, that on the morning of the 18th September she was out in her fields; she left no one in the house after her; she saw the defendant coming from the direction of her house; she did not recollect ever seeing him before; she did not suspect anything; when she went in she missed some six bundles of flannel; it was in the house in the morning when she left; she missed nothing else at the time.

Belfast Evening News 2 October 1880 page 3 The assassination of Lord Mountmorres Examination of the Accused (From the special representative of the Press Association) Cong, Friday night. Court house, Clonbur before Mr Dennehy RM for examination. To-day the two men, Patrick Sweeney and Patrick Gannon, who have been taken into custody on suspicion of complicity in the murder of Lord Mountmorres....Sweeny had come from Galway Jail last night, and remained in the police barracks in company with Gannon the whole of the night.

The magistrate’s clerk was here informed by Mr Law that Sweeney did not speak English, and the magistrate asked if an **interpreter** were in court. The Clerk said that there was no interpreter, but that he could speak Irish, upon which he was directed by Mr Dennehy to translate to the prisoner the information on which it was sought to remand him. Sweeney made a reply in Irish which was said to be “It is a long way to go to Galway again for eight days. The Magistrate – You have heard that information read. Gannon – I did, sir, and it was perfectly false. The Magistrate – But on that information and on the application of the Crown, I must grant a remand of eight days. Gannon – But I do not see, Mr Law, what information you could have against me to ask for a remand. Mr Law – But I have sworn I ought to have some in eight days’ time. Gannon – And you would keep a man who has a large job to do for that time. What charge have you against me of any description whatever? The Magistrate – This is a preliminary examination. You are remanded for eight days. Gannon – I understand that. You have said it to me twice before. The prisoner was then removed to the

barracks, while the Crown Solicitor, in company with the police, proceeded to the scene of the murder to make further inquiries.

Cork Examiner 2 October 1880 page 3 The murder of Lord Mount Morris

Examination of the accused The Government award

(from the special representative of the Press Association) Cong, Friday night

Today the two men, Patrick Sweeney and Patrick Gannon, who have been taken into custody on suspicion of complicity in the murder of Lord Mountmorris, were brought up at the courthouse, Clonbur, before Mr Dennehy RM of Oughterard, for examination. [...]

The magistrate's clerk was here informed by Mr Low that Sweeny did not speak English, and the magistrate asked if an interpreter were in court.

The Clerk said tht there was no interpreter, but that he could speak Irish, upon which he was directed by Mr Dennehy to translate to the prisoner the information on which it was sought to remand him.

Sweeney made a reply in Irish which was said to be "It is a long way to go to Galway again for eight days."

The Magistrate – You have heard that information read?

Gannon – I did, sir, and it was perfectly false.

The Irish Times 2 October 1880 The Murder of Lord Mountmorres Magisterial Inquiry the Prisoners Remanded, 5. Cong

Prisoners – Patrick Sweeney and Thomas Gannon

Sweeny, who does not understand English, was given to understand the nature of the Sub-Inspector's affidavit through an **interpreter**.

Prisoner, in reply to this person, said (in Irish) – It is a long way to go to Galway again. It is a long way to go for eight days.

The Clerk (to Gannon) – You speak English, and you have heard the affidavit.

Gannon – I have, but it is all perfectly false.

[remand x 8 days]

Belfast Newsletter 2 October 1880 'The Murder of Lord Mountmorres Examination of the accused, 5

[From the special representative of Press Association]

Cong, Friday night – To-day, the two men Patrick Sweeney and Patrick Gannon, who have been taken into custody on suspicion of complicity in the murder of Lord Mountmorres, were brought up at the Courthouse, Clonbur, before ...Dennehy, RM, of Oughterard, for examination.

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The Magistrate – You have heard that information read?

Gannon - I did sir, and it was perfectly false.

The Magistrate – But on that information, and on that application of the Crown, I must grant a remand for eight days.

Gannon – But I do not see, Mr Law, what information you could have against me to ask for a remand for eight days.

Nenagh Guardian 3 November 1880 'Outrages in the County Cork', 3.

A special sessions was held at Bantry yesterday, at which a widow named O'Connor, and two brothers, John and Denis Keehan, were charged with threatening one Denis Murphy and attempting to burn his crops. The defendant could speak only Irish, and **the bridewell-keeper acted as interpreter.**

Cork Examiner 3 November 1880 Bantry petty sessions

A special court was held yesterday at Bantry for the purpose of disposing of the ordinary business. The magistrates present were Messrs JW Payne (in the chair), Lord Berehaven, Captain Hewson and Mr Warburton RM.

The widow O'Connor and her two brothers John and Denis Keohane appeared on bail to answer the charges – the former of using threats to Denis Murphy and attempting to burn his crops, and the two latter for using threats to the same complainant. ...

On the case being called, the bridewell keeper came forward and informed the bench that the defendants were Irish speaking people, and understood no English. They told him to tell the magistrates that they had employed Mr O'Hea to defend them, but he was obliged to go away to Skibbereen Quarter Sessions, and they, therefore, requested that the case may be adjourned.

Mr Payne – Mr O'Hea knew perfectly well that these cases were to go on to-day. They must go on, and these people have no one to blame but O'hea.

The case was then proceeded with, **the bridewell keeper acting as interpreter.....**

Interpreter – They came to protect the widow's property, they say.

Mr Payne – what right had he there?

Interpreter – He is brother of the widow.

Mr Payne – The land is in the possession of this man, and they had no business there at all. These men were never in possession of the place at all.

Interpreter – No, but their sister – this woman, was.

The defendant John (through the interpreter).....

Page 3 Interpreter – They came to protect the widow's property, they say.

Mr Payne What right had he there?

Interpreter – He is brother of the widow.]

Mr Payne – The land is in the possession of this man, and they had no business there at all. These men were never in possession of the place at all.

Interpreter – No, but their sister – this woman, was.

The defendant John (through the interpreter) then said that he put the cattle on this land for his sister, as he was told by Mr Wright, solicitor, to do so. Mr Wright asked who told Murphy to put cattle on it...

The Bench then decided to order the defendants to find bail to be of the peace.

Freeman's Journal 18 December 1880 'The Whiteboy Act', 2.

Waterford

Patrick Lonergan, sworn, and examined through an **interpreter**, as he only spoke Irish

Freeman's Journal 31 December 1880 'Acquittal of the Prisoners', 3.

Sub-constable Kelly deposed – I found Judy Mullin concealed under a bed in Currin's house.

Mr McSheehy – As Judy Mullin cannot speak English, and as we have no **interpreter**, we cannot allow this deposition as evidence for the present.

1881

Ballinrobe Chronicle 29 January 1881 page 1 Ballinrobe Petty Sessions

Cruelty to animals

Sub-Constable Winters v Thomas Smith, Ballyhaunis – That on 17th inst in Ballinrobe market, in the public area, defendant did cruelly ill-treat three pigs – cutting them on the side with a knife.

A man named John Wall was produced to prove the offence, but declined to answer, alleging that he could not do so in English; and the interpreter being absent at county court sessions, the case was adjourned to next court day.

Cork Examiner 23 May 1881

To the Editor of the Cork Examiner

Sir – As I believe you have no correspondent in this remote town, may I ask you to be kind enough to give me a little space for the purpose of making brief reference to a matter which is of vital importance to the taxpayers of this district as well as to the country at large. Special sessions were held here yesterday, and the most important business consisted in hearing applications for supposed malicious burnings. The magistrates on the bench were Captain Needham (in chair), JF Fitzgerald, and J Butler, junr. The claims of the applicants were opposed by the ratepayers, but, strange to say, the magistrates gave them little or no opportunity of stating their objections. Their worships refused to hear witnesses, and any one in court who was bold enough to protest was “shut up” by the stentorian voice of Captain Needham or forced into silence by the lordly scowl of Mr Fitzgerald.

Among the few witnesses heard on behalf of the ratepayers was a rustic youth who was unable to give his evidence in English. A famous bailiff, commonly known by the name of “Buck Dawley” and a very Uriah Heep in appearance, offered to act as **interpreter**. The evidence had not proceeded far when Canon Brosnan interposed, saying that “Buck” was giving a misleading rendering of witness’s testimony. Many others in court expressed themselves in a similar manner, and there was a general murmur of disapproval (in which even the police joined) through the entire body of the court. It was evident to every one conversant with the Celtic tongue that “Dawley” not only mistranslated the evidence, but, what was worse, suppressed the most material points. Yet, notwithstanding all this, the magistrates, prompted by a packed and partisan jury of ratepayers, gave compensation in each case! Still further, “Dawley”, whose interpreting was objected to on the sworn testimony of the most respectable gentlemen in court, was allowed to act in other cases!

The magistrates are all connected with the landlord interest, and I need scarcely say that gossip, with every show of truth and reason, attributes their conduct and decisions to a “holy horror” of the Land League and its principles. One would be inclined to think from yesterday’s proceedings that all their decisions were given on the “sic volo sic jubeo” principle. How long is this state of things to continue? How long, O Lord! How long! – Yours truly

STARRO

Cahirciveen, May 19, 1881

Sic volo, sic iubeo = I want this, I order this

Sligo Champion 9 July 1881 page 4 Correspondence – Irish Interpreter

To the Editor of the Champion

Sir – Kindly permit me through your journal to make a few observations on the late appointment of Irish interpreter made by our County Court Judge Mr Hamil QC. A vacancy having occurred in that department several applications were sent in to the Chairman, and he very properly decided to have the applicants examined by a competent Irish scholar. The names of Dr Cox and Mr Peter O’Connor being suggested to him he sent for those gentlemen and had four candidates examined by them, any of whom, I am sure, be well able to discharge the duty, as I know, of my own knowledge, that some of them not only speak the Irish language fluently, but can write it very fairly. Notwithstanding this an outsider, who declined to undergo the test of examination, was appointed by Judge Hamil.

Now, Mr Editor, this I consider not only discourteous to the examiners, who were taken away from business, and the society of their friends – Dr Cox being here only on a few days’ vacation – but also unfair to four respectable men who underwent a trying examination lasting several hours, or do I,

indeed, think the appointment was announced either to the examiners or publicly to the examined the first of it appearing in the "Sligo Independent" of that week.

It appears that the words of warning of the "Evening Mail" given to Mr Hamil had the desired effect, for it had caused him to more fully expose the weakness so characteristic of men of his persuasion when placed in positions of prominence.

This weakness, for such I call the appointment made by Mr Hamil, is not likely to escape an intelligent public such as are to be found in Sligo, even amongst the officers of his own court; and, I trust, when this matter comes before the Grand Jury by way of presentment Mr Peter O'Connor will have something to say on it.

I am &c

Celt

Sligo Champion 9 July 1881 page 3 Illegal rescue of a cow

Margaret Gallagher, an elderly country-woman, was arraigned on the charge of having willfully and illegally rescued a cow from John Gallagher and Patrick Walsh.

As the prisoner was unable to speak or understand English, the services of the public **interpreter**, Mr Aikins, Ballymote, were called into requisition. (Probably James Eakins)

One month in jail

Ballinrobe Chronicle 9 July 1881 page 1 Ballinrobe Petty Sessions

Morahan, who represented having lost a sheep, was produced; but being an Irish-speaking witness, and having **no interpreter in court (Mr Ripplingham being away at quarter sessions of Swinford)**, the case was adjourned.

The Irish Times 10 November 1881 'The Belmullet Affray', 7. Inquest

Edward McDonagh, father of the deceased, was called to prove the identification of the body. **The witness spoke in Irish, and was interpreted to the Court by Father McManus.** He said his daughter died on Saturday, the 29th ultimo. She was wounded on the 27th. Her age was 23: unmarried.c

Freemans Journal 11 November 1881 page 6 the Western subcommission Ballina

in one case, Pope versus Miss Thompson, the tenant, came forward and addressed the court, in Irish. **The crier interpreted the observations to this effect – that the poor man had not been able to get a surveyor.** The chairman explained through the crier. That was not necessary to bring forward any paid evaluation, but that the tenant should engage legal advice. (William Kearney again)

The Irish Times 12 November 1881 'Ballina'

The Sub-Commissioners Messrs JG McCarthy (chairman), Houghton and O'Shaughnessy, sat this morning at 10 o'clock and proceeded to hear cases under the Land Act.

Margaret Goodwin, tenant: Sir Charles Knox-Gore, landlord.

The tenant, an Irish-speaking witness deposed, through the crier, William Kearney, an interpreter, that....

The Irish Times 9 December 1881 'The Connaught County' 6. Carrick-on-Shannon

This morning, at ten o'clock, Baron Fitzgerald took his seat on the bench in the courthouse of this town, and resumed the hearing of the criminal business for the Province of Connaught.

The commission for the county Mayo was first proceeded with.

Attacking a dwellinghouse....

James Dolan was called, and being unable to speak English, an Irish **interpreter** was procured..... [ear cut off]

The Irish Times 15 December 1881 'Winter Assizes: Unlawful assembly and assault', 6.

None of the prisoners could speak English, and presented a very aboriginal appearance. An **interpreter** having been procured,....

Dublin Daily Express 15 December 1881 page 3 Unlawful assembly and assault Connaught Winter Assizes Carrick on Shannon

One of these witnesses refused to speak English, and was examined through an interpreter until near the close of her cross-examination when it appeared that her knowledge of English was quite sufficient for the purpose, and she was examined in that language, but created much amusement in court by refusing to answer any question which she supposed would criminate the prisoners, and when pressed for an answer, would again break out into violent invectives in her native tongue.

Ballinrobe Chronicle 24 December 1881 page 1 Western Land Commission

Sittings in Ballinrobe

Patrick Morahan, tenant, an Irish speaking witness, examined through the court **interpreter** by Mr Daly, proved – I am tenant of those lands.....

1882

Connaught Telegraph 7 January 1882 page 3

Anna Patten swore – Refused to speak English, but after some perseverance answered in English.

Ballinrobe Chronicle 7 January 1882 page 1 Ballinrobe Petty Sessions

Trespass

Catherine Dolan v James Dolan, for trespass of sheep &c, on complainant's land at Deradda. This case came up on adjournment, defendant being the man who had an ear cut off in that locality some time back.

Mr Daly appeared for complainant, and Mr Given for defendant.

Complainant being an Irish-speaking witness, and the **interpreter** being engaged in the County Court, Castlebar, the case was again adjourned, to the 30th inst.

Kerry evening post 11 January 1882 page 2

Fatal accident

Wife of Mr Michael Collins, who is well known in Kerry as sheriffs officer and interpreter at Assizes and quarter sessions court for many years

Kerry Independent 12 January 1882 page 2

Fatal accident

On Tuesday morning, as the wife of Mr Michael Collins, who is well known in Kerry as sheriff's (??) officer and interpreter at Assizes and Quarter Sessions Court for many years, was coming down stairs in her own residence, she tripped and fell on her head, dislocating her neck. Dr Falvey was immediately sent for, but before his arrival she had succumbed.

Cork Examiner 18 January 1882 Ballyvourney Petty Sessions

Mr Kirchoffer presided at the above sessions yesterday.

An Emergency Man in Trouble

Three small boys named Daniel Healy, Bat. Healy, and Denis Lucy, were summoned at the suit of "the Queen" for an alleged assault on a man named Michael Murphy, better known as "Mick le Pincha", a man who has been extensively employed in the neighbourhood in the capacity of Emergency man.

Acting-constable Clegg deposed that on the 13th December the man Murphy went down to Ballyvourney church to publish the fact that Mr Hussey was coming round for the rent due by Sir George Colthurst's tenants. After Mass a lot of people collected round the man, and commenced screaming and shouting at him. When Murphy was going away a shower of something that looked very much like potatoes fell on him, thrown by the people. When going away one of the boys struck him with a stone. Complainant appealed to police to protect him.

Complainant was then examined, and as he was said to be unable to speak English an interpreter was employed. He stated that the people were all booing and hooting at him. Daniel Healy threw a stone across the road at him, but it did not strike him; he got a stroke of a stone in the teeth, but could not tell who struck him. The priest (Father O'Donovan) checked the people or they would have torn him to pieces; the police afterwards came to his assistance. Afterwards when walking on the road he complained to the police who were with him that he had just been struck in the back with a stone; the police did not understand what he said because he spoke in Irish; it was Mat Healy who struck him.

William Connell, summons-server to the court, stated that he was present during the time of the occurrence, and he saw Casey strike Murphy with a stone.

Sub-constable John Prior deposed that he with another sub-constable accompanied Murphy down the road, but they did not see the stone with which he complained of having been struck.

A lad named Michael Murphy deposed that Mat Healy was with him the whole of the time and he threw no stones.

Daniel Healy was fined 10s and costs, Casey 10s and costs, and as there was a doubt about Mat Healy the case against him was dismissed.

During the hearing of the case the court was crowded by a very rough audience who occasionally gave vent in Irish to remarks which did not evince a spirit of remarkable amiability towards the unfortunate Emergency man.

The other cases before the court were unimportant.

Cork Examiner 19 January 1882

Whiteboy outrage near Macroom

Daniel Kelleher and John Thornton were indicted for having, on the 30th October, 1881, at Dereenaling, in the county Cork, between Macroom and Ballyvourney, assembled with others, and being armed and disguised, attacked the house of one Peter Keller, injured his goods and chattles, wounded him with firearms, and carried off with them a gun and 16s in silver, and a razor. [...]

Daniel Dineen, a witness who could not speak English, was examined through an **interpreter**, and he stated he was a shopkeeper, residing in Rathbeg. The prisoner, Kelleher, lived in his house. The prisoner slept in his house, and did not go out of it the night of the outrage. He locked the door himself every night.

Freemans Journal 27 January 1882 page 3 the land commission court, Limerick

12 other cases on the same property were dealt with. Six of them were dismissed on legal points, and one case had to be adjourned for the attendance of an Irish **interpreter**.

Cork Examiner 28 January 1882 page 3 The Land Court, Limerick

Mr Justice O'Hagan and Mr Commissioner Litton QC, resumed to-day the hearing of applications to void leases. [...]

John Guthrie, tenant; same, landlady.

The tenant in this case being unable to speak English, a difficulty arose as to examining him in Irish and the hearing of the application was adjourned until the **official interpreter** had arrived. [Roger Green died in 1884.]

Kerry Sentinel 3 February 1882 page 3 Killarney Board of Guardians

A crippled little old man applied for relief. His wife accompanied him, and acted as **interpreter** for him, he being unable to speak anything but Irish.

Some of the guardians practised their knowledge of the vernacular by asking in what bank he had his money, and he protested that he may not go home ? if he had any.

A sum of 3s per week was granted.

Cork Examiner 17 February 1882 page 3

Clonakilty sub-commission

John McCarthy, the tenant, was then called. He was an Irish-spoken witness, and his evidence was **interpreted** by the Rev. Mr O'Leary. He stated that he took the land in July, 1873, and paid a tine of £208 on going into it then.

Mr Wright asked if there was an agreement in writing?

The tenant said there was. The landlord' son drew up two writings, and gave him one, keeping the other.

Mr Lawrence then produced the agreement.

Mr Wright said he would object to the agreement being received in evidence, as it was insufficiently stamped.

Mr Lawrence asked Mr Starkie to consider whether he would press this objection. Where the agreement had been prepared by himself, dealing with the illiterate man who trusted to him to have the matter properly completed.

Mr Wright – Mr Starkie left the matter in his hands, and he would insist on the point. After some discussion the court ruled that the agreement was insufficiently stamped.

Mr Lawrence said he would take the liberty of saying that under the circumstances the objection was a most ungracious one on the part of Mr Starkie. He a magistrate, and a barrister to boot, undertook to prepare this agreement for an illiterate peasant, incapable of expressing himself in the English language. The latter left the matter entirely in his hands, having implicit confidence in his honour and integrity, and did not seek or obtain any legal advice or protection. And now Mr Starkie having, through negligence or ignorance, or some other motive, imposed on this poor tenant an imperfect document, availed of his wrong to embarrass him, and to put him to all the cost and trouble he could in obtaining the right the law conferred on him. He would not comment further on such conduct, but leave the facts speak for themselves. The tenant would pay the penalty in the agreement and proceed with the case. It was well that it should be known that in such cases as this the practice of the Inland Revenue was not to enforce the penalty, so that the tenant would only be subjected to temporary inconvenience after all.

Mr McDevitt – and I will do all I can to assist you to get back the money.

The penalty £11 15s was then paid.

Mr McDevitt observed that a question might be raised whether the tenant should be called on to prove those agreement, or whether the onus should be thrown upon the landlord, alleging that here was an agreement in writing. But he was afraid it would be a forlorn point.

Mr Lawrence said he believed there was a penalty attaching upon persons who prepared or issued documents imperfectly stamped, and he promised Mr Starkie that they would try what his liability in the matter was.

The tenant was then examined. He stated that the tenant who had the land before him was evicted for non-payment of rent. He then applied for the land, and was obliged to pay the present rent and a fine of £208. Some of the land was in bad condition, and he had to lay down the whole of it in time with grass seeds. He made some improvements in the dwelling house. He had eight cows, four heifers, and four calves on the land. He had besides some pigs. He made about £7 a cow by the butter. He considered £48 a fair rent.

On cross-examination by Mr Wright, he said he applied for the land as soon as he heard that Collins, the former tenant, was under eviction. Mr Starkie sent for him from Cork. He gave him £5 to get him the land. He was not letting it on conacre. The farm would not feed more stock than he had on it. [...]

Cork Examiner 28 February 1882

Cork Land commission

Denis Lynch v Herbert O'Sullivan

At half past ten o'clock yesterday morning, Mr Justice O'Hagan and Mr Commissioner Litoon sat in the city court, and resumed the hearing of applications by tenants to have their leases broken.

Mr O'Hea (instructed by Mr Horley, Macroom), appeared for the tenant; and Mr Atkinson QC, (instructed by Messrs O'Keeffe and Lynch) represented the landlord. [..]

Denis Lynch, an old man, and an Irish-speaking witness, was then examined by an **interpreter**, and swore that he left the draft of the lease having the clauses market out, with the landlord.

In reply to questions put by Mr Atkinson, the witness stated that he had assigned the farm to his son (assignment produced), and he himself was not anxious that the case should come into court. If the son did his bidding the case would not have been brought.

Ballinrobe Chronicle 4 March 1882 page 1 Clonbur Petty Sessions

Threatening to shoot

The Queen at the prosecution of Richard Joyce v Thomas Egan and Bridget Egan (his wife), who were charged on the information of Joyce, taken before RC Lynch, Esq JP, that on 18th instant defendants had threatened to take his life, Thomas Egan having at the time a gun. [...]

Defendants being Irish-speaking only, the deposition was **interpreted** to them, and they were asked if they wished to put any questions to the witness.

Cork Examiner 11 March 1882 page 4 The Sub—Commission at Macroom

The Assistant Commissioners Messrs EO MacDevitt, (chairman) T Walpole and E Murphy JPs resumed yesterday morning at Macroom, the hearing of applications to have fair rents fixed.

The court was occupied during the early part of the day with cases of tenants on the estate of APC Tollemache (London) and R D Gray (Blackrock) of which there were twenty-five applications listed. [...]

Owen McCarthy, tenant; same landlord

[..] The tenant, on being sworn, intimated that he spoke Irish only. Several persons, however, said that he spoke English very well.

Mr Henry Bennett said that he believed the witness could speak English very well. He had had a long conversation with him.

The tenant, however, persisted that he could not speak English, and he was examined through the **interpreter**. He detailed the various improvements and buildings he had made during his tenancy. His evidence went to show that he had been living in the greatest poverty all the time, himself and his wife and nine children having chiefly to subsist on Indian meal. Two years ago they would all have gone to the workhouse but for the relief they got from Father Lane and others.

Mr Goode valued the holding at £7 8s.

On cross-examination by Mr Bushe he stated that he had some time before put a different value of £5 15s 7d on this holding, but this was explained by an error in the original acreage.

Mr **Bushe** said, as this was the last of this batch of cases, he would ask that game rights &c, should be reserved to the landlord in all these cases.

Mr Bennett, for the landlord, deposed that in his opinion £9 would be a fair rent. There was one great advantage enjoyed by the tenants on this property, and that was the right to cut turf for each tenant's house free of any rent.

Mr Neville said he would ask the court to consider the fact that the middlemen had held this property at £25 a year, and now the rental was £1,200 a year.

Mr MacDevitt said the commissioners would take that fact into consideration.

This concluded the cases on the estate of Messrs Tollemache and Gray.

Ballinrobe Chronicle 15 April 1882 page 1 Cong petty sessions

Defendant declined to cross-examine the witnesses, and for a time refused to speak English, **but in Irish** strongly denied that the premises were his or that he had told the constable that they were his; he could not do so, as they belong to his father in law John Mee and appealed to Mr Gildea, Dowagh, but offered no defence.

The Irish Times 17 August 1882 'Letterfrack Murder', 7.

[Margaret Lydon] Cross-examined by Mr O'Malley – I told my story to the magistrate in English, and also gave my evidence to the inquest in English, but I have not a good understanding of it. Martine helped me, with Tom, to carry in my husband. Martin walked in himself, and helped to carry in the father.

The witness, who was being examined in Irish through an **interpreter**, [probably Thomas Evans] caused some amusement by giving one of her answers in capital English.

His Lordship directed the **interpreter** to stand aside, and the cross-examination was conducted in English. She was questioned as to her evidence on the inquest on the death of John Lydon. In that deposition she said the box without speaking to the she brought her son Martin into the house.

Mr O'Malley – Is that true or false?

The witness. The interpreter complied said something in Irish, and refused to answer the question directly.

Mr O'Malley read another extract from her deposition, **and as the witness would not answer in English, the cross-examination was discontinued.**

Freeman's Journal 22 August 1882 page 6 The LETTERFRACK DOUBLE MURDER

Yesterday Mr Justice Lawson entered the Courthouse, Green street, at a quarter past eleven o'clock and resumed the trial of the prisoners.

Patrick Walsh, a fine-looking man, of middle age, in whose case the jury disagreed on Friday, was again put forward, charged with the willful murder of Martin Leyden on 24th April 1881.....

James Faherty an Irish-speaking witness, whose evidence was interpreted by Constable Evans, deposed that he sold the gun produced to the prisoner in the spring of 1881.

Kerry Sentinel 25 August 1882

Dingle Intelligence – the New Crimes Act – Outrage and Intimidation. Dingle, Saturday.

The first case under the New Crimes Act in this district was heard here yesterday.

There were four prisoners in the dock charged with intimidating Edward Kelly not to pay his rent and also with committing an attack on his house about 11 o'clock on the 5th of August.

All the parties live at Ballyhey, about two miles to the west of Dingle. [...]

Edward Kelly was next called, and the Sub Inspector said that he would make an application to the court to have a gentleman act as an **interpreter** as the man was an Irish speaker. He asked that the landlord, Mr J McKenna, be allowed to act in that capacity.

Mr Horgan objected, as Mr McKenna was interested in the case. **He asked that Patk Hanifin be interpreter.**

After some discussion,

The Chairman decided in favor of Mr Horgan's request.

Edward Kelly deposed he knows Michael Baker, who came very often into his house drunk. He could not tell the exact dates of his being there.

Sub-Inspector Dagg – There are two charges against this man Baker, one for threatening this man not to pay his rent.

Mr Horgan – I am here to meet the specific charge of assaulting the house.

Chairman – But we wish to supply the motive to show that it was in consequence of threats.

Sub-Inspector Dagg – Ask him whether Baker told him never to pay his rent.

Witness (interpreted) – Baker never told him so, but he said that there were parties outside that would do them harm if he paid his rent.

Sub-Inspector Dagg – That is a threat.

Mr Horgan – You should not say so. It is prompting the witness.

Munster Express 26 August 1882 page 3 Dungarvan Petty Sessions abusive language

Chairman – What has the defendant to say to this?

Defendant- This woman was drinking with my husband and she miscalled me.

Complainant Oh, no, Mr Fitzgerald, I never did ; my gossip was listening to me. [gossip = godparent or sponsor/ acquaintance, friend, chum/ female friend invited to be present at birth]

The gossip was then sworn.

A policeman – That man didn't kiss the book.

The gossip then kissed the Book, and said he could not speak English. He deposed that the complainant said he was going with this woman, and I was only going to bed at the other side of the road (laughter)

You, Nancy Hearne, are bound over to be of good behaviour for 12 months, yourself in £5, or in default a month's imprisonment.

The Morning News 15 September 1882 page 8 Maamtrasna

The man, whose name is also Joyce, knew little or no English, and the **services had to be procured of an Irish-speaking constable as an interpreter**. Joyce was unable to say how many acres of land are in his holding, but he could tell the amount of his rent. He was, he said, a distant relative of the murdered family.

Times 22 September 1882 'The Late Shooting Case Near Glenties', 6.

Patrick McDermott, a little boy of ten years of age, was examined **through an interpreter**.

The Morning News 23 September 1882 page 3 the shooting of a woman by a bailiff in county Donegal investigation in Glenties prisoner returned for trial

Mary McMonagle, **examined by interpreter**, swore – I know the deceased, and also the prisoner in the dock. Saw them on the day of the murder driving a cow. I did not know to whom the cow belonged. The prisoner (Dominick) spoke to me and said "I will soon have all the women on one foot" he did not threaten me. I was in the house of deceased once or twice after that, but not just when she died.

The Morning News 29 September 1882 page 8 the Letterfrack Murder Dublin – Commission court, Green Street Trial of Michael Walsh

Trial of Michael Walsh for the murder of Constable James Kavanagh, at Letterfrack, Co Galway, on Feb 15th 1882

Bridget English, examined by Mr Bodkin. This witness, being unable to speak English, was **examined through an interpreter**. She said she remembered the night of the murder, she was in Mrs Walsh's carding wool, and slept there that night. The prisoner was in the house in bed. Witness went to bed about an hour after him, and she was positive the prisoner could not have left the house at all that evening.

Irish Times 29 September 1882 Letterfrack murder – trial of Michael Walsh

Mrs Bridget English, an Irish-speaking witness, examined through Constable Evans RIC by Mr Bodkin deposed – I was in Honor Walsh's house, the mother of the prisoner. I was working there and slept there. I went to bed about an hour after the prisoner. He never left or went out without my seeing him.

Cross-examined by Mr Murphy QC – I was carding there that night, and there was a lamp in the kitchen. When Michael went into bed he had his hat on his head. He sat a long while in the kitchen and had his hat on all the while. Next morning I was out before him, and saw him coming out, but can't say whether he had his hat on or not. I took no notice.

Constable Evans RIC deposed that 8th April he searched the prisoner's house for a revolver or a hat. He had every article of furniture removed, and searched every corner but found no hat.

Freeman's Journal 29 September 1882 page 7 Letterfrack Murder – trial of Michael Walsh for the murder of Constable Kavanagh at Letterfrack, county Galway

Sub-Inspector Cotter, Head-Constable Donnelly, Constable Evans, and Constable Patrick McDermott were examined by the Crown, for the purpose of showing that the hat which had been produced by Mrs Walsh as the one worn by her son could not have been in the house at the time of his arrest. They deposed to having searched the house, and that no hat was found there.

Cork Examiner 2 October 1882 page 3

Castletown-Berehaven, Friday

The ordinary fortnightly petty sessions were held to-day.

Other magistrates present being PA Armstrong (in the chair) CV Handcock Esq and EB Warburton Esq, special resident magistrate, who arrived by the gunboat Britomart from Bantry on the previous evening. [...]

Margaret Healy v John Leary – for having unlawfully and maliciously broken a door the property of complainant, for whom Mr John McCarthy, solicitor, appeared, and stated that the complainant was an Irish speaking witness, and quite unable to give evidence in English.

Mr Scott, Clerk of the Court, said that in a case at a former trial he heard the complainant speak several words of English.

Mr Scott, Clerk of the Court, informed the bench that he himself, when receiving instructions, had to procure the assistance of an **interpreter**.

After an interval an **interpreter** was procured, who, on being sworn, complainant was examined by Mr McCarthy. The defendant is my son; he went to America some time ago and returned home five quarter's since when he also brought a wife, with whom I am not on good terms. Before my son went to America I paid him his pension?? Since he came back he has lived in my house, though by doing so, he has rendered me no assistance towards paying my rent, although he has sufficient means, having earned a great deal of money in the States. [...]

West Cork Eagle 7 October 1882 page 1 Bantry Sub-Commission

At ten o'clock on Tuesday morning Messrs M Davitt and Walpole sat in the Bantry Courthouse to hear applications to fix a fair rent by tenants in the Bantry Union. Mr Murphy, the other member of the Commission, was inspecting the farms with Mr Evans, the official valuer....

The farm consists of mountain land, and contains 28 acres, the rent being only £8, and the poor law valuation £4. Mr McCarthy appeared for the tenant, and Mr Wright for the landlord.

The tenant deposed that he got this mountain at 3s an acre. It was worthless. He has no cattle on the mountain, but some time ago he had a dozen head of cattle on the mountain, and he might have sixty head of cattle there, including graziers, who paid at 2s a head for three months or more. He has turf on the farm.

To Mr Wright – He made no proposal for a lease to Mr White, but gave that gentleman £70 at one time, and received no consideration for it.

Mr O'Leary estimated the fair rent at £4. The farm would feed 40 head of cattle during the summer time, but no stock could be put on it in the winter.

Mr White deposed that the tenant made a proposal for the lease of the far, and gave witness £76 for the lease, at a yearly rent of £8.

Denis Connolly deposed that he acted as **interpreter** between Mahony and Mr White: he never signed the proposal for a lease, and he never signed a document for Mr White; he was mentioned as a witness to the proposal, but he did not witness it; he signed no proposals whatever for Mr White. This finalized the case.

West Cork Eagle Bandon Quarter Sessions Alleged Trespass 14 October 1882, page 3

This was an action at suit of Daniel Donovan, residing at Burgatis, against Barnabus B Deane and Thomas John Deane, of Ballydovane, to recover a sum of £20, alleged loss and damage, in consequence of willful distress and destruction of plaintiff's fences.

Mr Bushe, BL (instructed by Mr TK Sullivan) was for the plaintiff, and Mr Wright for the defendant.

When the plaintiff was called, some amusement arose out of his denying his ability to speak English, while Mr Wright stated that he had examined him in English before now, and that he had spoken the language as fluently as any man. The witness, however, on being questioned on the subject persisted in replying in Irish, and could not be got to break ground in English. He intimated, through the **interpreter**, that he would be d—d if he spoke English, the grounds for this opinion being presumably that he had already sworn that he could not do so. This quaint way of putting the matter occasioned some merriment in court. The witness was then examined through the interpreter. It appeared from his evidence that he had been for a number of years in possession of a farm, held under Mr Starkey, RM, adjoining one held by the defendants. About nine years ago a dispute as to the boundary or mearing (?) of the two holdings arose, and Mr Starkey as arbitrator had fixed the boundary and directed the putting up of a fence. This had been by both parties considered a proper boundary until in the month of March last fresh difficulties cropped up. The defendants had applied to the landlord for a passage across the boundary. The passage had been allowed and the fence repaired, but the family of one of the defendant's had tumbled it down again more than once. The fence had been put up at plaintiff's own expense alone and with his own labour.

On examination by Mr Wright, the witness swore he had no English, except such English as he did not half understand himself, and which he was sure none in court could understand. His cross-examination had, therefore, to be proceeded with through the interpreter. Mr Wright elicited that some years ago a man named McCarthy had a crop of potatoes in portion of the land claimed by plaintiff but he had protested against this. He also admitted that Mr Deane's cattle had been in the habit, for the last five or six years, of grazing on the same portion of land, but this was only because he had allowed them pass that way to the water.

On re-examination by Mr Bushe, witness said that no person had ever attempted to plant anything on the plot in question since the settlement made by Mr Starkey.

For the defendant, Mr Starkey, the landlord, was examined by Mr Wright, and stated that the place had been in his possession and occupation until he leased it in 1871 to Mr Deane. He had never given it up to Donovan, nor had the latter, at any time, had any claim to the land except as a caretaker; he had permission to go there as such.

In reply to Mr Bushe, he said the arrangement he had tried to make was for the purpose of peace-making. He didn't know that the "scientific frontier" had been built or not as he had not been to the place since. He had no hesitation in characterising the case as one of the most bare-faced he had ever seen brought into court.

The process was dismissed on the merits, with £1 11s costs as witness' expenses.

The Irish Times 2 November 1882 'The Maamtrasna Murders: Arraignment of the Prisoners', 3.

Mr Stritch (counsel for the defence) remarked that some of them did not know English.

Mr Justice Barry – There ought to be an interpreter.

An interpreter was consequently sworn, and the prisoners being then resumed arraigned on the separate and individual indictment of murdering John Joyce, replied some of them per se in the negative, and others, through the interpreter, that they were not guilty, and knew nothing of it.

Freeman's Journal 2 November 1882

Yesterday, in the Commission Court, Green-street, before Mr Justice Barry.

The prisoners were all decent-looking countrymen, who appear very much bewildered at finding themselves in the crowded court. Each prisoner was called on to plead separately to the separate murders.

Mr Stritch said some of the prisoners did not know English.

An interpreter named Kelly was sworn, and he interpreted the charge. Each of the prisoners pleaded not guilty, some saying in English "they had nothing to do with it", and others replying in Irish.

Mr Stritch (instructed by Mr Concannon) applied for an adjournment on behalf of the prisoner (sic).

The Morning News 2 November 1882 Dublin Letter (from our special correspondent) Dublin, Wednesday night

The scene which ensued this morning in the Commission Court, Green Street, was one of a peculiar kind. There was just a soupçon of the Russian v Pole in the matter. I refer to the unusual fact in a Dublin Court of several of the men arraigned for the Maamtrasna murders being totally ignorant of English. They appeared to be ordinary country people, and were evidently much bewildered at their terrible position and at the crowded Court. There is something pathetic in the thought of the unlettered Connaughtman while evidence is being given in English, and remarks passed upon it in a similar tongue, straining eye and ear to endeavour to catch the meaning of what may mean to him life or death, before the interpreter can slowly puzzle out the phrases to him.

The Morning News 14 November 1882 page 8

John Collins, an Irish-speaking witness, for whom an interpreter had to be sworn, deposed to Mr O'Brien – On the morning of the 18th August last I remember going to the house of John Joyce, of Maamtrasna.....

Anthony Joyce, aged about 45 years, was next examined through the interpreter, by Mr Murphy.....

The Irish Times 14 November 1882 'No title' [Maamtrasna Murders], 3.

Anthony Joyce, an Irish-speaking witness, was next examined through an interpreter.

Cork Examiner (1882, November 14)

John Collins was sworn, and examined by Mr Peter O'Brien, QC. The witness was examined through an interpreter. On the morning of the 18th August I went to John Joyce's house, at Maamtrasna; I was going for the purpose of getting cards for wool; I found the door off the hinges and outside, I saw John Joyce on the floor dead; I went out again, and told two women of it; I then went to the village and told John Joyce; here of it; returned to the house with some of the villagers and went into it; the body of John Joyce was in the same position; [...]

Cork Examiner 15 November 1882 The Maamtrasna Murder

[From our special reporter] Dublin, Tuesday

Trial of Patrick Joyce

Witness John Joyce

[At this point a note was handed down by the foreman of the jury to his lordship]

His Lordship – One of the jurors wants to know did the ten men keep together or were they scattered about?

Interpreter [witness gave evidence in Irish] – He says they were not scattered about; the (sic) kept together.

Foreman – Why did you follow them that night?

Interpreter – He says they followed the men to see where they were going.

Foreman – Where did you first identify the prisoner?

Interpreter – He identified him with the rest behind Michael Casey's house.

Patrick Joyce, an Irish speaking witness, son of the last witness, was next examined by Mr O'Brien QC and gave evidence corroborative of the last witness in every particular.

Cork Examiner 15 November 1882

The Maamtrasna Murder Dublin, Tuesday

The little boy, Patrick Joyce, aged about ten years, was then put upon the table. His appearance caused a sensation in court. He seemed bewildered as he spoke Irish only. The interpreter explained to him that he was to give his evidence. Mr Murphy asked if he had ever been at school, and if he understood the nature of an oath, but he replied that he did not.

The Attorney-General decided not to examine him.

The Irish Times 15 November 1882 No Title [Maamtrasna Murders], 6.

If your uncle had made much noise would he be telling the truth? He did not make much noise.

That is no answer, interpreter.

Mr Justice Barry – I must say that I never heard better interpretation in my life.

Mr Stritch – I do not say anything to the contrary, my lord.

Nenagh Guardian 15 November 1882 'The Maamtrasna Murders', 3.

At the Commission Court, on Thursday, Patrick Joyce, of Shanballycahill, one of the ten men arrested for the slaughter of John Joyce, of Maamtrasna, his wife, mother, son, and daughter, was put forward for trial. The charge against him was confined to the murder of John Joyce himself. The Attorney-General, who attended to conduct the prosecution, had struck out one of the prisoners' names from the indictment – that of Anthony Philbin, who had on Saturday confessed and turned approver against the others. Mr Orme Malley, Q.C., and Mr Stritch were counsel for the defence. After two motions by Mr Malley for postponement had been refused, the Attorney-General proceeded to state the case for the Crown with gravity, impressiveness, and moderation. The witnesses examined as to the facts of the murder were the man Collins, who visited the house early next morning to borrow a carding implement, and found the mangled bodies; the Police-constable Johnston, who, on getting word from Collins, visited the place also; and Anthony Joyce, who states that he and his brother and nephew tracked the murderers. Collins and Anthony Joyce gave their evidence in Irish, Constable Evans acting as interpreter. The case was adjourned to ten o'clock next morning.

The trial was resumed yesterday, when it transpired that another of the prisoners had turned approver.

John Joyce, an Irish-speaking witness, was first examined, through an interpreter, and said on the night of the murders his brother Anthony called at his house.....

Belfast Newsletter 17 November 1882 The Maamtrasna Massacre The Trial of Patrick Casey Revelations of a Conspiracy, 8

Mrs Julia Casey, mother of the prisoner, examined through the interpreter, corroborated the testimony of last witness. She added that for a week before the murder the prisoner did not leave the house at night. She heard of the murder about the middle of the day after it occurred.

Cross-examined by Mr Murphy, she said her son was well of the pain by daylight on the morning after the murder, and went to clump turf as usual, and came home to breakfast. He got better about breakfast time.

Mr Murphy – I thought she said he went out before breakfast time.

The Interpreter – she says now it was after breakfast.

Mr Murphy (to interpreter) Did you interpret her evidence correctly when you said she first stated he went out to work and came back to breakfast.

Interpreter I did

Nenagh Guardian 18 November 1882 'The Maamtrasna Murders – Conviction of Two of the Murderers', 3.

Casey was almost as cool and calm as his previously condemned confederate, looking straight into the eyes of the judge who pronounced his doom, afterwards inquiring through the Irish interpreter what was the day fixed for his execution, exclaiming when he heard it, "I have expectation of Heaven", then looking carefully about him for his old cap, which he quickly picked up, and without any display of agitation followed the warders to the cells underneath the court.

Weekly Irish Times 18 November 1882 'The Maamtrasna Murders: First Day', 2.

Anthony Joyce, an Irish-speaking witness, was next examined through an interpreter.

Constable John Johnston R.I.C. deposed that he was stationed at Finney Hut at the time in question. He was one of the constables who visited the home of the murdered family immediately after receiving the intelligence from the last witness. The body of John Joyce was lying on the floor naked and lifeless. On the bed were the two women. He had examined the body of the wife, and found a large wound immediately over the eyebrow, the skull being broken, and blood on her breast. The son Michael had a bullet wound under the right ear, and was in a very weak state. In the inner room there was a bed of very poor description. He saw the old woman lying on the bed, partly on her face, with her head a little turned.He spoke both to the boy and Michael through the interpreter.

Belfast Newsletter 18 November 1882 The Maamtrasna Massacre The Trial of Patrick Casey Sentence of Death, 8

Dublin, Friday ...The prisoner stood looking at the bench with a tremor, as if his face had been petrified. After a few minutes he raised his eyes to the jury-box, then looked around the court. His apparent stolidness seemed to indicate not so much indifference to his dreadful position as an ignorance of the character of the verdict of the jury.

The Clerk of the Crown, in the language formally prescribed, informed him of the verdict of his country.

The prisoner replied with a puzzled expression of face, "I do not understand a word you are saying" and looked around the court as if for the **interpreter**.

The Clerk of the Crown (continuing the formal address) asked if he had anything to say why sentence of death and execution should not be recorded against him.

The interpreter went to the dock and commenced to make the communication in English, but the prisoner, being in an attitude of the greatest attention, asked him to speak in Irish.

The Interpreter did so, and the prisoner seemed dumbfounded by the communication, but after a moment or two responded in Irish.

The Interpreter – He says, My lord, "I have nothing to say; but I will say this, whatever happens to me, that I had no hand in it."

[Judge passes sentence – It seems that what he says is not interpreted at all to Patrick Casey]

[...]The condemned man stood motionless in the dock for a little while, then took his cap from the seat beside him and beckoned the interpreter to come near. He whispered to the interpreter, who informed the Court that the prisoner had asked "What day?" The unfortunate man was informed the 15th December, and he, looking upwards, exclaimed in the Irish language "I have an expectation of heaven" He then followed the warder to the cells beneath the court.

Leinster Express 18 November 1882 The Maamtrasna Murders, 5

The trial of Patrick Joyce, of Shanallycahill, on the charge of being concerned in the Maasmtrasna murders, terminated on Wednesday. The jury, after fifteen minutes' deliberation, convicted the prisoner, and Mr Justice Barry sentenced him to be hung at Galway on the 15th December. The judge was greatly affected when passing sentence on the prisoner, who appeared less concerned than any person in court. [...]

One of the witnesses offered by the Crown was the little fellow Patsy Joyce, the sole survivor of the family. The poor boy is about ten years of age, intelligent-looking, and comfortably clad. He was led to the witness table by the interpreter. He answered several questions in Irish, and it was found he had never been at school or chapel, and knew nothing that would enable him to be sworn, and he was led away again.

Belfast Newsletter 20 November 1882 The Maamtrasna Massacre Trial of the Third Prisoner Myles Joyce sentenced to death, 8

Dublin, Saturday – Not more than a quarter of an hour elapsed after Patrick Casey had been sentenced to death before the third prisoner, Myles Joyce, was placed in the dock to stand his trial for complicity in the murder of the Joyce family at Maamtrasna on the 17th or 18th of August in this year. The prisoner is older than either of the two men who have been condemned. He is dressed in more worn garments, and unlike his predecessors in the dock, he does not appear to have the slightest knowledge of the language in which the trial is being conducted. Myles Joyce is represented to be forty-five years of age, but he looks somewhat younger, is of robust build, and sustains himself with wonderful calmness considering the awful position in which he stands.

Mr Malley, QC, read out affidavit of Henry Concannon, solicitor requesting postponement of trial : [...] But if this wretched Irish-speaking creature, who has never had the advantage of education, and who will be unable to understand the language in which his accusers will give their evidence, or the language in which the counsel against him will arraign him or your Lordship address the jury – if the trial of this wretched creature be brought on now under the circumstances which are referred to in the affidavit, who can say that the proud boast of our Constitution will be maintained in this instance? My lord, illiterate the prisoner is, and incapable of instructing us, and I cannot but say that I feel embarrassed to the extremest extent. There have been two trials. Your Lordship has heard the evidence, and noted it attentively, and your Lordship has just recapitulated that evidence on the second occasion, and shown the jury that it was almost the same as in the first. Your Lordship in terms which could not be approved by every person who heard them, sentenced the last prisoner to death, and in doing so your Lordship necessarily returned to the fact that the evidence laid against the prisoner was cogent and conclusive. This, the third man, is about to be put upon his trial in the presence in this court and perhaps to be tried by jurors who were sitting in this court when the two former trials took place, who heard all the evidence, and who listened to the observations of your Lordship. A jury is about to be empanelled to give a verdict in this case according to the evidence which has been twice repeated, and which is a third time to be deposed to.

[...] The prisoner at the bar was then informed, through the interpreter, that a jury was about to be sworn to try him, and also that he had a right to challenge twenty, and as many more as he could show cause for. The prisoner listened attentively, but made no reply.

The jury retired, and were absent five minutes. They then returned with a verdict of guilty.

The Clerk (to the Interpreter) Tell the prisoner he has been found guilty of the murder of Margaret Joyce the younger, and ask him has he anything to say on why sentence of death should not be passed upon him.

On the interpreter making the communication the prisoner became deadly pale, and for the first time appeared to realise the position in which he was placed.

After the lapse of a few seconds he said through the interpreter – I appeal to God and the Virgin above my head that I had no dealing with the crime, no more than the person who is never born, and I got no one else to do it. For the last twenty years I have done no harm. If I did this may I never go to heaven. I am as clear of it as the child unborn yet, and slept in bed with my wife that night. I know nothing about it. I am quite willing or content with whatever you gentlemen may do with me, whether to be hanged or crucified.

During this statement, the accused stood most of the time with his arms uplifted.

The Morning News 20 November 1882 page 5

Dublin Letter (from out special correspondent) Dublin, Sunday night

The series of death sentences follow each other with a fearful rapidity, and if pity could be admitted for men whom the voice of their peers has proclaimed guilty of the unspeakable Maamtrasna horror, the Dublin public would be inclined to extend it to the men, who hear the sentence of death merely as a confused jumble of words, and who, when all is ended, turn with a puzzled semi-beseeking face to the **interpreter** to ask "what it all means?" The defective knowledge of English which is a characteristic of several of the prisoners has a strongly pathetic side when men are on a life or death trial.

Belfast Newsletter 21 November 1882 The Maamtrasna Massacre Trial of the Fourth Prisoner

Dublin, Monday Michael Casey

Mr Ryan, C.E., who made the map, was the first witness examined. He indicated the tracking of the prisoners by the three Joyces, as shown to him by Anthony and John Joyce. His evidence having been interpreted for the prisoner, as understanding Irish only, the prisoner interjected that the Joyces did not see him, and if they said they did, they put a lie on him.

Mr Malley suggested that another interpreter should communicate anything the prisoner had to say to his solicitor, and the interruption would not occur again.

Judge Barry said he did not see why there should be an interruption at all. The prisoner made an observation. It was not regular, and under other circumstances would not be permitted. The interpreter could stand beside Mr Concannon, the prisoner's solicitor, and being a man of intelligence, he would mention anything that ought to be communicated.

Mr Malley thanked the Judge and

The **interpreter** stood beside Mr Concannon, but the prisoner made no further remark.

The Morning News and Examiner, Belfast, Tuesday 21 November 1882

The trials in Dublin are proceeding wearily day after day, and so far three men stand adjudged guilty of participation in one of the most heartless butcheries that have stained this land. The penalty awarded the culprits is the ignominious forfeiture of their lives – the day fixed for the execution of the dread sentence being the same in each case. The man on trial now has almost reached the age allotted by the Psalmist as the span of man's existence. He is the person at whose house the band are said to have assembled before departing for the scene of the slaughter, and if anything could heighten the solemnity of the Metropolitan Court it would be the presence at the bar of justice of that unhappy creature with the snows of so many winters on his head. An attempt was made by his counsel yesterday to exclude from the jury-box gentlemen who had served on any one of the three preceding trials. The application was a reasonable one, and the humane and just Judge who presides was confessedly of that opinion; but the law did not admit of compliance as long as the jurors were technically "indifferent" as between the Queen and the accused. What has already furnished food for comment is the fact that the accused are Irish-speaking people, some of the witnesses coming under the same category. The aid of an **interpreter** is required, and this circumstance cannot fail to render the trials unsatisfactory, however carefully and conscientiously the interpretations may be rendered. To persons unacquainted with remote parts of Ireland it is almost inconceivable that there should be found anywhere families growing up and spending their lives without such a knowledge of English as would enable them at least to communicate with what is to them the outside world. Their circle of society must be narrow indeed, and their knowledge of human nature painfully circumscribed. They are practically isolated, and to this more than aught else may be due their ready, their almost superstitious, acquiescence in commands from some undefined or unseen source – commands which none but the most mentally prostrate would be expected to obey. It may be that the hapless wretches who are doomed to die in Galway Gaol on the 15th of December next are the victims of a state of moral turpitude for which they are not solely responsible, rather than base and brutal slayers of men such as betray their propensities occasionally in society. It may be that they have gone down under surroundings for the existence of which the civilisation we all boast

about is not altogether blameless. Its light has not penetrated the moral gloom in which they have been wearing out their lives; and that it has now, who among us will say the fault is not ours rather than theirs? They are left to themselves and their fate, while money and energy are expended in the endeavour to reach the barbarian in foreign climes, who in his primitive state is to be envied compared with those who are being sadly neglected. There is a lesson in this woeful tragedy and its consequence that should not be lost on men who have it in their power to alleviate the position of the struggling and helpless and benighted poor. If it be studied aright, this dark and doleful Maamtrasna holocaust will be in part redeemed through its recurrence, being made as impossible as anything can be, having regard to the frailties of human nature.

The Irish Times 22 November 1882 'The Maamtrasna Murders: Conclusion of the Trials – The Five Prisoners Pleading Guilty', 6.

Michael Casey, Patrick Joyce, Thomas Joyce, John Casey and Martin Joyce.

Mr Justice Barry – and indeed I think I ought to say a word for the intelligent **interpreter**, who discharged his duties, which were very difficult, in a most admirable manner.

Nenagh Guardian 22 November 1882 'The Maamtrasna Murders – Conclusion of the Trials', 3.

The third trial of those charged with complicity in the Maamtrasna massacres ended on Saturday by the conviction of Myles Joyce on the capital charge. The convict on being informed through the **interpreter** of the finding of the jury was much more impressed than his accomplices who had been already tried. And spoke several sentences in Irish – gesticulating and uplifting his arms the while – to the effect that he called on God and the Virgin to witness that he was as innocent of the crime as the child unborn, and declaring that whether he was crucified or hung he had no hand in the murders. He was sentenced to be hung on 15th December.

Kildare Observer 25 November 1882 Untitled 3.

The Judge expressed his entire satisfaction with the excellent manner in which the trial had been conducted, and complimented several of those who had taken part, including the **interpreter**.

Kildare Observer 25 November 1882 'The Maamtrasna Murders', 3.

Orders were given to the jailor, and he immediately brought up the other four prisoners out of the cells, and placed them in the dock beside Michael Casey. They formed a wretched, frightened-looking group as they stood gazing in wonderment round the court. The whole lot of them were badly clothed one of them wore no jacket, but appeared there in his flannel shirt sleeves. John Joyce is a little oldish man, with a mild face and slight side whiskers. Only one of them was grey-haired and feeble looking. All had a look of hunger and poverty, but nothing terribly vicious in the expression of their faces. After they were all put in position, and right in front of the bench, every eye was fixed on them, and it is not too much to say that their appearance evoked feelings of commiseration and pity. Not one of them could speak English, and they required the services of the interpreter.

Nation 25 November 1882 'The Maamtrasna Tragedies: More Death Sentences – The Prisoners Pleading Guilty', 5.

The Clerk of the Crown informed the prisoner in the usual language of the result. He listened with a quiet but melancholy expression of face, inclining his head to the right. When the Clerk of the Crown had concluded he still kept his eyes fixed upon the bench, made no attempt to respond, and seemed like a man who had only the vaguest notion of what was going on. The interpreter, Constable Evans, was called by direction of the learned judge, and he communicated to the prisoner in Irish the fact that he had been found guilty. A change then came over the prisoner. He showed a little fear, and clutched the bar of the dock, but, looking upwards with a fervent expression and attitude of invocation, spoke in Irish. The interpreter rendered it as follows: -He leaves it to God and the Virgin

above his head. He had no dealing with it, no more than the person who was never born, nor had he against anyone else. For the last twenty years he had done no harm, and if he had, might never go to heaven. He was as clear of this as the child yet to be born. He slept in his bed with his wife that night, and he had no knowledge about it whatever. He is quite content with whatever the gentleman may do to him, but whether he is to be hung or to be crucified he is as free as he can be.

The above statement was made and interpreted by sentences.....

The interpreter (Head-Constable Evans) was then called and directed by the Attorney-General to communicate to the prisoner, Michael Casey, that his counsel was about to plead guilty for him.

The interpreter did so.

In a tone not much above a whisper, the prisoner responded in the Irish language, saying simply, "I am guilty".

The unfortunate man, white-haired, aged, not unprepossessing in appearance, and of full physical vigour and stature, was seated in the corner of the dock. He bowed his head to the interpreter's communication; his body heaved with a sigh, and it was manifest that he was crying.

Mr Malley – Now, my lord, in the presence of the prisoners, I apply to your lordship for liberty to withdraw the pleas of not guilty that have been put in by them all. I apply on behalf of each separately, and in their presence I withdraw the pleas of not guilty already recorded.

Mr Murphy, Q.C. – The interpreter must communicate that – that counsel on their behalf has withdrawn their plea of not guilty to the charge or (sic) murdering John Joyce.

Mr Justice Barry – They must plead guilty themselves.

The interpreter then addressed to each prisoner the question. "Do you withdraw your plea of not guilty and plead guilty to the indictment?" "Yes" in Irish by each – Patrick Joyce first, then Thomas Joyce, then John Casey, and next Martin Joyce.

Mr Malley, Q.C., then addressed the court on behalf of the prisoners. His address was largely an appeal for mercy.

Judge Barry, having dwelt on the enormity of the crime which the prisoners had committed, assumed the black cap, and sentenced, in the customary language, Michael Casey, Patrick Joyce (John), Thomas Joyce (Pat), John Casey, and Martin Joyce, to be execute in Galway jail, on Friday, the 15th of December, concluding, "May the Lord have mercy upon your souls", with considerable emotion.

The interpreter was then directed by the learned judge to explain to the condemned men that they had been sentenced to die on December 15th.

Weekly Irish Times 25 November 1882 'The Maamtrasna Murders: Myles Joyce Sentenced to Death – conclusion of the trials', 2.

The trial of Myles Joyce, indicted for the murder of Margaret Joyce, the younger, at Maamtrasna, on the 17th August

John Collins, an Irish-speaking witness, who had been the first to discover the murder on the morning after it was committed, was examined....

Mr Ryan, C.E., was then examined, and his evidence was interpreted to the prisoner, who does not understand English, by Constable Evans, the interpreter.

Anthony Joyce, of Cappanacraha, was the next witness called, his evidence being given as before in Irish.

Galway Vindicator 6 December 1882 page 3 Galway sub Land Commission

John Rabbit tenant, Mrs Sarah B Kelly owner. Rent £15 valuation £11 10s

Edmund Shaughnessy an Irish speaking witness who was examined through **Mr Hogan Interpreter** said that he saw the tenant's father building the house on the farm sixty years ago.

Belfast Newsletter 6 December 1882 'Dublin Commission Court', 8

The Lough Mask Murders

Patrick Higgins (Long), a man of advanced years, whose hair is becoming white, and who was dressed in frieze, was first indicted that he, on the 3rd January last, did feloniously willfully, and of malice aforethought, murder John Huddy. There was a second indictment charging him with the wilful murder of Joseph Huddy. **An interpreter had to be sworn to communicate the indictment to the accused, who, on being asked to plead, replied in Irish** that he had nothing to do with the murders, that he did not strike the Huddys with a stick or a stone, or give them a kick.

Dublin Weekly Nation 8 December 1882 page 7 The Irish Language in Courts of Law

To the Editor of The Nation

Sir, Having lately read in your truly Irish and national journal several communications on the subject of the Irish language, it occurred to me that some facts from my own experience in connection with that language might prove interesting to your readers, while helping to let in the light on an abuse by far too prevalent, deeply affecting the rights of the Irish-speaking population of the West and South. I allude to the practice of magistrates, judges, sub-commissioners, and other Government officials of brow-beating Irish witnesses, and insisting that they shall speak English or otherwise denying them a hearing. A man who can speak a few words of English imperfectly, but is unable to express his meaning in any important matter concerning himself otherwise than in Irish, appears either as plaintiff or defendant, or as a witness, in a court of justice or in a land court. The poor man, being asked in a bullying way by the attorney of the opposite side whether he can speak English, and being anxious to please the magistrate or the judge, as the case may be, answers yes; and he certainly can speak a little English after a fashion entirely useless to himself on such an occasion. But he soon breaks down in the attempt and becomes confused. The opposing attorney or counsel orders him to speak English when he says he cannot continue to do so. Hereupon he is accused of contradiction in his evidence, and at once ordered down, if a witness, without further hearing, or if plaintiff or defendant the decision is given against him. Or perhaps he denies in the beginning that he is able to speak English, when the opposing party insists that he can do so, having heard him speak a few words of that language. **I have myself acted as interpreter in the courts in the West, and I speak from what I have been an eye-witness of.** I have seen the grossest denials or perversions of justice through the unwillingness of magistrates to adapt themselves to the necessities of witnesses. Now, if the Irish language were taught in the schools as a literary tongue – a thing that would have been long since done if Ireland were treated as other countries – magistrates, judges, land commissioners, and Government officials generally would find it easier to acquire it, and be more willing to do so, while there would be greater facility afforded through its medium for the acquirement of the English language by the people speaking Irish; so that there would not be such a temptation to these officials to perpetrate injustice, and the force of public opinion could be better brought to bear on them. It is for this object that the Gaelic Union has been long struggling, and in regard to which every Irishman who loves fair play and his native language must heartily wish it success. And, indeed, if any men are adapted for obtaining their object, in my opinion the council of the Gaelic Union is composed of such in great part. It comprises in Dublin alone two distinguished linguists and several scientific scholars, clergymen, Catholic and Protestant, members of Parliament, professional gentlemen of high attainments, clever teachers, members of the press, Irish scholars and speakers, gentlemen acquainted with Irish history, music, and antiquities, and natives of all the provinces – in fact, representative men on the subject of Irish. Their representations should, therefore, bear weight, and, I trust, will, especially if the national press aids their efforts. J. J. Morris

The Irish Times 8 December 1882 No Title, 6. [Lough Mask Murders]

[Catherine Moran, witness]

Were you sworn? I was

Sworn to tell the truth? Yes.

Mr Adams – This is not being interpreted to the prisoner.

The Interpreter, by direction, informed the prisoner of the nature of the examination....

James Flynn, (an Irish-speaking witness) examined by the Solicitor General. – Where do you live? At Clonbrack.

Mr Teeling said the witness's evidence should be interpreted to the prisoner.

The Interpreter said he was speaking in Irish, which the witness understood.

Mr Teeling apologized and said he did not observe that the witness was sworn in Irish.

The Solicitor-General said if this were done for the purpose of wasting time it should be discontinued....

Examination proceeded with – Ask him does he know the main road to Clonbur?

Interpreter – He says yes.

Did he know Joe Huddy? He did.

When did he last see him alive? He could not say; he saw him when he was going from home.

Was there any one with him? No.

Where was he going? He was turning over like that, going to the house of a tailor two miles away.

Where was Joe Huddy walking? He (witness) never looked here or there, but saw him going the road from Clonbrack.

Was he going towards John Macken's? He was a good bit from it – he was on the road that would lead him to it, but he did not see him going to it.

Cross-examined by Mr Adams – This was in winter – in the middle of winter? He cannot well say what time.

What time does he eat his breakfast in the middle of winter? He eat it early, because he was leaving home. After eating his breakfast he went out.

Was he going to the tailor's himself? He was.

Matthias Kerrigan, an Irish-speaking witness, comfortably dressed, **was examined through the interpreter** by Mr Murphy, Q.C. – Does he live at Clonbur? Yes.

And is he a tenant of Lord Ardilaun's? Yes, for the last 26 years.

Ask him the name of his wife. Bridget Kerrigan.

Ask him the name of his sons – his two eldest sons. Mathias and Martin; Martin is the elder.

What age? Fifteen last harvest.

What is the age of the other? Eleven last harvest.

Did he know the late Joseph Huddy? He did.

Does he recollect the last day he saw him alive? He does.

Did he on that day see any little boy with him? He did – he saw a boy with him.

Etc etc

[son of Mathias Kerrigan] Matthias Kerrigan junior [FJ 15 Dec 1882 page 2] Re-examined by Mr Murphy – I was examined in Irish in Galway, and answered truly the questions put to me. What I said in Irish was repeated by the interpreter and taken down in writing.

Patrick Mannion – another Irish-speaking witness

The Morning News 8 December 1882 page 3 Ulster Winter Assize – Manslaughter

Dominick Timmonee was placed in the dock on bail, charged with having feloniously killed and slayed one Mary Doherty in Donegal.....

Owen Timmonee, brother of the prisoner, was then examined, and protested that he could not very well tell his story in English.

His Lordship [Mr Justice Harrison] – Would you like an interpreter?

Witness – I am only very badly able to tell my story in English, but I will try. He then proceeded- I recollect the evening I went to make a seizure [as bailiffs] with my brother, about four or five o'clock. We seized a cow on McCormick's land. The woman that was shot was the daughter of Andrew McCormick; then McCormick and another girl came up before and did all they could to make a rescue, and they were not able.....

The Irish Times 8 December 1882 'The Lough Mask Murders', 5.

The trial of Patrick Higgins (Long), on an indictment charging him with having on the 3rd of January 1882, feloniously, willfully and of malice aforethought, killed and murdered Joseph Huddy, was begun yesterday in the Courthouse, Green street, before the Hon. Mr Justice O'Brien, and a special jury.

Constable Evans, who acted so skillfully as interpreter in the Maamtrasna trials, was sworn to act as interpreter, and was requested to explain to the prisoner his right to challenge the jury. While doing so the prisoner shook his head doubtfully, as if quite indifferent to the issue of the proceedings.

Daily Express Friday 8 December 1882 'The Lough Mask Murders' MS 19748 NLI p. 17 in Scrapbook Martin Kerrigan, examined by Mr Murphy, Q.C., his evidence being interpreted by Constable Evans, deposed....

Mr Adams then read the deposition made by the witness before the magistrate, in which no reference was made to his having seen the Huddys alive, and stated that he had been in the house when he heard the shots, and then went out.

Mr Murphy QC (to interpreter) – You were not the interpreter for him at Galway? No, sir.

Page 21 day 2 9th December

Throughout yesterday the prisoner preserved the same careless, cold demeanour, which characterized his attitude on the previous day. He in no wise appears to realize the dread position in which he stands.

11th December page 40 – jury disagrees

Counsel for the Crown at once intimated that the prisoner would be again put on trial at the sitting of the court this morning.

Mr Justice O'Brien proceeded to charge the jury. He said that the man at the bar was charged with the crime of murder, and that the penalty of murder was death was a consideration that never failed to impress any tribunal with a sense of the deepest responsibility and a sense of the greatest necessity for care and circumspection in discharging the duty that devolved upon them. That the prisoner, moreover, is a person of humble condition, not comprehending the language by means of which these solemn proceedings were conducted, an almost dumb and silent spectator of the scene in which his life or death was involved, formed an additional and strong ground for the exercise of great vigilance and circumspection in arriving at a conclusion so deeply momentous (41).

Jury fails to agree again

12th Dec Second trial of the first prisoner

Examples of negative comments in British press

Page 65 Thomas Huddy was the next witness examined by Mr Murphy QC, and as his evidence was given in English, his replies were interpreted to the prisoner by Constable Evans, the interpreter.

Page 77 Bryan Collins, constable in the Royal Irish Constabulary, deposed that he spoke Irish, and remembered being in Kate Higgins' house on the day referred to. He interpreted the statements then made correctly to Mr Brady. (RM) Mr George Bolton, special Crown solicitor, corroborated the evidence given. He said he conducted the examination, and Mr Brady took notes.

77 Constable Evans, Royal Irish Constabulary, deposed that he had acted as interpreter during the previous trial, and interpreted the answers given to the best of his skill and knowledge. He remembered the girl's having pointed out the position of the bodies, and as far as his recollections served him, she had placed them together.

At the request of a juror, Bridget Kerrigan was recalled, and deposed that she removed the blood off the breen on the day of the murder, for fear that the constable (the interpreter) or some one like him would take herself and all that were in her house. 77

91 Verdict of "Guilty"

Mr Justice O'Brien (to the Clerk of the Crown) – Tell the prisoner, through the interpreter, that he is found guilty of the murder, and ask him has he anything to say why sentence of death should not now be passed upon him.

The Clerk of the Crown (to Interpreter) – Tell him that he has been found guilty of the murder of Joseph Huddy. 91

Dundalk Democrat 9 December 1882

The Lough Mask Murders Disagreement of the Jury

On Thursday morning, in Green-street Courthouse, the Lough Mask murder trials opened before Mr Justice O'Brien. [...] **The prisoner does not speak English, and Head Constable Evans who acted as interpreter during the Maamtrasna murder trials,** was again sworn as interpreter.

The Irish Times 9 December 1882 No Title, 6. [Lough Mask Murders]

Higgins, a daughter of the prisoner, about 12 or 14 years of age, was then sworn, and examined through the interpreter by Mr Richard Adams.

Was it on the street or boren?

Interpreter – She says it was on the street, sir.

Ask her how she could see that they were on the street? There were geese annoying them picking the oats, and she went across with them and saw the dead men then.

Mr Brady R.M. recalled, stated that on the 11th October he went to the prisoner's house accompanied by Mr Bolton, Crown Solicitor, and an Interpreter named Collins, and there the girl Kate Higgins made the deposition just read. The oath was administered to her in Irish, and she kissed the Book, and made the deposition. The deposition, when complete, he read over, and she said it was quite true.

Mr Bolton, Crown Solicitor, gave corroborative evidence, and

Bryan Collins, the interpreter, also corroborated the foregoing.

Belfast Newsletter 9 December 1882**The Lough Mask Murders Trial of Patrick Higgins** Important Disclosures The defence, 8

After some controversy on the point, Mr Adams said they had no objection to the witness being recalled.

His Lordship – I know you have no objection to give her an opportunity of correcting her statement.

Mr Teeling rose to make an explanation, but

His Lordship directed him to resume his seat, and not to make the observation in the hearing of Kate Higgins.

Mr Adams said that could not matter, as the witness did not speak Irish.

Kate Higgins was then recalled, and denied that she went off to the boren on either of the occasions she ran out.

Mr Brady, RM, was recalled, and stated that on the 11th October he went to the prisoner's house, accompanied by Mr Bolton, Crown Solicitor, and an interpreter named Collins, and there the girl Kate Higgins was brought before him. The interpreter administered the oath to her in Irish. She kissed the book, and she made the deposition (produced). This deposition, when completed, was read over to the girl, and she said it was true.

Mr Bolton, Crown Solicitor, **and Collins, the interpreter,** gave corroborative evidence, and the deposition which Kate Higgins had repudiated sentence by sentence was then put in by the Crown.

The Irish Times 9 December 1882 The Dublin Special Commission: The Lough Mask Murders', 6.

The prisoners Patrick Higgins (Long), Thomas Higgins (Tom), and Michael Flynn, the prisoners charged with the murder of the Huddys, near Lough Mask, were then placed in the dock.

Brian Collins, a constable in plain clothes, was sworn to act as interpreter.

Mr Honnor, Clerk of the Peace, addressing the interpreter, said – Inform Patrick Higgins that he stands indicted that he, on the 3rd of January, 1882, feloniously, willfully, and of malice aforethought, did kill and murder one John Huddy, and ask him whether he pleads guilty or not.

The Interpreter, having so informed the prisoner, replied – He says he did not do anything. He says he did not strike him with a stone, a stick, or a kick.

The Interpreter then, by direction, informed him that he was indicted for the murder, on the 3rd of January last, of Joseph Huddy.

The prisoner to this also pleaded not guilty.

Thomas Higgins was then put forward. He could speak English, and the services of an interpreter were not required.

Belfast Newsletter (1882, December 12) ‘The Lough Mask Murders – Second Trial of Patrick Higgins – A Postponement Refused, 8

The accused was then informed by the interpreter that his trial was about to be proceeded with. [...]

The jury retired at a quarter past two o’clock.

At twenty minutes past three the jury returned to court, and in solemn silence their names were called over by the Deputy Clerk of the Crown.

On this being done, the officer said – Gentlemen, do you say Patrick Higgins is guilty or not guilty?

The Foreman – We find he is guilty (Sensation)

The Clerk of the Crown (to the interpreter) Tell him he has been found guilty of the murder of Joseph Huddy.

The Interpreter told the prisoner that he had been convicted.

The prisoner (in Irish) said he wanted to speak one or two words. He said that he left it now to God and to the Virgin, that he never left hand or foot or anything else on that man and he left it to the Court to do what they liked with him.

The prisoner knelt several times and extended his hands.

His Lordship, addressing the prisoner, said – As prisoner does not understand English and as there are persons to be tried on the same charge, I forbear at present, for necessary and obvious reasons, to make any observations in passing sentence upon him. Agreeing, as I do entirely and completely in the justice and honesty of the verdict of guilty that has been found by the jury, I consider it my duty at the same time to state that in my opinion the prisoner is the least guilty of the persons concerned in this murder, and that the evidence has produced in my mind a firm belief that the design of this murder did not originate with him.

The Irish Times 13 December 1882 No title, 6.

[Kate Higgins] Whatever kind of book it was did you kiss it? I took it into my hands.

Did you pretend to kiss it? I don’t know. They never asked me to kiss the book. They put the book into my hand. They told me to sit down on a stool between two people, and I thought I would not be half an hour alive. **There was an interpreter there. I told him my story in Irish.** I don’t know whether it was written down. There was no sight in my eyes. I was so frightened I can’t say whether it was read over or not to me.

The Irish Times 14 December 1882 ‘The Lough Mask Murders: Patrick Higgins found Guilty Sentence of Death’, 6.

Verdict of “Guilty”

The prisoner [Patrick Higgins (Long)], who appeared to understand the verdict, clasped his hands and bowed his head at the bar of the dock.

Mr Justice O’Brien directed the interpreter to tell him that he was found guilty of the murder of Joseph Huddy, and to ask him what he had to say why sentence of death and execution should not be passed upon him, in accordance with law.

The Interpreter having informed the prisoner as directed, addressing the judge, said – My lord, he wants from your lordship leave to say one or two words.

Mr Justice O’Brien – Yes.

The Prisoner, with an expression on his face of intense earnestness and anxiety, addressed himself to the interpreter, and at the same moment quietly went down on his knees. With outstretched arms, and with eyes directed to heaven, he made a declaration in the Irish language which was translated by the interpreter, who said : My lord, he leaves it now to God and the Virgin that he never left hand or foot to the man, and you may do now what you wish to him.

Mr Justice O'Brien – As the prisoner does not understand the English language, and as there are other persons to be tried on the same charge, I forbear at present, for necessary and obvious reasons, from making observations in passing sentence on him.

Freeman's Journal 15 December 1882 Lough Mask

John Halloran jun corroborated the evidence of his father. He gave his evidence in Irish, while his father gave his in English.

Mr Justice O'Brien said it was a strange thing to find the father speaking English and the son not. Patrick Mannion, an old man, deposed to having been pressed into carrying the sack containing the body of young Huddy after it was taken off young Kerrigan's back. Witness carried it about the length of of the courthouse- about 20 yards.

The Irish Times 16 December 1882 'The Lough Mask Murders: Trial of the Second Prisoner', 6.

Julia Halloran was then called and examined by Mr Adams, **through the interpreter.**

Sally Laffan, who also gave her evidence in Irish

Constable Rudden, examined by the Solicitor-General, identified a manuscript handed to him as his own handwriting, and said that he wrote it on the night of the 18th of October last. Constable Fitzgerald was with witness that day when he went to her father's house, and when he (witness) asked her (Catharine Laffan) where she was on the day that the Huddys were murdered she replied through an interpreter that she was at home.

Dublin Daily Express 16 December 1882 page 3 Connaught winter assizes Sligo

Sarah Madden was indicted for having on the 22nd of August last unlawfully and maliciously administered a deadly poison, to wit, phosphoric paste, to James Madden, her husband, with intent to murder him.

Martin McDonagh (father of the prisoner) an Irish-speaking witness, was sworn, and through an **interpreter**, stated that his daughter had been kind to her husband.

Sligo Champion 16 December 1882 page 3

Setting fire to a barn

Maria Cahill, a woman with an infant in her arms, stood charged with setting fire to a barn with intent to injure and defraud, in the county of Galway.

His Lordship assigned Mr O'Malley as the prisoner's counsel, she being very poor, and

After a consultation with the counsel on both sides,

The prisoner (**who spoke through an interpreter**) was liberated on her own recognizances, Mr Farrell agreeing to pay her expenses back to Galway.

1883

The Irish Times 10 March 1883 'The Clonbur Murder – Sligo', 6.

At the Spring Assizes here to-day, Patrick Connelly, Edward Fox and William Diskin were arraigned for the murder of Thomas Gibbons at Clonbur on the 17th of March, 1882.

Roger Gibbons, the father of the murdered man, was then examined by Mr Serjeant Robinson **through an interpreter, he being an Irish-speaking witness.**

Mr Justice Barry – Did he say he would break his head with a stone?

The Interpreter – He did, my lord....

Cross-examined by Mr O'Malley – I was in England.

How did you speak when you were in England? How did you answer the English when they spoke to you? (No answer.)

How did you speak to Lord Ardilaun – he does not speak Irish? (No answer.)

How did you give your information to Constable Cryan? (No answer.)

(To the interpreter) – Ask him did he speak to Lord Ardilaun? He never spoke to him in English.

How did he speak to the English? He was working with an Irishman. (Laughter.)

What was his name? He does not know.

He does not like Connolly? He says he had nothing against him.

They were good friends then? He says they had no dispute until he took the land.

Re-examined by Serjeant Robinson – Ask him this – Did he give his evidence in Irish to Major Bond?

He says he did not – that he had no occasion to.

Mr Justice Barry – Ask him how he took the land from Colloran? He says that Colloran got money, and went to America, and that then they took up the land until his son was killed.

[Major Bond] To the Judge – **Though Mrs Gibbons was weak on the 18th of March she was able to answer the questions put to her through the interpreter.**

Sligo Champion 10 March 1883 page 3 Murder in County Mayo [murder of Thomas Gibbons]

The jury would have an opportunity of seeing her [the mother] and she would tell them through an **interpreter**, for she could only speak Irish, that the three men who committed this dastardly outrage were the prisoner at the bar and two other men charged in connection with him.

Kerry Sentinel 13 March 1883 page 3 Grand Jury Room – This Day Malicious injuries

Edward Kelly applied for compensation for loss sustained by him, by reason of four cocks of hay having been maliciously injured and partially destroyed at Ballyhea on the night of the 30th August 1882. Amount applied for £10.

The daughter of the applicant deposed to the destruction of the hay. Her father prosecuted and convicted three men before in consequence of which he was threatened.

The applicant was unable to give evidence as an **interpreter** could not be found to swear him in Irish. Passed at £10 to be levied off the parishes of Miltown, Ballinaboula and Ballyhay.

Weekly Irish Times 17 March 1883 'The Trial of Patrick Connors', 4.

The trial of Patrick Connors, in Sligo, for the murder of Thomas Gibbons, near Clonbur, terminated on Saturday in the disagreement of the jury. The defence was ably conducted, and drew from Judge Barry an expression of satisfaction with the energy displayed. Its peculiarity was the discovery by the solicitor employed for the prisoner of a withheld information made by Bridget Gibbons, who had been attacked on the same occasion, in which she stated that "she could not identify her assailants, and would not know them again". On the trial she did identify three men, Connolly, Diskin and Fox, as having killed her son with sticks and with stones, and added, "They beat me and left me in my blood on the road". **This woman, who was examined through an interpreter**, had on the 18th of March made the information to which we have referred, the crime having been committed on the 17th. But his information of hers had not been placed in the hands of the Crown counsel. At first when produced in court by the defence it was doubted whether it was a genuine document at all; but its genuineness having been established, the judge allowed the witness to be cross-examined upon it.

Kerry Evening Post 25 July 1883 page 3 Charge of larceny Tralee petty sessions

Jeremiah McCarthy, otherwise the "Drolleen" was put forward in custody charged with the larceny of 11s 9d belonging to an old woman named Elizabeth Nash at Tralee on the 18th inst.

Elizabeth Nash, an Irish speaking witness, was examined through an interpreter and deposed that on the day in question she came to town with some eggs, and got 6s 9d a hundred for them; she went into David Twomey's shop to make some purchases and put her purse on the counter near her. Having got so far, Mr Bateman asked a question, which the witness answered without the aid of the interpreter, and it was found she could speak English.

Case adjourned for a week

Sligo Champion 28 July 1883 page 4 the Clonbur murder and assault case

Crown court

Patrick Connelly – attack and kill Thomas Gibbons, son of Roger Gibbons of Cringeen, one of Lord Ardilaun's gamekeepers

The Irish speaking witnesses were examined through the sworn interpreter, **Mr James Atkins, of Ballymote. = James Eakins**

Roger Gibbons, the father of the murdered boy, who gave his evidence through an Irish interpreter, was next examined by the Solicitor General. [his wife was badly injured too]

Bridget Gibbons, the mother of the deceased boy, Thomas Gibbons, who, like her husband, was examined through an interpreter (by Serjeant Robinson) gave corroborative evidence...

At this stage the witness shook her fist at the prisoner and gave utterance to some rapid ejaculations in the Irish tongue. This evoked some signs of merriment in the court, upon which

The Judge expressed his surprise, remarking he wondered how anyone could be so ignorant, so lost to all sense of feeling, as to laugh in a case like this.

Major Bond (examined by the Solicitor General) – I was the resident magistrate at Clonbur in March, 1882, and saw Mrs Gibbons and her injured son at the Dispensary there. She was in a very prostrated condition, and I put questions to her through a policeman who speaks the Irish language. Her answers did not appear to be intelligible; this was about nine o'clock at night. Next day I saw and questioned her through an interpreter as she lay in bed in her own room at her husband's house. Her head was bandaged, and she still appeared in a very weak state. I got an information from her by means of a village interpreter; the cabin was half full of people....

By his Lordship – Her information on the 18th and 22nd March were elicited from her by questions through an Irish interpreter. At the Courthouse she gave the same evidence as she did to day. I had information on the 17th from several people. She stated on each occasion how she was beaten.

...The court adjourned.

Wednesday

Thomas Mulroe, an Irish speaking witness, and Michl Curran, of Rusheen, gave corroborative testimony.

Father Lavelle parish priest of Cong...

Major Goslin was hereupon called by the Solicitor General as to a statement of Mrs Gibbons before him. Her statement was interpreted to him by a policeman named Collins. She said three men attacked her in road, but he could not exactly make out whether she denoted simply by signs with her hands or by word.

Sub Constable Bryan Collins (examined by The MacDermot) – Remembered the night of the assault. I found her in the road; she told me she had been, with her son, when attacked.

Mary Higgins, another Irish-speaking witness, deposed that she was one of those who went to Mrs Gibbons on being found lying in the road..

Judy Connelly, the prisoner's mother, who had also to be interpreted....

mansalughter

The Irish Times 14 August 1883 No title, 6.

[Mr Harrington] He then referred to the case of the man Myles Joyce, who was taken to be tried at Dublin, and said that the trial was to that man a mere farce. The judge and jury could not speak a word of his language, and he could not speak a word of their language. The judge was to him a

foreigner and the interpreter a policeman. The poor man was tried 200 miles from his home, and therefore could not call witnesses whom he wished to. If that man had a foreign name- Arabi, Cetewayo, or Suleiman – (hear, hear) – they would have had his case before the public again and again; but he did not live far enough away to excite the humane feelings and sympathies of gentlemen opposite. The very jury was packed to try him, as the Crown challenged 27 jurors before they had a jury to try him.

1884

Londonderry Sentinel 14 February 1884 page 3 Alleged assault Stranorlar petty sessions [Donegal]

Daniel Scanlan charged Charles McGlinn with having assaulted him on the 27th December. He said on the day in question he went to the defendant to demand trespass for a number of sheep. When he spoke to McGlinn he said if he made him pay trespass it might not be so good for him. The defendant, who could not speak English, was accommodated with an interpreter, and said through him that the complainant called him a rogue and a thief, and that he had perjured himself by swearing that he spat on him. Find of 6d plus costs

HOUSE OF COMMONS 7TH March 1884 THE IRISH LAND COMMISSION COURTS-IRISH-SPEAKING WITNESSES.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether in re Mary Staunton, tenant, Rev. Dr. Collis, landlord, the tenant, an Irish-speaking witness, because she declined to speak English, saying she could not, and then having spoken a few words in that language, had her case dismissed, in Fermoy, last July, by Mr. M'Devitts, Sub-Commissioner; that she has had to file a second originating notice; that this has not since been heard; that other tenants on the same estate got large abatements; that this woman is still paying the old rent; whether it is the practice of the Sub-Commissions to insist on making persons who only know a few words of [856] English to attempt to give their evidence in that language; and, whether their attention will be called to the fact that an acquaintance with a few words of English does not justify this practice when important interests are involved, and the distinction of shades of meaning in words and phrases may make all the difference in evidence?

MR. TREVELYAN: Sir, the Land Commissioners inform me that they have ascertained upon inquiry that the case in question was dismissed by the Sub-Commission on the ground that the tenant, Mary Staunton, deliberately "attempted to deceive the Court."

MR. HEALY: On what point?

MR. TREVELYAN: That is what I am informed by the Land Commissioners. With regard to witnesses who do not understand or speak English, the practice in all the Courts of the Land Commission is to employ an interpreter, and this course is also adopted when a witness's knowledge of English is imperfect.

MR. HEALY asked whether the allegation that the woman Staunton attempted to deceive the Court related to her having spoken a few words of English after she had stated she could speak only Irish? [No reply was given.]

MR. HEALY said that he should repeat the Question on Monday.

MR. DAWSON asked whether the right hon. Gentleman was aware that, owing to Irish-speaking people not having been properly taught English in the National schools through the medium of their own tongue, it might be supposed they were deceiving, when in reality they did not properly understand English?

MR. TREVELYAN, in reply, said, that his attention had been drawn to that matter in a long and interesting Correspondence with Sir Patrick Keenan, which had just been laid upon the Table of the House.

House of Commons 13th March 1884

IRISH LAND COMMISSION (SUB-COMMISSIONERS)-IRISH-SPEAKING TENANTS-CASE OF MARY STAUNTON.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he could state on what point the Irish-speaking tenant Mary Staunton attempted to deceive Mr. M'Devitt's Sub-Commission; is there anything in the Rules of Court or instructions to Sub Commissioners, authorising the withholding the benefits of the Land Act from tenants who prefer to give their evidence in their native language; if not, does the Head Commission approve the striking out of Widow Staunton's application to have a fair rent fixed, because, in the opinion of the legal Sub-Commissioner, she might have testified in English; and, has any advice been tendered to Mr. M'Devitt for his future guidance with regard to witnesses who prefer to speak in Irish?

MR. TREVELYAN: Sir, I have received a communication on this ease from the Land Commissioners to the following effect:- "The Land Commissioners cannot ask Assistant Commissioner M'Devitt to explain the reasons of his decision in this case. If the tenant felt herself agrieved, her proper course was to apply for a rehearing of her case under the 44th section of the Act." I conclude that the Land Commissioners think it would be a proceeding of the [1333] same nature as a Superior Court of Appeal asking for the reason of a decision from an Inferior Court. There is no rule of Court or special instruction to Assistant Commissioners with respect to the matter mentioned in the second paragraph- "The practice is-(I am now reading the letter of the Land Commissioners)-as has been already stated, that is to say, that an ■ ➤-interpreter is always employed when required. The Land Commissioners can give no opinion on Mr. M'Devitt's decision, except a judicial opinion after a rehearing of the case. They have not tendered him any advice on the subject. He will, doubtless, employ an interpreter when necessary."

MR. HEALY said, the right hon. Gentleman ought to have been informed that the woman had applied for a rehearing, but had been ordered to pay costs; and also that, while if she had got a decision at the proper time her rent would have been reduced, she had had to pay the old rent ever since.

.....
Same day (13th March 1884) HC

MR. HEALY said, he had a few questions to ask with regard to the proposed discontinuance of Sub-Commissioners. Hon. Members sitting on the Irish Benches were opposed to any discontinuance He desired also to call attention to the conduct of Mr. M'Devitt in the case of Mary Staunton. Mary Staunton, who was a tenant, could only speak a few words of English; and Mr. M'Devitt refused to hear her case because she spoke in Irish. The right hon. Gentleman the Chief Secretary was, no doubt, a great linguist, yet if he were required to give evidence he would not care to give it in Latin or Greek. He (Mr. Healy) knew a few words of Irish; but he should be sorry if he had to give evidence before a Court, in a case in which interests of an important character were involved, in Irish. Last year he called the attention of the House to the case of the Irish-speaking witness at Bandon who was badgered until they made him speak in English. The man used the word fifty, but he did not mean to do so. An interpreter was called in, and it was found the witness meant thirty. Had it been a smaller numeral he had used, the Court would, no doubt, have said-"You are perjuring yourself; we dismiss the case." Mary Staunton was a tenant on an estate all the tenants on which had got very great reductions of rent. This woman, because she would not-indeed could not-speak English, had had to pay the old rent. What consolation was it to her to be told that in a few months' time she could relist her case? The Chief Secretary accepted answers from the Land Commission which, to say the least, were not satisfactory. As a matter of fact, the answers given to questions were only intended to stave hon. Members [1476] off for the time being, and not to give them satisfaction. The right hon. Gentleman read out the answers which were supplied to him with all the ease in the world, as much as to say-"There, now, my boys, I have done with you." If satisfactory views of government were to prevail in the country the Chief Secretary ought to probe to the bottom all the

complaints which were made. Of all unsatisfactory answers, the right hon. Gentleman's answer about Mary Staunton was the most unsatisfactory.

MR. TREVELYAN: Several of the more serious parts of the speeches of hon. and right hon. Gentlemen resolve themselves practically on the same point, which I will refer to after I have touched on one or two small matters which have also been brought forward.

policy was to provide interpreters in cases where they were required; but in regard to the particular case referred to we must be content with the opinion the Commissioners gave, which was that, in the opinion of the Judge of First Instance, the woman was deceitful. She has her means of redress; and I am sorry that in looking for that redress she has been put to some inconvenience and loss. It is quite impossible to give any further explanation where a Judicial Body like the Land Commission state that they have given you all particulars they choose to place before the House of Commons. I now come to the more important point—the future of the Land Commission. With regard to that, I can give no definite statement whatever at this moment. I can only assure the hon. Member for Monaghan that those views with which he began his speech are as deeply impressed on my mind as it is possible for them to be. At this very moment they [1482] are engaging most of my attention and industry; and I hope the arrangement we shall ultimately arrive at will be satisfactory to the House. In framing these conclusions I was not a little guided by Questions which the hon. Member for Ennis (Mr. Kenny) has put to me from time to time in regard to certain counties in which there were large arrears of cases. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) has referred to the enormous expenditure of the Land Commission. I do not propose to enter into that question at the present moment; but I can assure the Committee that the defence of that expenditure is a very simple one, and it is that the work requires all the hands employed upon it. The hon. Member and his Friends are rather apt to complain that the work is scamped rather than the reverse. Nor is it contended in any part of the House that those employed in performing the work are paid too highly; at least, I never heard that statement made; and if these two conditions are admitted, then the cost of the Land Commission can only be reduced by the work being done. The great stress of this work is rapidly approaching completion. The originating notices and the work connected with them are not so advanced as we could wish; but they will be so far advanced that there will be found to be in connection with them a large reduction in next year's Estimates. I can promise the Committee that that reduction shall not be caused at the cost of rapidity of proceeding with the arrears of work. The entire sum spent on the Land Commission up to the 31st of March of this year is 321,000. That is a very large sum, but it is less than some exaggerated Estimates that have been put forward; and whatever the value of the work that is done the amount of it cannot be denied.

Cork Examiner 19 March 1884 Cork Spring Assizes County Crown Court A Charge of Homicide

Patrick O'Sullivan, an old man, was put forward and indicted for having on the morning of the 25th December last (Christmas Day) feloniously killed one William Bryan, at a place near Ballydehob in this country.

In this, as in the other cases in this court, the prosecution was conducted by Serjeant Sherlock, Mr JS Greene QC, and Mr JF Moriarty instructed by Mr WV Greeg,, Crown Solicitor.

The prisoner was defended by Mr DB Sullivan, instructed by Mr Maurice Healy, solicitor.

When the prisoner was indicted, it was found that he could not speak English or understand it, and there was considerable delay occasioned by the absence of the interpreter, who could not be found. His Lordship said that was always the way in that court. He had noticed over and over again there that delay which was caused by the absence of persons who were paid to be present. It was the jurors who were not paid that were punctual.

After a considerable time had passed, the interpreter, **an old man suffering from partial deafness**, appeared.

Mr Justice O'Brien called the attention of the Crown Counsel to the fact that the interpreter to the court was nearly deaf, and possessed no intelligence whatever. It was a public scandal and the Crown should see that it was remedied.

Constable Dowling was then sworn as interpreter.

Freeman's Journal 19 March 1884 'Summary of News' 5.

At Cork Assizes yesterday it transpired that the interpreter attached to the court was partially deaf, and, according to Mr Justice O'Brien, possessed no intelligence whatever. His lordship said that the Crown should remedy what he designated a public scandal.

Freeman's Journal 19 March 1884 'Cork' 3

His Lordship, Mr Justice O'Brien, entered the Crown Court at ten o'clock this morning, and resumed the criminal business of the assizes.

Charge of homicide – an incompetent official

Patrick Sullivan, an old man, was put forward and indicted for having on the morning of the 25th December last (Christmas Day), feloniously killed one William Bryan, at a place near Ballydehob, in this county.

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Mr Justice O'Brien called the attention of the Crown Counsel to the fact that the interpreter to the court was nearly deaf, and possessed no intelligence whatever. It was a public scandal, and the Crown should see that it was remedied.

Constable Dowling was then sworn as interpreter.

The deceased was killed, it was alleged, by being knocked down by a car driven by the prisoner, who pleaded not guilty.

The case had not concluded when the court rose.

Freeman's Journal 22 March 1884 page 3 Irish language interpreters letter to the editor

Philipstown, Dunleer, March 20

dear Sir – the remarks of his Lordship, Mr Justice O'Brien, on the incompetence and want of intelligence of the Irish language Crown Court interpreter, Cork, may, I trust, be productive of some good to a large section of the Irish peasantry who solely employ the vernacular as the vehicle of thought, and who have had recently very frequent occasion of appearing and giving evidence in the mother tongue before the legal tribunals of the country. I was myself present on many occasions at quarter sessions and Assizes where the services of an Irish language interpreter were called in to requisition, and I must, and I must unhesitatingly say that the duty of that office was performed but very imperfectly indeed. The guttural cough that frequently fills the hiatus in the interpreters rendering of the Irish into English affords amusement to the disinterested spectator, but to the interested parties this is a certain sign of incompetence on the part of the bilingual. The remedy for this 'public' scandal, as Mr Justice O'Brien calls it, lies with the Crown. Let us hope the application of the remedy will not be long deferred – that suitable persons be appointed to the position of interpreter – persons of copious English and Irish vocabularies, and possessing at least a fair amount of facility and readiness in translating from Irish into English, and vice versa. D. Lynch

Cork Examiner 8 April 1884 page 5

Kerry Intelligence

The Crimes Act – Application for compensation

Mr David Lynch, Investigator under the Crimes Act, sat at the Courthouse to-day for the purpose of investigating the claim made for compensation under the Crimes Act by Mr Sullivan for the murder of his son, Eugene, on the 12th September 1883. [...]

Kissane's father was next examined – He could not speak English, and, therefore, had to be interpreted. He corroborated his son's evidence, with the exception that he had not seen Sullivan drunk.

Waterford Standard 16 April 1884 page 4 Names of process servers

Michael Curreen, Lismore

Freeman's Journal 13 May 1884 The Land Act Land Commission Court of Appeal, 3

Courthouse, Lifford. Hearing of fair rent appeals from the county Donegal.

Estate of HG Murray Stewart, in the union of Glenties

Two cases were adjourned as the tenants were Irish, and no interpreter was available.

[Case mentioned in House of Commons]

The Morning News 14 May 1884 page 7 The Land Act – Land Commission Court of Appeal Strabane, Tuesday

Estate of HG Murray Stewart

The landlord, Mr Murray Stewart, appealed in thirty-eight cases from the Union of Glenties, and seven cases from the union of Donegal.....

The cases were taken up in batches. Some of the tenants did not appear, and in other cases, as the tenants spoke only Irish, their cases were adjourned until the attendance of an interpreter.....

Freemans Journal 14 May 1884 page 5

the hearing of fair rent appeals was continued at Lifford yesterday, before Mr justice O'Hagan, Mr Commissioner Litton, QC, and Mr Commissioner Vernon, DL. **Several cases had to be adjourned. In consequence of the tenants speaking only Irish, no interpreter being present.**

The Morning News 15 May 1884 page 6 The Land Act – Land Commission court of appeal – Strabane, Wednesday

The Court resumed the hearing of appeals by Mr HG Murray Stewart, from his estate in the Union of Glenties. Eight cases of Irish speaking tenants stood over for the attendance of an interpreter but when the **interpreter, Mr Neil Boyce**, was sworn this morning, and the cases called on, only four of them answered, the rest having gone home.

Londonderry Sentinel 15 May 1884 page 3 The Chief Land Commission at Lifford

This concluded the evidence of the English-speaking tenants, and the other cases were allowed to stand for the aid of an interpreter....

Lifford, Wed – The Chief Commissioners resumed their sitting in the Court-house this morning at eleven o'clock, and continued the hearing of cases on the estate of Mr HG Murray-Stewart, which were allowed to stand over for the attendance of **Mr Boyce, interpreter**, the tenants being unable to speak English.

Londonderry Sentinel 29 May 1884 House of Commons and Lifford

The land courts and the Irish language

Mr A O'Connor – I beg to ask the Chief Sec whether it is a fact that in the Land court at Lifford, Irish-speaking applicants recently had their cases adjourned for want of an interpreter, and whether the Govt proposes to allow this delay of justice to the subject to result in increased costs to the parties? The Chief Secretary – Sir, as this Q only appeared upon the paper to-day there has not been time to obtain info with regard to it from the Donegal Sub-commissioners or from the Land Commissioners as to the appeal cases, the Commissioners being on circuit.

IRISH LAND COURT (APPEALS.)— SITTINGS AT LIFFORD.

HC Deb 06 June 1884 vol 288 cc1687-81687

§MR. ARTHUR O'CONNOR Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that in the Land Court at Lifford Irish-speaking applicants recently had their cases adjourned for want of an interpreter; and, whether the Government propose to allow this delay of justice to the subject to result in increased costs to the parties?

§MR. TREVELYAN

The Land Commissioners inform me that at a recent sitting of their Court at Lifford for the hearing of appeals, there was an un- 1688avoidable adjournment of some case or cases for one day in order to procure the services of an interpreter. The interpreter usually employed in Court was not there when the cases were called on, and it was necessary to send to a considerable distance for him.

§MR. ARTHUR O'CONNOR

asked if the Court was not responsible for the delay?

§MR. TREVELYAN

I am informed that it was one of those contingencies which was not foreseen; and I am very sorry that it happened.

Londonderry Sentinel 12 July 1884 page 2 McHugh v Moye

The action was brought against Frank and Hugh Moye for £8 alleged to be due as balance of a marriage settlement. Charles McHugh, the plaintiff, married the daughter of Francis Moye. At the time of the marriage there was an understanding that the plaintiff's wife was to receive a fortune of £25, and Hugh Moye, who is recognized as heir to his father's farm, paid over to his sister at that time a sum of £12, leaving £8 due. His Worship gave a decree against the old man, who is still in possession, for the amount claimed, and dismissed the case against his son....

The litigants being unable to speak English properly, Mr Boyce, an officer of the court, acted as interpreter in a very satisfactory manner.

Derry Journal 14 July 1884 page 8

Strabane Quarter Sessions

McHugh v Moye

The action was brought against Frank and Hugh Moye for £8, alleged to be due as balance of a marriage settlement. Charles McHugh, the plaintiff, married the daughter of Francis Moye. At the time of the marriage there was an understanding that the plaintiff's wife was to receive a fortune of £25, and Hugh Moye, who is recognised as heir to his father's farm, paid over to his sister at that time a sum of £12, leaving £8 due. His Worship gave a decree against the old man, who is still in possession, for the amount claimed, and dismissed the case against his son.

... The litigants being unable to speak English properly, Mr Boyce, an officer of the court, acted as interpreter in a very satisfactory manner.

Dublin Daily Express 1 August 1884 page 3 Galway Assizes Assault

Patrick O'Donnell, John O'Donnell and Bridget O'Donnell were indicted for grievously assaulting Jas Lydon on the 24th of June last.

The services of the interpreter were necessary also in this case.

Dublin Daily Express 1 August 1884 page 3 Assize Intelligence Co Galway Brutal Assault

A labourer named Patrick Begley, aged about 60, was indicted for committing an aggravated assault upon his daughter Mary on the 31st of May last. The prisoner could speak Gaelic only, and the **interpreter of the court was called**, who informed the prisoner of the charge against him. He then pleaded "guilty" and said both he and his daughter were drunk at the time, though he denied having kicked her.

Mr Justice Johnson said it was a most brutal and savage assault. If the prisoner had treated his dog in a similar way, the magistrates would have punished him severely for it. He appeared to have lost all control over his temper, and to have given way to infuriated passion. His lordship then sentenced him to six months' imprisonment with hard labour, and ordered that he should find bail at the expiration of that term to keep the peace for the next six months, or in default go to prison for three months more.

Flag of Ireland 16 August 1884 page 1 Earl Spencer and the Maamtrasna Trials

We have received a copy of the following confidential information with respect to Earl Spencer's view of the Maamtrasna trials: -

"Royal Irish Constabulary Office

Dublin Castle Dec 6, 1882

General Order

"The successful prosecution of the Maamtrasna murderers is of such public importance that his Excellency is anxious to make known to the Royal Irish Constabulary his appreciation of the services of those officers and men of the force who were engaged in the case.

their services were very marked. Their zeal, intelligence, and energy enabled evidence to be collected which led to the arrest and conviction of men who perpetrated the murders.

His Excellency wishes the force to know the importance which the Govt attaches to their services, and with this object he desires you to submit to him at once recommendations for the immediate promotion and reward of the officers and men whose names are entered on the list attached to this minute.

The officers and men named and the rewards for which I have recommended them, and which his Excellency has approved, are as follows:

First Class Sub Inspector James S Gibbons – For special detective intelligence and capacity, as shown in the case, to be promoted ten steps on the seniority list to take place next and below First-class Sub-Inspector Philip Clarke, and further to receive a first-class favourable record.

Second-class Sub-Inspectors HW Smythn and J D Phillips – For praiseworthy exertions and assistance in the case. each to receive a first-class favourable record and recognition of their services, by a letter addressed to them in his excellency's name.

Second-class Head Constable John Wynne No 23,610 For special good service connected with the case he is promoted to first-class head constable on and from this date and to receive a gratuity of £15.

Constable James Preston 26,136 For special good service connected with the case he is promoted on and from this date to the rank of second-class head-constable and to receive a gratuity of £10.

Constables John Johnston, 25831, James McPortland 33,443 – For special good service in the case. first class favourable record and a gratuity of £10 each.

Constables Daniel Brien 17,298, Thomas Evans 18,813, Henry Nesbitt 22,004, Matthew Rudden 29,942, Wm Hart 36,219 – For good service in the case. Gratuity of £10 each.

Sub-constable P Kelly 20,753 For very special good service in the case, is promoted on and from this date to the rank of Constable, and to receive a first-class favourable record.

Sub-constables JD Geary 30,055, John Guinlan 30,194, John Benister 33,983, Bryan Collins 36,927, J Farrell 37,697, Henry Robinson 38,725, John Sweeny 39,962, Thos Finn 41,386, W Lerhinan 40,292, Wm Sargent 41,488, Patk Tobin 41,506, Patk Boyle 42,783, Wm Crosswell 42,987, Francis Carleton 46,621, Bernard Toole 48,818 – for good service in the case – a gratuity of £5 each.

"I need not say how much gratification it affords me to be able thus to convey to the force his Excellency's very warm approval and appreciation of the success which has been achieved in this case, by the combined zeal, energy, and intelligence of those specially engaged in it; and to give effect to this desire that each should obtain at least once a substantial mark of the informed? Which he attaches to the service perportanceas may act as an incentive and encouragement, not only to them, but to others of all ranks in future.

R Bruce Inspector-General

The Irishman 20 September 1884 page 9 Official ignorance of Gaelic

It is scarcely necessary to point out the injustice of trying Irish-speaking prisoners by interpreters. The Connaught peasantry arraigned in Green-street on charges of murder were in the dreadful position of not understanding a word spoken for or against them. The witnesses gave their names in Irish, which the prisoners understood, but they could not tell how the testimony was translated for the jury, not knowing a syllable of English. These men were on trial for their lives, and many of them were hanged. So far as their knowledge of what went on was concerned they might as well have been convicted in China by a jury of Mandarins. But the more shocking part of the proceedings was that the interpreters were policemen. Now, there were individuals present at these trials who knew the Irish language, and it is a fact that they expressed their horror (out of court of course) at the way the interpreters rendered the evidence into English. Intelligent people need not be told how very slight a variation in the sense of a deposition may hang or acquit a prisoner. Possibly the policemen did their best to be correct, but the Irish policeman, as an agent of the Crown, is not reputed to be scrupulous to the "veins of nicety". His occupation insensibly warps his mind, so that it becomes his habit to believe that every accused person is guilty. He can hardly help this; it is human nature to assimilate oneself to the elements of his profession. The suspicion which the employment of a police interpreter attached to the Crown and to the administration of the law should be removed by engaging none but independent translators.

The value of a policeman's interpretations in court may be judged by the character of the shorthand reports he takes at public meetings. Not a single one of those note-takers gave an accurate transcription of the speeches which were made subject of prosecution. They were, as in Mr Harrington's case, the grossest travesties of correct reporting. When put in the witness-box and tested, those amateur professionals were proved to be as unfit to write short-hand as to speak Greek or even Irish. What guarantee had the public that the policeman who interpreted the evidence against Myles Joyce and others were competent to discharge so serious and solemn a duty? They had none whatever. The interpreters were probably no more proficient in the delicate flexibilities of the Gaelic tongue than the so-called reporters were in the intricacies of Pitman's shorthand.

Ballinrobe Chronicle 25 October 1884 page 1 Cong Petty Sessions

JS Blake Esq presiding

Michael Hare v Bridget Varrelly and Thomas Varrelly, for an assault on complainant at Gurluncurra on the 20th October.

Mr Daly appeared for complainant and stated the case.

Complainant, after repeated protestations of his inability to tell his story in English, but on **getting the alternative to pay an interpreter**, spoke English. He represented that on the evening referred to, when returning from his field to his house with a bundle of hay on his back, he was attacked by the defendants.....

Sligo Champion 26 December 1884 page 4 Connaught Winter Assizes Sligo alleged attempt to maim cattle

Michael Joyce, an aged man, was put forward and indicted for that he on the 23rd September 1886, unlawfully and maliciously by taking and carrying a certain knife, did attempt to maim and wound certain cattle, the property of Martin Joyce, of Connemara.

Prisoner, who was Irish speaking, pleaded not guilty though Acting Sergeant Reddington, who was sworn to act the part of interpreter in the case. Indeed the interpreter's position was as novel as it was ludicrous, and for a minute or two all remembrance of the solemn occasion seemed to have been forgotten, as public gaze rested upon the uniqueness of the situation in having a policeman assigned to such a post of "honour". We are sure the descendant of Sir Robert Peel felt rather flattered at having been called upon to address the poor prisoner in his own tongue.

In reply to the three-veed interpreter,

The prisoner said he merely went upon the lands in question for the purpose of inspecting the cattle, and not to do them any injury.

The Interpreter here put some ambiguous question to the prisoner, who replied that he was unable to comprehend "his" Irish.

His Lordship – What does he say?

Interpreter (looking discomfited) – That he does not understand "my" Irish, my lord.

His Lordship – Better get some other man who understands Connemara Irish.

Process-server Keane having notified to the court that he could speak Connemara Irish, he was accordingly sworn, which caused the Sergeant to beat a "double quick" perhaps in better military fashion than if he had been on the "war path" after some unfortunate Bacchanal.

A jury was then empanelled to hear the case, which was of the nature of a misdemeanour.

In reply to Process-Server Interpreter Keane,

Prisoner said that whenever he had to pass his son-in-law's lands he used to go and look at the cattle. On the occasion referred to in the indictment he went into the field merely to see the cattle, but not with the intention of doing them the slightest harm.

Martin Jouce said that on one occasion he saw the prisoner hiding behind the back of the river, which is near witness's lands.

Margaret Joyce, wife to the last witness, was next examined. She also could not speak the Sassenagh tongue, and had to be examined through the interpreter.

....prisoner discharged.

1885

Limerick Chronicle 5 March 1885

Limerick Spring Assizes

Grand Jury

The Irish Tongue

Mr Ellard said he was authorised by the County Court Judge to state that there was no necessity to fill up the vacancy for an Irish interpreter to his court. During the ten years Mr Purcell had been in office he had never required the services of the interpreter, and in his opinion such an official was not required. He wished to save the county the expense of paying a salary of £30 a year and travelling expenses. In any case which an interpreter was wanted he could appoint one for the occasion, and give him his fee, which the grand jury could pass.

The grand jury decided not to fill the vacancy. (NLI, 1 April 2014)

Cork Examiner 23 March 1885 County Record Court

(Before Chief Baron Palles)

Daniel Desmond, appellant; James Scannell, respondent.

This was an appeal from the County Court Judge who gave a decree for the possession of a house at Ballyvourney. The appellant used to pay rent partly in work and partly in money, and as there was a

long arrear of rent due, the respondent brought an action of ejectment against him which was granted.

The appellant on being placed in the chair stated that he could speak English but imperfectly, and **His Lordship called for the court interpreter, but as no one appeared, he enquired if there was any interpreter attached to the court.**

Mr Murray – I am not aware.

His Lordship – Is there Mr Bushe?

Mr Bushe – There used to be, my lord, but he is dead.

His Lordship – In whom is the appointment vested?

Mr HH Barry, solicitor – In the Grand Jury.

His Lordship – Well, I must adjourn this case unless you have some interpreter. I will not let any witness be examined who tells me he can only speak English imperfectly.

Mr Jeremiah Hegarty, Millstreet, agreed to act as interpreter, and the case was proceeded with, his Lordship intimating that the Grand Jury should appoint a man at once.

Cork Examiner 26 March 1885 Macroom petty sessions

An old man named Sullivan, recently a pauper inmate of the Macroom Workhouse, was charged with a grievous assault on another inmate named James Lehane.

The deposition of Lehane, taken just after the occurrence, was read, in which prosecutor stated that on the morning of the 7th March he was in the male ward in the workhouse. He had taken off his shoes, and was preparing to go to bed; he was opening a window when he was stabbed in the neck and hand by Sullivan.

Mr Minhear said that the accused did not understand what was being said.

The Clerk (Mr Grainger) said that the deposition had been read to the accused before, and he seemed to understand what he was charged with.

An interpreter was called to translate the deposition, as accused did not understand English perfectly.

Head constable Duffy deposed to having arrested the prisoner...

..Lehane had been out on pass and had returned to the house drunk.

The magistrates decided to send the case for trial at the next quarter sessions.

Cork Constitution 6 April 1885 page 3 Macroom Quarter Sessions

A true bill having been found by the grand jury, John Sullivan, an old man, about 70 years of age, and who was evidently quite imbecile, was put forward charged with having grievously assaulted a fellow inmate of the workhouse, James Lyhane, on the 7th March.

The charge having been interpreted to the prisoner, who did not understand English, he said he struck Lyhane to save himself.

The Rev Fr O'Donoghue, chaplain in the workhouse, gave the prisoner a good character, and said he was undoubtedly of very weak mind.

Waterford Standard 22 April 1885 Dungarvan petty sessions

These sessions were held on Saturday, before Sir Nugent Humble Bart and Dr Holland

Trespass cases – Robert Downey charged Thomas Kenny, whose wife appeared for him, with allowing ten hens to trespass.

Chairman – What were the hens doing?

Plaintiff having deposed to the trespass

Defendant This is all spite. You know it yourself, sir.

Chairman – I don't faith.

Defendant – Musha you ought to know it.

As the defendant was giving her evidence in Irish, plaintiff cried "shame" which caused much laughter.

Chairman (to clerk) – Mr Longan, will you tell Keane when he goes about serving processes to send a proper person in his place as interpreter, or else I won't sit here seeing the court convulsed with laughter listening to this interpreter. I cannot help laughing myself. I won't sit here all day listening to this interpreter's burlesque. If Keane goes to serve processes he must have a proper man to interpret after him.

The Chairman called on Mr Coan to come and interpret.

Mr Coan – I can't speak Irish.

Chairman – Faith I don't know what language this man understands (Laughter)

A policeman named Foley was then sworn as interpreter and the case was proceeded with.

A fine of 4d and 1s costs was imposed.

Cork Examiner 5 May 1885 also Kerry Sentinel, same date, also Kerry Weekly Reporter 9th May 1885 Evictions in the Dingle District Crimes Act Prosecutions

Messrs HF Considine and AJ McDermott, RM's, held a special court in Dingle on Friday last. Four tenants were charged with retaking possession of farms from which they had been evicted on the estate of Lord Ventry early in the past month. The names of the parties charged are Patrick Baker, of Ballinane; Ellen Fitzgerald, of Galleries, widow; Daniel Connor and Edward Connor, the latter an old man of eighty years.

District Inspector Grey had charge of the prosecution, and the defendants had no professional assistance. The defendants are Irish-speaking persons, and the services of an interpreter had to be procured. The usual interpreter, on being requested to come forward, declined to do so.

Mr Grey then made a request that anyone in court competent to do so would come forward and act as interpreter.

No one, however, volunteered, and the cases had to be adjourned for a fortnight.

The usual were then opened.

Kerry Evening Post 9 May 1885 page 4

Evictions in the Dingle district

Crimes act prosecution

Messrs HF Considine and AJ McDermott, RMs held a special court in Dingle.

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Mr Grey then made a request that anyone in court competent to do so would come forward and act as interpreter.

No one, however, volunteered, and the case has had to be adjourned for a fortnight.

Kerry Sentinel 19 May 1885 page 3 (print is quite faint) Crimes Act prosecutions – Ventry Estate Evictions

James Connor of Doonaghdeen? Was the next charged. He is an old man upwards of ninety years. The poor old farmer excited the pity of all round when he tottered on to the witness table. When asked if he was guilty he replied in Irish. It will be remembered that those cases were adjourned on the 5th inst, the authorities failing to procure an interpreter, but on to-day **John D Nagle** having given his services the cases were proceeded with.

Defendant through the interpreter said he had to ? the house with his sick wife and family, and that now he was able to leave it as he can get shelter from a neighbour, and that when he was evicted he was told by the sheriff that he had six days to leave his lands.

Sub-Sheriff – I must have told him that if he paid for rent and costs to Captain De Molyneux with ?? he could have his lands.

Defendant was put in custody.

Flag of Ireland 25 July 1885 page 3

The Council of the Gaelic Union met on Saturday at the Mansion House...great regret at the ceasing of the Irishman newspaper, as being the only Dublin newspaper which contained matter in the Irish language, and asking whether it would be possible to re-establish a Gaelic column in some other newspaper. Other subjects discussed in connection with the correspondence were the motions concerning the Irish language in Parliament, **the appointment of properly qualified Irish interpreters in courts of law where Irish-speaking witnesses are to be examined....**

Cork Examiner 2 September 1885

Lord Bantry's tenants and the payment of rates

Success of Mr Gilhooly

The tenants vindicated

Yesterday, Sir John Ball-Green, Commissioner of Valuation in Ireland, attended in Bantry for the purpose of inquiring into the justness of the rating made in respect of tenements in the division of Glengarriffe, Bantry Union, of which the Earl of Bantry was landlord. [...]

Sullivan, **through the medium of the interpreter**, stated that he used pay his rent to Mr Payne, and used to be allowed half his poor-rate by Mr Payne.

Mr Payne – I don't know the man at all. I don't know whether he has any land at all.

The Interpreter – Does Mr Payne know you?

Sullivan – He does well; at least he ought to know me. 'Tis often I paid him rent.

Sir J Ball-Green – You have allowed this man to be a tenant.

Mr Payne – I have not, sir.

Sir J Ball-Green – You have given him a receipt for the rent and allowed him half the poor rate separately. [...]

The Morning News 3 September 1885 page 8 The Gaelic Union – deputation to the Lord Lieutenant Dublin, Tuesday

This evening a deputation of the Gaelic Union, consisting of the Rev Dr Houghton, Rev Maxwell Close, Mr John Fleming, and Mr Michael Cusack, waited on the LL at the Viceregal Lodge, to urge on His Excellency to use his influence towards the preservation and cultivation of the Irish language. His Excellency promised to consider the points laid before him, and added that he agreed with the deputation in stating that those who administer the law in Irish-speaking districts should be able to do so **without the intermediary aid of interpreters**, and also that dispensary doctors in the same districts should also be acquainted with the language.

1886

Donegal independent 2 January 1886 Donegal petty sessions Forcible Possession

James McHugh a Condy Burke for remaining in occupation of a house of complainants, against his will. James could not speak English and their Worships directed Mr Connell Devlin, Langtail, to act as interpreter which he did to perfection. Their worships made an order for Condy to leave inside of 14 days, and take his wife and family with him.

Freeman's Journal 2 January 1886 page 3 Irish interpreters and state trials

To the editor of the Freeman

Sir – AT the public meeting held on Wed, Dr Haughton, in speaking of the Maamtrasna trials, said that every means was taken to interpret the evidence to the prisoners. The doctor was evidently labouring under a mistake. In the first place the interpreter was a **policeman**. Now, although the

police are a respectable body of men and this body contains honest and honourable men, still perhaps it would have been as well, in deference to public opinion, to have chosen an interpreter who was not a policeman. In the second place the interpreter appears to have been **a native of the south of Ireland**, who spoke a very different dialect from that spoken by the prisoners. In the third place, I have it on the authority of two gentlemen who speak Irish well and who were present in court, that the interpretation was not **faithful**. They stated to me that the interpreter left things out and abridged to any extent what he had to interpret. The man probably acted bona fide. The fact is that many interpreters as a rule do not do their duty properly unless they are persons skilled in the business and after considerable practice. The interpretation in the case of the Huddys was far from satisfactory. The trial of Irish-speaking prisoners will never be satisfactorily conducted till we have judges, counsel, and solicitors who understand and speak Irish engaged in all such trials. The Irish-speaking population of the west are practically denied the ordinary rights of their fellow subjects under the Constitution.

A member of Council of the Gaelic Union

Tuam Herald 5 June 1886 'Derreen Petty Sessions', 2. Derreen

Pat Lynskey summoned John McDonnell for the trespass of nine hens on his house and premises on 27th April last whereby the thatch on his house was damaged to the extent of 10s. ...

Pat Lynskey, an Irish-speaking witness, was sworn in by an **interpreter**.

Southern Star 13 June 1886 'Meany v Baldwin', 8. Macroom quarter sessions

Samuel Baldwin had a process for the sum of £10 against Timothy Meany for loss and damage for the defendant neglecting to cut and save a quantity of hay, and £3 for the defendant converting a quantity of the hay to his own use.....

Meany was called, and stated he only spoke in Irish. He admitted he was examined before and spoke English, but he had forgotten his English.

His Honor said the man would not be examined except the defendant spoke in English.

Meany – Very well so.

Meany retired from the table.

His Honor said the man could speak English, and called Mr Baldwin, who said he could not speak Irish, and had always done his business with the defendant in English.

Mr Sheehan said the defendant could tell his story better in Irish.

His Honor said he could tell it as well in English.

Mr Sheehan - There is an **interpreter** attached to the Court.

His Honor – For those who speak Irish, but this man can speak English.

Waterford Standard 30 June 1886 Tramore petty sessions Trespassing

An old woman named Catherine Power was summoned by Andrew Power for having allowed her goat to trespass on his lands.

The defendant addressed the bench in Irish and Mr Bodkin (RM) asked the complainant if he had warned the defendant against trespassing.

The complainant – I did, several times.

Mr Bodkin – Bud did you do so in Irish?

The complainant – No; I can't speak Irish.

At the request of Mr Bodkin, **Mr Quinlan, who was in court**, conveyed to the defendant what the charge was. [Quinlan is the 'local process-server' according to Waterford News, 2 July]

Mr Quinlan, having conversed with her, said she denied the charge.

Further conversations took place between the defendant and the interpreter, who repeated that the defendant persisted in denying that her goat had trespassed.

...Mr Bodkin suggested that the defendant should be informed that she would have to keep her goats off the complainant's potato field in future.

Mr Quinlan made this request in Irish to the defendant several times, but the defendant on each occasion raised her hands and replied excitedly, according to the interpreter, that she was not guilty of the charge.

The court at this stage tried another expedient, that of swearing the defendant, and she was sworn accordingly, Mr Quinlan administering the oath. That ceremony over, she was asked again why she allowed her goats to trespass. Amidst laughter from the occupants of the rere of the court she suddenly withdrew into a side seat and remained mute.

Mr Bodkin said a fine should be inflicted, but asked if the defendant was able to pay it.

This was explained to the defendant, who immediately said in English that "she could not pay it" (laughter)

The complainant – She has an account in the bank

Mr Quinlan repeated the court's order to the defendant, who replied that she had no money.

The Court made an order of 2s fine and 2s costs.

The defendant left the court protesting indignantly and immediately afterwards returned and paid the fine.

The Waterford News 2 July 1886 page 3 Tramore Petty Sessions – Monday - Trespass

Andrew Power summoned Catherine Murray for allowing his goat to trespass on his potatoes.

Complainant deposed that on the 6th June he saw the defendant's goat on his potatoes; he told the defendant to keep her goat away, but she neglected to do so, and found the goat trespassing on several subsequent occasions. The defendant, an old and very excitable woman, made some exclamations in Irish.

Mr Bodkin – Does she speak English?

Complainant – She can't speak English, and I can't speak Irish (laughter)

Complainant continuing, said she was a tenant of his, and she owed him a year's rent up to last March for a house and about three-quarters of an acre of land; she gave himself the land, stating that she could not till it, and he then gave her the house for 1d a week.

Defendant here made some further ejaculations in the native vernacular, and an interpreter was procured in the person of the local process-server, through whom some questions were put to her by the bench, and in reply to which she stated that the goat was not on the potatoes, but only picking on the ditch.

Complainant said, in reply to Mr Bodkin, that he would allow the woman's goat to graze on his "knock" if she would only prevent it trespassing on his potatoes. He also remarked that he understood she had money in the bank.

Mr Bodkin then informed her through the interpreter that she would be fined 6s. in reply, she stated that she would prefer going to gaol.

Mr Bodkin – Tell her that her deposit receipt will be taken off her there.

On being informed of that, she left the court and soon afterwards returned with the money and paid the fine, which was reduced to a 1s and costs.

The Morning News 8 November 1886 page 3 The Gaelic Union Dublin

Weekly meeting – the necessity of Irish interpreters at the assizes Land Courts &c, was dwelt upon, and the evil of bad interpreters discussed, instances of great injustices to clients, witnesses, and accused persons being adduced as a consequence of bad interpreting.

1887

Londonderry Sentinel 15 March 1887 page 3 The Gweedore eviction cases. The prisoners on trial - eight rioters sent to jail County Donegal Assizes

John Curran, who spoke Irish, and had the services of the **interpreter**, deposed that Joseph Boyle threw no stones.

Nenagh Guardian 23 April 1887 Untitled

At **Clonmel Quarter Sessions**, in a case in which a countrywoman named Ahearne sued a party for 30s, the price of turkeys, she had to be examined through **the court interpreter** in order to prove her claim. The interpreter was then told to ask the plaintiff could she speak English, which he did, and she replied she could only speak it incorrectly. Mr Boyd (to the plaintiff) – How much does the defendant owe you? Plaintiff – Half a month (laughter). Mr Boyd – Oh, that's enough. I see I have not half knowledge enough (more laughter). The plaintiff left the table, and a decree was given for the debt.

House of Commons 13th May 1887

MR. MAURICE HEALY(Cork): I wish to know if the Government will accept the Amendment which stands next on the Paper in my name?

Amendment proposed, In page 2, line 10, after "offence," insert- "(5) In case any witness examined under this section shall not speak English, the interpreter employed shall not be a policeman or other person in the service of the Crown otherwise than as an interpreter."-(Mr. Maurice Healy.)

Question proposed, "That those words be there inserted."

The Chief Secretary for Ireland (Mr. A. J. Balfour) (Manchester, E.): Yes; the Government are prepared to accept the Amendment down to the word "policeman." Inconvenience would arise from the adoption of the remaining part of the Amendment.

Question, "That the words '(5) In case any witness examined under this section shall not speak English, the interpreter employed shall not be a policeman 'be there inserted,' -put, and agreed to.

Morning News 14 May 1887 page 6

An amendment proposed by Mr M Healy, that in case any witness examined under the section should not speak English the interpreter should not be a policeman was assented to by Mr AJ Balfour, and inserted in the clause.

Kerry Sentinel 28 May 1887 page 3 Also Kerry Weekly Reporter 21st May 1887 page 5

The County Courthouse Keeper

Mr Michael Collins, Civil Bill Officer and interpreter, has been appointed by the High Sheriff to the vacant position of court-keeper.

Londonderry Sentinel 7 June 1887 page 4 Ulster Sub-commisison

Glenties – The list for hearing contains 220 cases. Many of the tenants were unable to speak English, and some difficulty was experienced in procuring an interpreter.

Cornelius Molloy Area 31 a The tenant intimated that he could not speak English.

The Chairman – I am sure a man of your appearance can give your evidence in English. No, what I must do is this: I will hear all the cases where the witnesses can speak English first, and I will put the other cases to the bottom of the list until I get an interpreter. Your case, will, therefore, be adjourned for the present.

Witness – Well, I will do my best (Laughter)

The case was proceeded with.

HC 9th June 1887

DR. COMMINS(Roscommon, S.): I beg to move the Amendment which stands in my name-namely, in page 3, line 29, after "certificate," to add- "Provided always, that nothing in this Act shall empower the removal of any trial from any one of the four provinces to anywhere outside of such province, except the County of the City of Dublin." This Amendment, I think, scarcely requires explanation. The

promoters of this Bill maintain that they are actuated by the desire to have a fair administration of justice in Ireland. Well, I will assume that they are, though I am afraid that the assumption is a rather violent one, and one which, when I go back in history, or even in my own recollection, I should find very little except the sort of protestations we have heard from them to support. However, we will assume that they mean to administer justice fairly, and if they do that, no doubt the provision, modified in the way I propose to modify this 4th clause, would be one that would conduce to a fair administration of justice in Ireland. We know that it does not conduce to a fair administration of justice in Ireland, nor to the public belief that it is fair, or intended to be fair, when there is a change of venue such as took place in the case of the Maamtrasna murders. I have no sympathy [1491] for the Maamtrasna murderers; I do not believe anyone outside their own wretched circle had any sympathy with them, yet I think that everyone, no matter who he may be, is entitled to a fair trial. Everyone who is to be put upon his defence wants a fair trial; and I do not think it conduced to the fair administration of justice in Ireland, or to the confidence of the public in the fair administration of justice, *that these poor wretched people, speaking not a word of English, were moved for trial out of their own neighbourhood, and taken 60 miles away, where there was difficulty in getting witnesses, where the people were not familiar with the locality of the murder, and brought before a jury, in a certain sense, of foreigners, who did not even speak the language of these poor people, and with whom the prisoners could have no communication whatever **except through the medium of an interpreter—***

The Waterford News 24 June 1887 page 3 Trinity Quarter Sessions Committal orders

Michael Phelan v Wm Power – The process was brought for the detinue of a plough, harrow, flail, and cart, plaintiff's property. Mr Dunford appeared for the plaintiff, and Mr LC Strange defended.

Plaintiff, examined, said he bought the farm that Power occupied two years ago. The condition of the sale was that the articles enumerated were to remain on the land. The defendant took them away. Their value was £16 15s 6d.

Mr Strange – Was the agreement that you were to get the farm, the stock and pay a half-year's rent?

Plaintiff – And all that was on it.

The defendant, who spoke Irish only, was sworn, Mr **David Gleeson acting as interpreter**. He was unable to remember the terms of the agreement.

David Gleeson, examined, stated that he was present when the agreement was being made. There was nothing mentioned of the harrow, plough, and flail.

..case dismissed

The Irish Times 30 June 1887 'Imperial Parliament: House of Commons –Yesterday – 1881, December 9) 'The Crimes Bill', 6.

The adjourned debate on Winter Assizes: the consideration of the Criminal Law Amendment (Ireland) Bill was resumed, and the discussion was proceeded with on Mr Chance's proposed new clause relating to the procedure on application for sureties.

Mr A. J. Balfour observed...

Mr M Healy proposed the following clause: "Where on the trial of any accused person had pursuant to any of the provisions of this Act it is necessary to employ an interpreter for any purpose no policeman or other Crown official be employed to act in that capacity."

The Solicitor-General for Ireland thought the clause unnecessary, as there would always be persons present in court who would be able to correct any misrepresentation. He reminded the House that an amendment had been accepted prohibiting the employment of policemen as interpreters at the preliminary inquiries.

Mr W McDonald wished the Government to understand the Irish people did not trust them at all, but believed there was nothing too mean or despicable for them to do in order to attain their ends.

The Speaker – The hon. Gentleman will withdraw it [the expression] at once.

Mr W McDonald – I beg pardon, sir, I was about to withdraw it. What I meant to imply was that a policeman surely might not be above suspicion, and that it was only fair and right that an impartial interpreter from outside should be employed.

Londonderry Sentinel 14 July 1887 page 2 Assaults

Jack Boyle and Francis Boyle, father and son, were put forward and indicted that they, on 10th April 1887, did assault one Patrick Boyle, occasioning him actual bodily harm. In a second count they were indicted for a common assault...

During the hearing of the evidence a witness names Scanlan was called for the prosecution, and, on the understanding that he could not speak English, was examined through Mr **Daniel Boyce, Court crier and interpreter, and gave all his answers in Irish**. After his cross-examination it was intimated that Scanlan could speak and converse fluently in English. Chas Kelly, Ballybofey, was then called by Mr Maxwell, and, on being sworn, deposed that he knew Scanlan intimately for the last twelve years, and never heard him speak anything but English. [No more info on what if anything happened] Found guilty

Londonderry Sentinel 21 July 1887 page 4 Co of Donegal Assizes crown court The Gweedore cases Shane McFadden, an old man, who could only speak Irish, was next arraigned and indicted in the tongue through **Jerome Bryce, the official interpreter**, for a imilar offence at Carricknagarvey, on the 16th October - verdict of guilty [Should be Daniel Boyce – interpreter at assizes in 1886 and 1891]

Donegal Independent 23 July 1887 page 3 The law of forcible possession

Patrick Gallagher, Knookfolla, was indicted for forcible entry upon a farm and house on the estate of Mrs Ann Stewart in Gweedore district, from which he was evicted.

Messrs Irvine QC and McGusty prosecuted. The prisoner was defended by Messrs. Dane and Gausson.

The prisoner, who spoke Irish, and who was arranged (sic) **through the court interpreter, pleaded not guilty. [Boyce according to the Londonderry Sentinel 19 July 1887]**

John S McCay, Sub-Sheriff, produced a decree against the prisoner for possession of the house and farm. The decree was executed on 18th January last, and possession was given up to the landlord's agent, the premises being cleared out.

To Mr Dane – There was no difficulty in evicting the prisoner. There was nearly 100 police on the scene, and a large crowd of the natives collected. There was a riot before the evictions began, and persons had already been punished for this offence.

[Jury unable to agree.]

Hugh McBride was indicted for taking forcible possession in August 1886 of a farm at Meenaduff, on the estate of Captain Hill.

The prisoner spoke Irish, and was defended by the same professional gentleman as in the previous case.

The Waterford News 26 August 1887 page 3

At Kilrossenty the thunders of the Government did not strike terror into the people's hearts. They rather felt inclined to look on the [National] League as an impregnable fortress – one that can only be shattered by those who built it up. Two policemen attended, no doubt by orders, to find out exactly how the organization, founded on the will of the people, received what was intended as a rude shock from the Government armoury. When these spies became too inquisitive and prying, one of the speakers decided to put them in a fix by having his say in the vernacular. The Royal Irish present were sadly deficient in their native tongue, and as there was **no willing interpreter** about, they had to acknowledge their inability to report progress further.

Kerry Weekly Reporter 19 November 1887 page 4 Death of Mr Michael Collins

We regret to announce the death of Mr Michael Collins at the advanced age of 67 years. This sad event took place on the 16th instant. We are sure many of his friends and even admirers for his quaint humour and ready witticisms acquired for him acquaintances in every circle, will hear with much pain of his *demise*. On the death of Mr C Lamb he was appointed as court-keeper, at Tralee, by the High-Sheriff, Mr George Sandes, and during his short term in that office he was most courteous and obliging to every member of the public who had any business to transact there. Mr Collins was for a number of years the best-known sheriff's officer in Kerry, Irish interpreter to the different courts, and also held the position of crier to Mr Curran's predecessor, Mr O'Connor Morris. He was widely known and much respected by all classes, and for a man in such a peculiarly insidious position he always managed to retain his popularity.

1888

Nation, 28 April 1888, 'To the Editor of The Nation', 6.

To the Editor of The Nation

Sir – I promised in my last communication to adduce instances in which, contrary even to English-made law, the Constitutional and legal rights of suitors, witnesses, and accused persons in the courts of law were denied them solely on account of their being Irish speakers. The fact is that the courts of law have been systematically carrying on a persecution of the native language consecutive, I suppose, on the old penal statutes against it. In the case of an accused person his ignorance of English is in many instances taken as a *prima facie* presumption against him. In that of a suitor it is taken as an excuse for disregarding his case. In that of a witness it is an excuse for badgering and confusing him – bullying him into an effort to express himself in broken English, and giving little or no value to his statements. No wonder that witnesses through fear often pretend a knowledge of English which they do not possess, and which breaks down when put to the test, involving, as a consequence, the loss of the case for which they are giving testimony. How different is the practice in Wales as regards the Welsh language. The first instance in illustration of the above remarks is the celebrated Maamtrasna case. I say this is the first, but only in this sense, that it was the first in recent years which appeared to open the eyes of the Dublin people to the injustice inflicted on Irish speakers in our courts of law. Thousands of such cases had occurred before, but they occurred in obscure localities and were not reported in the press. But on a smaller scale and with somewhat less serious consequences, the same thing is going on in the inferior courts every day. I have myself witnessed the following among other instances. At Kilronan, in the Arran Islands, a magistrate's court was being held for the usual purposes. The magistrate did not understand Irish, many of the suitors and witnesses could speak nothing else, while others, who could speak a few words of English, could only state their case with justice to themselves in Irish. There was an interpreter appointed, a young man, a Protestant residing on the island. A witness began his statement in Irish. Now, one would suppose that it was the business of the interpreter to confine himself to the translation of the man's statement into English. He evidently did not consider this to be his duty, for, instead of doing so, he commenced persuading him to speak English. The man could speak a little English, but was plainly at a disadvantage in using that language. He was, however, forced to continue his deposition in bad English instead of good Irish. And cases analogous to this occur daily. If a person making a deposition in one of the petty sessions courts has been known to say "a fine day" or "how are you?" in English, the opposite party immediately makes a statement that he can speak English, and the witness or suitor or accused person, as the case may be, is ordered with threats to confine himself to that language, to the manifest disadvantage of his side of the case. Thus are Irish speakers continually handicapped in our courts of so-called justice, high and low. Some of the interpreters appointed, where there are any, are utterly unfit for the performance of their duty. An acquaintance of mine, a former barony constable, has related to me many instances of the grossest injustice in the courts on account of the forced use of the English language by persons

who had but a smattering of it, which came under his observation. This is a matter which seems to have altogether escaped the notice of the Irish National Party. It is alluded to in one of the Gaelic Union reports. I have not seen it noticed anywhere else. And yet it is wholly illegal and unconstitutional, besides being altogether contrary to the moral law and to the principles of common fair play and justice. I have seen several instances of it myself, and have heard on reliable authority of hundreds of others.

Eirionnach

"It seems likely that "Eirionnach" (the Irish word for "Irishman") was Dr. George Sigerson, who used this ainm cleite or "pen name" (see R. I. Best, Bibliography, I (1913), 196, 209; Risteard de Hae and B. Ni Dhonnchadha, Clkr Litridheacht na Nua-Ghaedhilge (Dublin, 938), I, 163-4). Page 34, "Macbeth's Cyme No More"

Roland M. Smyth "Macbeth's Cyme No More" Language Notes January 1945

Donegal Independent 16 June 1888 What's in a name page 2 Names in Irish

At the Ballyshannon Quarter Sessions in the case of James Britton against John Moss, Pettigo, for shop goods, it appeared that the entry in the day book was against John Mulmous.

His Honour said that he could not take that entry as evidence, Moss was the defendant; not Mulmous.

Mr Atkinson for the plaintiff stated that Mulmous was the Irish for Moss, and the man was known as Mulmous or Moss.

The court interpreter, Condy Boyle, was called upon, and stated that Mulmous meant a heap of turf. His Honour said he would go by the court interpreter, and he did not establish the translation Mr Atkinson wished. Moss was what grew on a stone, and this man's name was equivalent to a heap of turf.

Mr Atkinson argued that the analogy was complete. Moss was bog, moss land being bog land. What grew on a stone, was called in the country fog, not moss.

Mr Cochrane, clerk of the Peace, stated this was so.

His Honour asked was the word bog not Irish. He thought it was. What was the Irish for "bog".

Interpreter – Fartagh

Ultimately the process server proved that the man was known by both names, and His Honour accepted the name as correct, and finally granted a decree for the amount.

Waterford News 22 June 1888 page 3 Dungarvan Quarter Sessions Knew his ways

John Prendergast v James Ryan – Mr O'Connell, instructing Mr Sergeant for complainant, Mr Williams for defendant. This was an action to establish right of way through a borheen leading to complainant's land, which was dug up by defendant.

Complainant, an Irish speaking witness, deposed his father died 30 years ago; he gave the place to his aunt, Miss Gambion, to look after it; he came into possession a few years ago.

Mr Williams said they gave complainant a perfect passage, along the fence, but he was only satisfied with the old one through the middle of the field.

To Mr Sergeant – I am not satisfied with the new passage because the old one was that always used.

Michael Prendergast, also an Irish speaking witness, was next called. His Honor asked witness could he understand enough of English to speak it. Witness did not reply. His Honor (to interpreter): Ask him on his oath did he understand what I said? Interpreter: He says he did (laughter). His Honor: I knew by his eye he did (laughter): tell him I'm not a fool and I know his ways.

Michael Gampion and Flahavan were next examined.

Maurice Power, rentwarner to Mr Stuart, deposed Judge Johnston told him it would be better for Ryan to open a passage; he told him ____

His Honor – I don't care a button for what Judge Johnston said, meaning no disrespect to him. I have to decide the case according to my own conscience and not according to Judge Johnston's conscience.

His Honor – This is a case for amicable settlement; the parties are only pursuing each other for the sake of litigation. I think you will have to go to Judge Johnston again (laughter). His Honor stated that he had 60 cases of right of way to try at every sessions; so he was familiar with these cases. He would advise complainant, to whom he would give costs, to refer the case to an arbitrator.

The **interpreter** explained the case to complainant.

Mr Sergeant – Tell him I advise him to do so.

Interpreter – He said he would as soon give up the passage altogether.

Mr Sergeant – Tell him he is a fool (laughter)

Interpreter – He says he is a fool (laughter)

The case was allowed to stand over to allow opportunities for compromise.

Munster Express 23 June 1888 page 5 Dungarvan Quarter Sessions Thursday

His Honor George Waters Esq QC entered court at 10 o'clock, and proceeded with the hearing of defended civil bills.

Prendergast v Ryan – this was an action for 5l for obstructing the right of way.

Michael Prendergast was the next witness called.

His Honor spoke to him, but the witness turned away his head as if he did not understand. The interpreter was called into requisition, and his Honor told the interpreter to ask witness on his oath, did he understand what was being said to him. He said, through the interpreter, that he did.

His Honor – I knew by his eye that he understood what I was saying.

Diary of the Parnell Commission

Then there stepped into the witness-box a man who saw them killed "they were driven against a wall, they were stoned, then shot. It took some time to get at this man's story; for he spoke in Erse, and the Court had to employ an **interpreter**. The interpreter, speaking in a hard, rapid, clattering voice, was almost as unintelligible as the Erse-speaking witness. The Bench could not hear him. Counsel could not hear him. To make himself heard the interpreter moved off to the extremity of the solicitor's bench. Then it was found that he was too far away from his witness. They craned their necks, each in the other's direction, the interpreter turning his hand into an ear trumpet, the witness doing likewise, as they bawled in their diverse tongues. Kerrigan was the Erse witness's name; and Kerrigan almost howled when he told the Court that he had been nine months in jail, on suspicion of having murdered the two Huddys.

Mrs. Kerrigan then stepped into the box. A short, squab-figured, dumpy little woman she was, with the face of ... typical Hibernian. She wore a bright tartan shawl over her head "in the manner of Irish peasantwomen. Holding a red handkerchief to her chin, she fixed her elbows on the ledge of the box, as she gave her story in a guttural Erse babble as rapid as her husband's. The counsel attached considerable importance to Mrs. Kerrigan's testimony, for she told the Court how, while her husband was in prison on charge of the murder, she used to receive money from Mrs. Keating of Galway, a leader, or leaderess of the Ladies' Land League. But at this point Sir Charles Russell promptly intervened. "Ye admit the receipt of the money," said he. "Yes," said Mr. Reid, Q.C., following Sir Charles; and he reminded the Court of what was a perfectly open and above-board series of transactions during the imprisonment of Mr. Forster's thousand suspects, of whom Mr. Kerrigan was only one; there was a suspects' relief fund for food, "S:c., and when poor prisoners refused to avail themselves of it, the money value was handed over to their families as a grant in aid during the incarceration of the breadwinners. With this counter-hit by Mr. Reid, the Huddy case ended. Kerrigan was liberated when he divulged the names of the three murderers; he saw them do it, and he saw them hanged.

St James's Gazette 8 November 1888 page 8 To-day's proceedings

The Special Commission appointed to inquire into the charges against Parnellite members and others resumed its sitting at the Law Courts this morning at half-past ten o'clock.

The Murder of the Huddys

Thomas Huddy said his father, Joseph Huddy, was a bailiff in the service of Lord Ardilaun. They lived in the county of Mayo. On the 3rd of January, 1882, his father, accompanied by his nephew, John Huddy, went out to deliver processes. They never returned. Search was made for them for some weeks; but no clue was obtained as to their whereabouts from man, woman or child. He saw the dead bodies of his father and John Huddy on the 27th of January, 1882. Both had wounds upon them.

In cross-examination the witness said his father had been very active in process-serving.

Matthew Kerrigan, who gave his evidence in Irish, which was interpreted by Thomas Evans, was next called.

Mr T Harrington said he hoped the interpreter would not be allowed to put questions to the witness.

Sir James Hannen: If you throw a doubt on the interpreter's version of the witness's evidence you must have another interpreter here.

Mr Harrington – I only ask that he shall not put questions to the witness.

Sir James Hannen (warmly) – Then you must address your observation to the Court.

Sir Charles Russell – They were addressed to the Court.

Sir James Hannen – They did not appear to me to be so addressed.

The witness said that he saw the murder of the two Huddys committed by Patrick and Tom Higgins and Michael Flynn. They struck the elder Huddy with stones on the back of the head, and then fired shots at both men. They carried the bodies away towards the water. The witness was himself charged with the murders and was kept in prison for nine months. As he was leaving the gaol £3 or £4 was given to him by someone whom he did not know. He afterwards informed of the men who had committed the murder, and the people then jeered at him and he was boycotted. He was still under protection.

Mr Parnell entered the Court at 11 o'clock and took his seat at the solicitors' table.

Freeman's Journal 9 November 1888

Matthias Kerrigan an Irish-speaking witness was then examined through an interpreter name Thomas Evans.

Cork Constitution 9 November 1888 Irish Witnesses

Matthias Kerrigan, a witness who could not speak English, and therefore had to have an interpreter for his Irish, said in answer to Mr Atkinson QC that he lived in the village of Amerare, on the borders of Galway, near Lough Mask.

Bridget Kerrigan whose evidence was also interpreted....

Belfast News-Letter 9 November 1888 The Parnell Commission the Lough Mask Murders and eye-witness of the tragedy - how it was done From our own correspondent and special wire

London, Thursday – To-day, at the opening of the court, there was the same absence of notable personages as yesterday. Between eleven and twelve Mr Parnell entered the court and took his accustomed seat immediately in front of his counsel, and by twelve o'clock the passages of the court became crowded with sightseers, and as usual the galleries were well filled, the ladies being conspicuous by reason of their numbers.

The evidence regarding outrages was continued. The first case opened related to the murder of the Huddys in January, 1882. The witness was Thomas Huddy, a son of one of the murdered men, who

was a bailiff on Lord Ardilaun's estate in Mayo. He remembered his father and his nephew, John Huddy, leaving on the 2nd January to serve some processes. They never returned. He made a long search for the bodies after he heard of the murder, and although he was able to conduct his inquiries in Irish, the language spoken by the people of the district, he could get no information from man, woman, nor child. The people on that occasion appeared to have carried out "a conspiracy of silence" on the subject of the murder. When he saw the bodies after they were recovered from the lough, there were wounds on the bodies and heads of the victims, indicating that they had been brutally murdered. In support of this testimony, Myles Kerrigan, a peasant of the immediate district where the crime was committed, was called. He is an elderly man, sharp featured, with eyes somewhat sunken. He stood with hat in hand, occasionally gesticulating therewith when emphasising a particular point of his evidence. In this case an interpreter made his appearance for the first time in court. Kerrigan described the perpetration of the murder by the men Higgins and Flynn, and the scene of this tragedy was very vividly brought before the mind of all present. It was understood that Mrs Leyden could not speak English, so that the services of the interpreter were again requisitioned. She was sworn in Irish, but when she faced Mr Atkinson, upon whom the duty of examination had devolved, her first answer was given in English of a kind to which not the slightest objection could be taken. Needless to say, this circumstance gave rise to some merriment, in which judges and counsel were compelled to have a share.

The Irish Times 9 November 1888 'Parnell Commission: Murders and Outrages in Galway', 5.

Tragedy was the element of to-day's proceedings in Sir James Hannan's Court. For the first time we had Irish-speaking witnesses in the box, with all the necessary accessories of interpreters and **the tedious repetition of the question by the interpreter to the witness and the repetition in the court of the witness's answer, with occasionally an inability on the part of a witness to comprehend the nature of a question, and the consequent explanation, and, perhaps, repetition of the question in a different form....**

Still later came a witness – a woman – who professed to be Irish-speaking, and for whom an interpreter swore, but who, while yet the preliminaries of taking the oath and giving her name were not quite completed, disclosed that she understood English, and could speak it sufficiently well to be understood without difficulty. **In her case, the interpreter's office was a sinecure, the evidence being taken in English.**

The murder of the Huddys – uncle and nephew – bailiffs on Lord Ardilaun's estate, who were murdered on the shores of Lough Mask in January 1882, and their bodies thrown into the lake, from which they were recovered nearly a month later, was the subject of the evidence given at the sitting of the court.

Freeman's Journal 9 November 1888 page 5

Sir Chas Russell, QC MP and Mr Asquith MP, appeared for Mr Parnell; and for tother members of the Irish party the counsel were – Mr RT Reid QC MP; Mr Lockwood QC MP; Mr Lionel Hart, Mr Arthur Russell and Mr Arthur O'Connor, of the English Bar, and Mr T Harrington MP of the Irish Bar.

...Matthias Kerrigan, an Irish speaking witness, was then examined through an interpreter named Thomas Evans. He deposed he lived in the county Galway. He knew a man named Thomas Higgins. In January 1880, he was about to pay his rent. He knew a man named Flynn, whom he believed to have been a member of the Clonbur Land League, and he accompanied him one time on a visit to Clonbur about the beginning of 1880. He gave Flynn sixpence. Flynn told him it was for the League.

Mr T. Harrington – I think the interpreter should put the question he is asked to put, and not add any of his own. He deliberately suggested the League to the witness.

The Interpreter – I did not.

Mr Harrington – You did, I happen to know Irish myself.

The President – Pardon me. You must put this in regular form. If you throw doubt upon the correctness of the interpreter we will have to have another here.

Mr Harrington – It was only with a view, my lord, to prevent the interpreter adding to the questions that I drew attention to the matter.

The President – You should address your observations to the Court.

The President – They did not appear to me to be addressed to the Court.

Sir Charles Russell – Undoubtedly they were, my lord.

The examination of the witness was then resumed by Mr John Atkinson QC through the interpreter.

Ballinrobe Chronicle 10 November 1888 page 1

The correspondent of the Evening Telegraph in his description of the 'scene in court', during their examination, says: - The evidence with regard to the outrages in Galway was resumed this morning. Two Irish-speaking witnesses – Mathias Kerrigan and his wife – were examined with regard to the murder of the Huddys. The spectacle of an Irish witness giving evidence in his native tongue before an English judge was certainly novel to Englishmen. It is probably more than a hundred years since the Irish language was heard within the walls of an English court, and the story told by Kerrigan and his wife in their native Gaelic to-day evoked far more interest for this reason than it would if it were told in English. The evidence was interpreted by an Irish policeman with great facility. Kerrigan and his wife seemed perfectly at home in the witness-box. The sight of the three judges amid a crowded court, all listening with great interest to the Irish vernacular, did not discompose them in the least. After the Kerrigans came the police. The extraordinary evidence given yesterday with regard to the 'thriving condition' of the people of the West in 1879, 1880 and 1881, was continued to-day, the constabulary witnesses being examined by the Crown counsel on the subject during their direct examination in order to forestall Sir Charles Russell. This evidence created a feeling bordering on amazement.

Nation 17 November 1888 'The Forgeries Commission: Eleventh Day', 11.

Twenty witnesses were examined on Thursday – a good day's work. Their connected evidence as a dismal monotone of housebreaking, house-burning, shooting, maiming, murder. Hardly had the Court assembled when it plunged, says the Daily News, so to speak, into a murder case – one of the ugliest in the record. This was the case of Bailiff Huddy, who was employed on the estate of Lord Ardilaun, in Mayo, in 1880, and who was murdered early in that year, shortly after he left his own house in the company of his nephew. The bailiff's son now appeared in the witness-box. Then there stepped into the witness-box a man who saw them killed – they were driven against a wall, they were stoned, then shot. **For he spoke in Erse, and the Court had to employ an interpreter, whom Mr Harrington soon impeached for leading the witness.** Kerrigan was the Erse witness's name. The *Times'* counsel attaché considered considerable importance to Madame Kerrigan's testimony, for she told the Court how, while her husband was in prison on charge of the murder, she used to receive money from Mrs Keating, of Galway, a leader or leaderess of the Ladies' Land League.

Belfast Newsletter 8 December 1888 'Ulster Winter Assizes', 6 Belfast

Yesterday morning, at half past ten o'clock, the Right Honourable Mr Justice Holmes entered the Crown Court of the County Antrim Courthouse, and resumed the business of the Antrim Winter Assizes. His Lordship was accompanied by the High Sheriff, Mr Montagu, WE Dobbs, DL, and the Sub-Sheriff, Mr HH Bottomley.

The Clerk of the Crown, Mr Hugh McNeile McCormick, was in attendance.

The Murder in Donegal Conviction of the Prisoner Sentence of Death

Bella McIlwaine was indicted that she did, on the 13th June last, at Lunagh, in the County of Donegal, feloniously, willfully, and of malice aforethought, kill and murder one Nancy Ferry. [...]

On the day after the occurrence Bella McIlwaine was arrested and brought before Ferry, who could only speak Irish, but a person was there to translate what she said: and on this occasion also the deceased repeated the charge she had made against the accused....

Daniel McGarvey, who gave his evidence through an interpreter, stated, in reply to Mr Irvine, that he remembered the night Nancy Ferry was burned. He was sitting on a rock near his own house when he heard her voice calling "Paddy", witness's father. Witness then called his father and they went to where the deceased was sitting on the ground, about twenty yards from her own house. She was burning a little about the breast. Then the prisoner came up to where the deceased was. The fire was then extinguished by Billy Sweeney and Neil McIlwaine, and she was taken home. [...]

Patrick McGarvey, **who is also an Irish-speaking witness**, stated to Mr Gerrard that he lived at Lunagh, about a stone's throw from the deceased's house. He remembered the evening in question, but he could not tell the day of the month. His son came to him when he was going to bed. He did not know the time, but he went as fast as he could to where the deceased was sitting down, about twenty yards from her own house. There were a number of people around her, and he saw that she had been burning, as there were sparks upon her breast. The fire was put out before he came there, but he knew that she had been burning. He saw the prisoner coming from her own house to where the deceased was sitting before they carried her into her own house. He heard the deceased telling the prisoner to keep back as it was her that did it. She said it in Irish, and the prisoner was close by her at the time.

Londonderry Sentinel 8 December 1888 page 3 Ulster winter assizes Belfast Child murder near Gweedore – sentence of death

The first witness called was Daniel McGarvey, who only understood the Irish language. **Teague Gallagher was sworn as an interpreter**. In reply to his Lordship he said that he talked both Irish and English. The interpreter and the witness were then sworn. McGarvey was then examined by Mr Gallagher (through the interpreter)....

The Irish Times 10 December 1888 'The Winter Assizes: A Donegal Murder Case', 6.

The prisoner pleaded not guilty. The hearing of the evidence occupied the greater part of the day. Many of the witnesses could only understand the Celtic language and their evidence had to given **through an interpreter**.

1889

Donegal Independent 5 January 1889 page 2 A fight in Dungloe chapel – black eyes and broken noses

The police called in

Dungloe has secured for itself an unenviable notoriety for lawlessness and disorder, but the latest episode in its shameful history caps the climax – viz, the attempt to deprive **Mr Condy Boyle and his family**, and Mr Charles Gallagher, next door neighbour, from their seats in the gallery of the Roman Catholic chapel. The seats have been in possession of the above-named parties since the erection of

the gallery, six years ago. They paid annually for them during this time, and were never objected to. This year, however, Mr Boyle broke the canons of the League by associating with Mr Maurice Boyle, and was consequently boycotted.

Kerry Sentinel 19 January 1889 page 3 Cahirciveen petty sessions (from our correspondent)

The usual fortnightly Petty Sessions were held here on Saturday 12th inst, before Messrs JE Butler JP (in the chair) and JF Fitzgerald, JP.

Dismissed for not speaking English

Patrick Shee, summoned James Hickey for something which did not transpire.

When complainant was sworn, he complained in the vernacular, that he was unable to speak English. The defendant affirmed he could, and the chairman ordered him off unless he would prefer his complaint in English. The poor man appeared bewildered, and he shuffled off the table apparently under the impression that his being unable to speak the English language, presented an insuperable obstacle to his obtaining any legal redress.

It may be slightly inconvenient for magistrates to hear cases through the court **interpreter** (who was present); but why such a harsh proceeding should be adopted towards an ignorant old man, and why the language of a country should be boycotted in its own courts, baffles the comprehension of an ordinary individual like your corr.

Kerry Sentinel 16 February 1889 page 4 Cahirciveen Petty Sessions

Patrick Shea summoned James Hickey for 7s wages earned in that indefinite region termed "over the hill". The complainant is the same individual whom your readers may remember was so mystified last Petty Sessions – a month ago- by the action of the magistrates who declined to hear his case because he would not speak English.

Paddy came on the table to day apparently under the impression that something remarkable was about to occur. No difficulty, however was experienced, the interpreter immediately taking him in hand. From the fact that the magistrates took particular care that Paddy's case should be heard it may fairly be presumed that they have since discovered the absurdity of their rather high-handed action last court day.

Paddy explained through the **interpreter** that he worked for James Hickey on a farm "over the hill" and did not receive his entire wages.

James Hickey produced two letters, one from his brother and the other from a policeman, stating the entire money was paid.

The magistrates admitted the letters as evidence and dismissed the case.

Cork Examiner 20 March 1899

Death of Mr Patrick O'Sullivan, Killorglin

We regret to have to announce the death of **Mr Patk O'Sullivan, who for a considerable number of years acted as Irish interpreter in the Kerry courts and for the Judges of Assize.** Mr O'Sullivan, who was the father of Mr JP O'Sullivan, at one time all-round champion athlete of Ireland, had been in ill-health for some time past.

Londonderry Sentinel 26 March 1889 page 1

Glenties – Mr Condy Boyle of Dungloe, estate bailiff to the Marquis of Conyngham (but better known to the public in his capacities as process-server, court crier, and court interpreter for Donegal)... Mr Boyle was indefatigably supported by the local gentry and respectable men of Unionist and Conservative sympathies. He got 38 votes.

Donegal Independent 6 April 1889 page 2

Mr Condy Boyle, County Court Crier and Interpreter, it is not generally known has held the (by some country folk) coveted office of P.L.G. for many years for Rutland and Anagry division of the Glenties

Union. This year an attempt was made to eject him by Mr Sweeney, Dungloe, and according to the report widely circulated, Mr Boyle was beaten by nine votes. At the Donegal Assizes Mr Boyle was the subject of many condolences on his losing the right to append the PLG to his other titles, but his reply was to show a telegram that he had been elected and not defeated, and stated that he never canvassed, and so lost ten or more votes.

Cork Examiner 22 April 1899 page 12

The language of the Gael

Public letter from Bishop O'Donnell to the "Irish World"

Letterkenny, Ireland

Dear Mr Ford – If the work of the Gaelic League is worth doing at all, it is worth doing well and now. It is now or never with the Irish language. We have the men, we have the motives, and we can have the means for a revival of the Gaelic speech in every region where our race has found a home. But let the Irish speaking districts in the old country be contracted during the next quarter of a century as during the last, let the brilliant young scholars, priests and laymen, who have pledged their life work to the cause of our ancient language, be upset in this campaign, let the evidences disappear which living men possess of the marvelous beauty of our Celtic speech on the lips of the old men of our mountain glens, and it would appear very doubtful whether even the magic of a native Parliament could restore vigorous life to the expiring language of the Gael.

The Noblest Inheritance of our Race.

It sounds profane to ask whether our ancient tongue is worth preserving. Yes, it is, even as a spoken language; and so well worth preserving that if the effort is not made, and, with God's blessing made successfully we should be held accountable for casting from us what is, in the natural order, apart from the national spirit, the noblest inheritance of our race.

It is the misfortune of many good Irishmen to know nothing of the Irish language, however anxious about it; and, though an untoward history, it is the way with many others to care but little for its fate, because the invader has branded it an inferior tongue. But it never happened that anyone competent to form an opinion did not esteem it as a noble vehicle of human thought and feeling. The treatment of it as a felon for centuries has been unable to rob it of grace in its very chains. Stunted as its growth has been through penal oppression, there is no other evidence of the past greatness of our people to compare with that which is manifested by the power and dignity of the living Irish speech of a good Irish speaker.

Neither the memories of the past, dear as they are to us all, nor the service of antiquarian research, would move the hard workers of to-day to devote their lives to the revival of Irish if the language in itself were not a noble language. But hear it well spoken (in conversation, argument, sermon or poem) and a man of Irish fibre is conscious that he is listening to the language – the one language – that touches every chord of his feelings, sounds the depth of his heart, follows the turns of his mind, and expresses the yearnings of his whole being.

A short time ago I heard the Superioress of a great teaching order of nuns say that hearing Irish came upon her as a fascinating revelation of what it is to find for the first time the tongue that was hers by nature. She has since entwined the programme of studies with wreaths of Gaelic in several of her schools.

Irish is undoubtedly the Natural Language for an Irishman to Speak

Irish is undoubtedly the natural language (if the phrase be allowed) for an Irishman; and, if he once considers that the tongue of the foreigner is so sufficient for him that he need not mind his own, it is not easy seeing why he should claim a distinct Irish nationality at all. To speak the language of the conqueror is quite enough homage, one should think, without casting out the language of our free condition. Our language, besides enshrining a fine literature, is a useful reminder of the past, and there is no other medium so indispensable for giving fair play to the genius of the Celtic mind.

It is the Language for the Poet, the Scholar, and the Orator [....]

But now let me say one word to the "Irish World". The "Irish World" at the present day has the ear of our race. It is freely read in Ireland and Australia as in America itself. You saved from bodily hunger last year. Make this movement a success, and you save the Irish mind from perennial starvation.

My letter ought to have been in Irish – I remain, dear Mr Ford, sincerely yours
Patrick O'Donnell

Cork Examiner 11 May 1899 page 6 Kerry County Council Election expenses

He (Mr Doran) also wished to contradict a statement made in a Cork newspaper that the committee had only allowed four pence to an Irish interpreter (laughter). The committee had allowed a sovereign each to the interpreters, but there was one case where a claim was made, and where it was shown that the interpreter was not necessary, and they did not of course pay him then. But so anxious were they to encourage the old tongue that they had allowed a sovereign to each interpreter employed (hear, hear).

HC 31 May 1889 THE FALCARRAGH EVICTIONS.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Solicitor General for Ireland whether he is aware that, on Friday evening last, at the Petty Sessions Court, at Falcarragh, five women and two men, who were unable to speak or understand English, were brought up before Mr. Ulick Bourke, R. M., charged with obstructing and resisting bailiffs and police during the evictions at Glashercoo, and were sent to Derry Gaol, on remand, till the 4th prox.; whether the evidence against them, having been taken down in English, the written depositions were translated into Irish in their presence, [1548] the interpreter being Head Constable Mahony; whether Mr. Bourke invited, through the interpreter, these prisoners to make statements, without having previously given them the usual warning that what they said might be used in evidence against them; whether he is aware that the persons charged made admissions in reply to the questions of Head Constable Mahony, as interpreter, incriminating themselves, and which, if used in evidence against them on trial, or by the police meantime in working up the charges against them, will prejudice them in their trial; and whether, taking into consideration that these people were being evicted from their cabins when these alleged offences were committed, and are now deprived of their homes, that they will have suffered ten days' imprisonment already, and this alleged departure from the usual custom in Petty Sessions Courts, the Crown proposes to press these charges any further?

MR. MADDEN: The persons referred to were brought before the Magistrate under arrest. Depositions were taken as soon as possible in the presence of the prisoners and interpreted to them. The interpreter was the Petty Sessions clerk, and not a policeman as alleged. The prisoners were not invited to make statements, but were afforded an opportunity of asking questions of the witnesses. They made no admissions, and no caution was necessary in the case. They were offered release on bail, and it was only on their refusal to give bail that they were committed to prison.

HC 3rd June 1889

CHARGES AT FALCARRAGH PETTY SESSIONS.

MR. P. O'BRIEN: I beg to ask Mr. Solicitor General for Ireland whether he is aware that, on Friday evening last, at the Petty Sessions Court at Falcarragh, five women and two men, who were unable to speak or understand English, were brought up before Mr. Ulick Bourke, R.M., charged with obstructing and resisting bailiffs and police during the evictions at Glashercoo, and were sent to Derry Gaol, on remand, till the 4th proximo; whether the evidence against them, having been taken down in English, the written depositions were translated into Irish in their presence, the interpreter being Head Constable Mahony; whether Mr. Bourke invited, through the interpreter, these prisoners to make statements, without having previously given them the usual warning that what they said

might be used in evidence against them; whether he is aware that the persons charged made admissions in reply to the questions of Head Constable Mahony, as interpreter, incriminating themselves, and which, if used in evidence against them on trial, or by the police meantime in working up the charges against them, will prejudice them in their trial; and whether, taking into consideration that these people were being evicted from their cabins when these alleged offences were committed, and are now deprived of their homes, that they will have suffered ten days' imprisonment [1716] already, and this alleged departure from the usual custom in Petty Sessions Courts, the Crown proposes to press these charges any further?

MR. MADDEN: The hon. Gentleman has already put this question and I have answered it with the exception of the last paragraph. The prisoners were brought before the Resident Magistrate and their depositions were taken as soon as possible in the presence of the Inspector and the Petty Sessions Clerk. They were not invited to make any statement, nor did they make any admission. They were offered release on bail, but, refusing to give bail, were committed to prison.

MR. P. O'BRIEN: Will the hon. Member make further inquiry? I beg to inform him that I have the information from one who was present and heard the Magistrate interrogate the prisoners through the Head Constable.

MR. MADDEN: I think the hon. Gentleman must be mistaken. My information is positive.

Freemans Journal 3 June 1889 page 6 the Glaserchoo prosecutions.

Mr P. O'Brien asked, in reference to the examination of the Glaserchoo prisoners before Mr Bourke, RM, at Falcarragh, whether they did not make admissions in reply to the **interpreter**, head Constable Mahony, incriminating themselves; and whether the crown proposed to press the charges any further?

Mr Madden said the depositions were taken in the presence of the prisoners, and were then translated into Irish and interpreted for them. The interpreter was not head Constable Mahony, but the petty sessions clerk. The prisoners were not invited to make statements. They were told to ask questions. They were offered the option of bail, and as they refused to avail of it, they were removed to prison.

Cork Examiner 25 July 1889 'City Criminal Court', 4

Charge of firing at with intent

Daniel Sullivan pleaded not guilty to an indictment charging him with having fired a loaded revolver at Timothy Leahy with intent to kill at Kippagh, near Ballyvourney, on the 14th of December last. The prisoner was undefended. [...]

Timothy Leahy deposed that he was returning from Macroom at 25 minutes past 11 o'clock on the night in question. He was passing through a field, which was a short-cut to this brother's house, and when at a gap he saw, about five yards off, Sullivan, who fired a revolver at him, and the shot whizzed right across his face. Witness then ran off, and the prisoner called out to him in Irish, "You might as well stand now". As witness was running away a second shot was fired, but neither shot struck him. Sullivan had been for nearly two years in the employment of witness's family. The night of the occurrence was a moonlight one, with a little fog.

The interpreter was sworn, so that the prisoner, who spoke English indifferently, might cross-examine the witness, when

Mr Hodnett, solicitor, Youghal, asked if might interpose. There was an impression that the facts would not be elicited if the prisoner was not defended. Messrs Powell and Barry had proposed to act as counsel gratuitously for the prisoner if a solicitor would not take it up. He (Mr Hodnett) was the only solicitor present, and he would be willing to act if his Lordship allowed him.

Mr Moriarty said it was a case in which the prisoner should be defended.

His Lordship said he would adjourn for a few minutes in order that Mr Powell and Mr Barry might look over the depositions.

The witness was then cross examined by Mr Powell. He said he had been in America since the springtime, having left the country because he had broken the law, as he belonged to one of two factions that were in the habit of fighting. He came home from America for the purposes of this trial. On the 14th of December witness and his brother were served with a civil bill for damage done by the digging of some potatoes, which Sullivan alleged were his.

Sergeant Kilgannon said that on the 15th Dec. he went to Sullivan's house and charged him with having fired two shots at Leahy. Sullivan said, "I suppose Leahy will hang me now." Witness asked him had he a revolver, and he said he had. Sullivan then handed him a six-chambered revolver which was fully loaded, and 36 rounds of ammunition. Witness unloaded the revolver, and two of the chambers appeared recently discharged. On the way to the barrack the witness asked witness. "Did Leahy say how many shots were fired at him?" Witness replied that Leahy said there were two shots fired, and the prisoner said he had fired two shots at a cat two months previously; and the prisoner took witness to a gullet near the house and showed him the bones of a cat with a bullet among them (laughter).

Mr Powell having opened the case for the defence,

Michael Twomey said that Leahy had not the sign of drink on him when he was in witness's house at ten minutes past eleven o'clock on the night of the 14th December. Witness did not hear the shots on this night, and it had been subsequently tested that shots at the police house deposed to by Leahy could not be heard at witness's house.

Mr Barry, on the part of the prisoner, impeached the testimony of Leahy, and commented strongly on the fact that Leahy was so embittered and envenomed against Sullivan that he (Leahy), instead of settling down in America after a residence there for some months, returned to this country – even at the risk of being prosecuted himself for having broken the law – in the hope that he might get Sullivan sentenced to a long term of imprisonment.

His Lordship having charged the jury, they retired, and after deliberating for nearly an hour came into court and announced there was no chance of their agreeing to a verdict, and they were discharged.

The Waterford News 10 August 1889 page 5 Dungarvan petty sessions

Cutting soil – Major Chearnley summoned a woman named Anne Doocey for cutting the soil and surface of a farm at Vicarstown.

Mr O'Connell for the defence said the poor woman removed a little of the surface of the land to make way for water which was flooding her premises. Mr Hunt: What Major Chearnley objects to is that the surface was removed to another farm on a different property. – A witness named Quinaln, who refused to be sworn in English, was threatened with being imprisoned for contempt, as it was stated that he could speak English. He deposed through the interpreter that Mrs Doocey took the surface in order to clean the drain, and she told him to tell the caretaker. – The majority of the bench fined the defendant 1s and 1s damages for the cutting.

Skibbereen Eagle A Number of Assault Cases 9 September 1899

These fortnightly Petty Sessions were held on Monday last, when there were a record number of cases listed for hearing... Sheep Stealing

The Queen, at the prosecution of District-Inspector Armstrong, charged a young man, of the farming class, named Daniel Donovan, of Goulanes, near Drimoleague, with sheep stealing.

..... The next witness called was John O'Shea, Coomleigh, father of the last witness, who was unable to speak English, and he was **interpreted by Humphrey Kelleher**, and the answering of his questions caused much amusement in Court. He swore, through the interpreter, that on the 14th July they missed one sheep. He saw Donovan at last Bantry fair. He asked him if he brought his son's sheep, and he said not. They settled with each other, and they had no more about it. He forgave him. Anything he didn't see how could he be expected to swear about (laughter).

Cork Examiner 16 September 1889 page 4 A thin-skinned policeman

At Ennis Petty Sessions yesterday, before Mr G Butler, RM, Dr PM Cullinan and Mr H de Willis, **Michael Keane, a retired policeman, and Irish interpreter at the court of Petty Sessions at Corofin**, summoned MI McNamara, senior, for having, on the 2nd September, when returning home from Ennis, used language calculated to provoke a breach of the peace. Mr O Meehan, solicitor, appeared for the complainant, and Mr Cecil Minikin, solicitor, appeared for the defendants. On being sworn, Keane deposed that on the evening of the day mentioned, while travelling on an outside car, he came up with the McNamaras, and a man named Flanagan, who was travelling along with them in a covered car, or creel, in which there were pigs. Flanagan asked for a seat on the complainant's car, which he offered, but upon Flanagan getting off, the McNamaras collared him, saying "are you going with a driver of police". Witness then drove on and as he proceeded, "bawled after him and called him a police driver". Curtis was examined and corroborated the testimony of Keane. The Bench consulted, deciding that under the circumstances the accused should be bound to the peace for 12 months, themselves in £50, and two sureties of £50, which were perfected.

Tyrone Constitution 25 October 1889 page 4

The trial of Col, the first of the Gweedore prisoners, charged with the murder of DI Martin, concluded at Maryborough on Tuesday evening. Mr Justice Gibson summed up in an address lasting four hours, and the jury, at ten minutes to four, after an absence of half an hour, returned into court with a verdict of manslaughter. Sentence was deferred. The trial had lasted five days. [stones thrown at DI Martin]

The Irish Times 28 October 1889 'Gweedore Murder: Cross-Examination of Father McFadden', 6. [Also Belfast Newsletter 1889, October 28, 'The Murder of District-Inspector Martin – Trial of the Accused, page 6] Same Text [Also Irish Examiner 28 October 1889]

[The trial of "Jack" Gallagher for the murder of District-Inspector Martin at Gweedore on the 3rd February last, was resumed here this morning before Mr Justice Gibson and a Queen's Connaught County Jury– Carrick-on Shannon', 6.

Manus Gallagher, an old man who could neither understand nor speak English, was called. An interpreter was sworn in English, who in turn swore the witness. He was at chapel on 3rd February. He returned homewards after Mass, and went in the direction of James Coll's house. He heard a cry that the police were killing the priest. At the wall of the priest's field he saw fourteen or fifteen people, and among them was the prisoner.

The Attorney-General, rising to cross-examine, directed the interpreter to leave the box without speaking to the witness. The interpreter complied.

The Attorney-General – What sort of a day was it?

Witness, in Irish, replied "Sunday"

The interpreter then resumed his duties.

Cross-examination resumed – Witness came out of the chapel alone. Others came behind him. He heard the people at the chapel say the priest was to be arrested.

Leinster Leader 31 October 1889 page 5 The Gweedore Trials Action of the Jurors

The adjourned Queen's County Assizes were opened in the Crown Court, Maryborough, on Thursday, at 11 o'clock, before Mr Justice Gibson, when one of the nine prisoners from Gweedore, county Donegal, was put on trial before a special jury charged with the willful murder of District Inspector Martin.

The following were ultimately sworn on the jury which is exclusively Protestant [A lot of Catholic jurors challenged – they felt they were being challenged due to religion. A number challenged the judge on this and he had to threaten them with contempt of court]

Tyrone Constitution 1 November 1889 page 4

The trial of John Gallagher, charged with the murder of DI Martin, was resumed at Maryborough on Monday, when Mr Healy addressed the jury for the defence. He charged the Crown with conducting unfairly the case against the prisoner, and contended that the AG's conduct of it was a blot upon British justice. He maintained that the Crown case had broken down, and called upon the jury to acquit the prisoner. The AG in replying for the Crown, asserted that Mr Healy's insinuations were entirely unfounded. Mr Justice Gibson having summed up, the jury disagreed, and the prisoner was put back.

Belfast Weekly News 2 November 1889 page 4 The murder of DI Martin – trial of the accused at Maryborough

The case of John Gallagher, charged with the murder of DI Martin, was resumed at Maryborough on Oct 24, when further evidence was given by police constables. One of these witnesses (Constable Varelly) was under severe cross-examination by The MacDermot the whole afternoon, but he persisted in his original statement that the prisoner was among those who threw stones at the inspector.

Rev J McFadden was called as a witness for the prisoner Gallagher at Maryborough on 25th ult, and gave his version of the circumstances attending the murder of Inspector Martin. He said he would scatter the people, and tried to do so, but failed. He was struck, but could not say with what. When he entered his house he ran upstairs to the first floor, and there heard his sister cry out "A man was killed at the door". Witness saw the man lying on the ground, and at once went down and let in his sister. Then he returned to the window, and as the police levelled their rifles in that direction he called on them not to fire. He knew the prisoner Gallagher well, and did not see him on the day of the murder. ...

The following sentences were passed on Wed morning – William Coll 10 years penal servitude; Patrick Roarty and Dominick Rogers 7 years penal servitude; Connell McGee 5 years penal servitude; Maurice Ferry, Owen Ferry and Connell Gallagher each 6 months. Rev James McFadden was allowed out on his own recognisances to come up for judgment when called upon.

Dublin Daily Express 31 December 1889 page 5

Father McFadden's attempts to evade arrest for inciting to nonpayment of rent led to an attack on the police in the Derrybeg chapelyard on February 3rd, in which District Inspector Martin was brutally murdered; and later in the year Captain Plunkett, one of the ablest of the Irish police magistrates, died from the effects of a blow on the head received twelve months before in a riot of the same sort at Youghal.

1890

Western People 25 January 1890 'Poteen Law at Belmullet' 4

Rulings of Captain the Hon M de Vere Perry, RM (From a Correspondent)

A number of poteen cases came before the last **petty sessions court of Belmullet** at the instance of District Inspector Wallace. Captain Perry was the only magistrate on the bench, and his decisions have aroused so much comment that it would be unfair to himself and the general public to leave them unpublished.

The first case was that of a man named Doherty from Glenamoy, who was seen going into and coming out of a certain barn where a quantity of malt was found by the police. Under a bed in Doherty's own house were found two empty jars which, DI Wallace swore, "smelled of 'Pothyeen' of which I have considerable experience." Both the jars were corked and sealed to preserve the smell.

The policeman who served the summons, a huge specimen of humanity, thought it necessary to leave it on Doherty's shoulder as the latter refused to take it in hand.

Doherty, a small, delicate-looking man, being thus, it appears, pressed against some furniture, put out his hand and shoved the constable. For the offence of visiting his son's barn (where the malt

lay), coupled with that of possessing two jars (the seals of which, as far as I could see, were left untouched during the trial), Doherty was fined £6 with the alternative of three months in the county jail. For 'shoving' the constable he got seven days without the option of a fine.

For his further consolation the poor man was informed by Captain Pery that, because of certain observations made by the prisoner in court, he, the Hon. Captain, would sign no memorial on said prisoner's behalf.

Doherty's son was next brought up charged with being a possessor of the malt. This he freely admitted, producing receipts to prove that the barn belonged to himself. He stated that when the police came he told them that the malt was his, and he wanted to know by what law they had taken it from him. The finding of two empty jars in the house of his father was surely no reason for depriving himself of his lawful property.

This case was, I understand, adjourned, and next court day we are, therefore, to have decided at last the question "Can malt be lawful made in Erris as in the rest of the Kingdom?"

The next case was that of Mrs Boylan, of Pullatomas, in whose home a jug and bottle were found, both of which the DI swore "smelled strongly of Pothyeen". A jar containing a glass of illicit spirits was also found "not far from the path used by Mrs Boylan's son for bringing home turf".

When the paper and sealing wax were removed from the jug it was found by "the court" to contain "no such smell". The bottle, however, was left unopened and the case was adjourned.

The fourth case was the most surprisingly ludicrous of all.

A quantity of wash was found by the police on the commonage of the village of Portacloy.

Every man and woman who possessed holdings in the village was summoned. After evidence of the finding, the only other evidence taken was the proof of occupation given by the poor-rate collector, Mr PP O'Malley.

Immediately after having taken this evidence, Captain Pery declared that if the real owner of the wash did not forthwith avow his guilt, he (the Hon Captain) would fine every tenant in the village in the mitigated penalty of £6 with the penal alternative.

After a prolonged pause,

Mr William Bourns, of Portacloy, one of the defendants, addressed the court – "My family", he said "has received four summonses in this case; one for my son, one for my sister, one for my wife, and one for myself, in consequence of our having separate holdings. Am I to understand that in case the owner of the wash should not avow his guilt we are to be fined £24 or in default be sent to jail all four for three months apiece?"

Capt H de Vere Pery said – 'That is certainly the law, which you know I am bound to carry out.'

Mr Bourns (Billy Bawn) then said – 'In that case the owner of that wash should avow his guilt and save the rest of us; but as he has not done so give me the book.'

Mr Bourns was then sworn, and on his evidence Michl Doherty, one of the tenants, was convicted and fined the usual £6, the court assuring him that because he did not avow his guilt he need expect no reduction of this fine by a memorial to the Lord Lieutenant.

During the hearing of the cases, Captain Pery caused considerable surprise by announcing that he had been directed by his authorities to discountenance as far as possible the use of an Irish interpreter in court, and by asking, in *a police case* that an Irish-speaking constable should come forward to interpret for the defences, although the ordinary interpreter was present. His habit of brow-beating witnesses, who wish to give evidence in Irish, is most reprehensible. The Irish language should not be slighted, nor should the people who speak it be shouted at or treated as barbarians by any magistrate on an Irish bench. The Captain, before his legal knowledge satisfied the Lord Lieutenant, was in the 'Queen's Navee' – a fact which on such occasions becomes painfully patent to the most casual observer in court. *Truth*, or some other leading English paper, should bring those cases under the notice of the English people, not for the purpose of defending the manufacture of poteen, but in order to show what English Law is likely to become in the eyes of the people of Erris, where the legal knowledge of the Captain is to be led in future by the nose of the district inspector.

Munster Express 22 March 1890 page 8 Dungarvan petty sessions

Right of way

John Neale summoned Maurice Daly for obstructing a passage....

Daly, who was an Irish speaking defendant, was asked some questions, and said that he was not stopping the passage at all.

Chairman – If they want to fight it out I cannot prevent them. It is a case in which I have no jurisdiction.

Michael Colbert sued same complainant for cutting bushes. Mr Williams for complainant.

..The interpreter questioned defendant on the matter, and said that the witness was belieing him.

The chairman said he was inclined to believe Colbert, and he would impose a fine of 5s and 2s 6d costs.

Londonderry Sentinel 27 May 1890 page 3 the rioting at Meenacladdy

Bunbeg, Monday – A Crimes court consisting of Messrs Hamilton (chairman) and Harvey, **RM**s, sat at 11 o'clock. There were then present only County Inspector Milling, District Inspectors Hill and Flower, the court **interpreter** and a few policemen.

Kerry Evening Post 14 June 1890 page 3 Rathmore petty sessions

A serious dispute about a bog in Kerry

Charges of assault

Mr RH Barry solicitor Kanturk

Barry said that Mr O Sullivan, agent over the property, was a necessary witness, and he could not attend, as he was engaged as interpreter at the Killarney quarter sessions; and he (Mr Barry) would ask for an adjournment until next court day. A previous dispute about the bog was left to Mr O Sullivan to settle, and he had done so in favour of the Riordans, and it was in consequence of this decision that these assaults arose.

Sligo Champion 16 August 1890 page 4 Tubbercurry petty sessions Maria Kelly v Pat Walsh

This was a summons for serious assault in which it was alleged defendant broke a shovel on complainant's head by giving her two blows of the side of the shovel, and a third blow of the flat of the shovel, which broke the iron part with so much of the wood as filled the iron neck of same.....

The case of Pat Walsh against Maria Kelly was then gone into, when each of the witnesses held to their first statement.

Pat Walsh was then sworn, and **a man named Jas McGuinn, Tubbercurry, acted as interpreter.**

Galway Vindicator 3 September 1890 New Interpreter [petty sessions]

Mr Daly said he was sure they all regretted the death of Mr Hogan, who was for many years interpreter of that court, and he now begged to apply on behalf of Mr Kelly that the Bench would name a day on which to elect an interpreter – if they would fix, say that day month or that day fortnight.

The Bench fixed that day three weeks, notice to be given to all the local magistrates.

The Court then adjourned.

Sligo Champion 27 September 1890 page 3 Spring Book 1890

Interpreter at Assizes 5 0 0

Do Quarter Sessions B'mote 2 10 0

Do Quarter Sessions Sligo 5 0 0

Court keeper, Sligo, looking after heating apparatus 10 0 0

Skibbereen Eagle Skibbereen Land Commission Tuesday 5 October 1890

Messrs L Doyle (chairman), W Walpole and WJ Goodman, with Mr W Pigot, Deputy Registrar, sat in the court, Skibbereen, on Tuesday, and resumed the hearing of evidence in the cases from Cape Clear, which numbered, in all, 450.

The court was full of the stalwart natives of the Island, the majority of whom gave their evidence in the vernacular, which was **interpreted** by their able and intelligent valuer, **Mr T O'Donovan**, some of which was given in a truly descriptive manner, which created no small amount of risibility, while other portions relative to the periodical visitations of epidemics was of a distressing character, one poor fellow stating that in one week he lost eight members of his family, four of whom were dead on the one table together of terrible measles, while four others followed in quick succession, leaving him now only one child of eleven years old. There was no doctor nearer than the town of Skibbereen, some eighteen miles distant, or Schull; and in the townland in which he lived 22 died altogether.

All the tenants deposed that owing to the bleak and unprotected state of the island, they very often lost all their crops by storms, and in many instances they said that while they would be in full bloom on one day, they would be rendered quite useless after one night's gale. One witness deposed that he was often obliged to get out of his bed at the dead of night in order to keep his house from being swept into the sea, as it was only by tying ropes over the thatch from which large boulders were suspended, that he kept his roof over his head.

Cork Constitution 7 October 1890 page 7

Patrick Sullivan pleaded not guilty to an indictment charging him with the larceny of a £1 note from an old man, also named Patrick Sullivan, in the village of Sneem, on the 20th June last.

Patrick Sullivan, who only spoke Irish, said **through an interpreter** that on the day in question he was returning home from a funeral. He stopped at Donnelly's house in Sneem. When he saw the prisoner following him, he told him he had the money, and to go away.

Money got lost during a scuffle? Discharged.

Skibbereen Eagle Bandon Quarter Sessions Land Cases 18 October 1890 page 2

County Court Judge Ferguson disposed of a number of land cases at Bandon on Saturday. There were fourteen new applications to fix fair rents listed for hearing.

Harrington v Kearney

The plaintiff sued for £20 damages for injuries received by reason of being knocked down and injured by defendant's horse.

Mr James Sheehan BL (instructed by Mr FJ Levis), appeared for the plaintiff, and Mr PJ McCarthy, solr, for the defendant.

When plaintiff came on the table to be sworn, it was found he could not speak English. When the services of the **interpreter** were requisitioned, Mr McCarthy directed the interpreter to ask the witness if he remembered speaking in English to him (Mr McCarthy) in his office.

When same was conveyed to witness, it seemed to have a rather irritating effect on him. His demeanour instantly assumed a savage nature, and in a threatening attitude, he poured forth in the mother tongue what meant, when translated, that if he was the Barrister, he would give Mr McCarthy a month.

After a very tedious process, it was elicited that in April last the defendant's horse knocked plaintiff down, which caused a number of injuries.

For the defence, Mr McCarthy said there was no doubt that the poor man was injured, but that he had pitched up the wrong party altogether. It appears that the present action was the result of a practical joke. Some kind person pointed out Kearney as the owner of the horse that caused the injuries.

The defendant was then sworn, and said that the day the occurrence took place his horse was stabled in Mr Nagle's yard, outside the town, and that he did not bring the horse into town at all on that day.

Mr McCarthy was about to call other witnesses, when His Honor said there was not the slightest occasion, and dismissed the case on its merits.

Sligo Champion 13 December 1890 page 4 Connaught Winter Assizes Assault

John Thornton, Thomas Thornton, James Casson Wm Casson and John Gibbons, Irish speaking prisoners, were charged with seriously assaulting John Greelish at Owenmore, County Galway, on the 14th August.

An **interpreter** was engaged to translate the evidence into English.

Skibbereen Eagle Petty Sessions Bantry 13 December 1890 page 3

(Held on Monday, before Mr WS Bird, JP)

The Queen, at the prosecution of District-Inspector Sullivan, against James Connor (?) Kealkill, for grievously assaulting and wounding a farmer named Cornelius Riordan, on the night of the 11th ult, near Kealkil. In the absence of Mr Sullivan, Head-Constable Maloney conducted the prosecution.

Riordan deposed that on the night in question he was on his way home from Bantry, and when near Kealkill Connor overtook him and passed him on the road. A little further on Connor drew his horse across the road and blocked it, and refused to let witness pass. Witness remonstrated with him, and Connor then struck him several blows on the head with a whip.

Cross-examined by Connor – Were you drunk that night? Yes, I had something taken.

Connor – You were drunk.

Thomas Holland (an Irish-speaking witness) was called for the Crown, but refused to be sworn, he seemed afraid even to catch the book in his hand. After much persuasion and some gentle hints of spending seven days in gaol for contempt, he consented, and after a time, became a very demonstrative witness.

Mr J Hurley, who acted as court interpreter, had some difficulty in getting answers to his questions. The witness corroborated Riordan's evidence.

Head-constable Maloney – Did you take Connor away from Riordan, when the latter was in the ditch? Oh, yes, a little that way (laughter)

Sergeant Good, Kealkil, said Riordan came to him on the night of the occurrence; he was cut on the head and much excited; he was also drunk, and he refused to let witness look at the wounds. Dr Popham was sent for, and he dressed the wounds and said they were not dangerous.

Mr Bird – Only for Connor's previous good character we would send him to gaol. He will now pay £1 fine and costs, or got to gaol for 14 days with hard labour.

Sligo Champion 13 December 1890 page 4 Assault

John Thornton, Thomas Thornton, James Casson, Wm Casson, and John Gibbons, Irish speaking prisoners, were charged with seriously assaulting John Greelish at Owenmore, County Galway, on the 14th August.

An interpreter was engaged to translate the evidence into English.

Thomas Greelish, examined, said he was in a public house in the town of Turlugy, Co Galway. The prisoners were there. He left the public-house. The prisoners John Thornton, Thomas Thornton, James Casson, Wm Casson and John Gibbons were waiting for him. John Thornton threw a stone at witness which struck him on the side of the head and knocked him senseless. Some one kicked him when he was down. He lay in a neighbour's house for seven days.

The witness was cross-examined through an interpreter...

The jury found John Gibbons and John Thornton guilty and they were sentenced to nine months' imprisonment.

1891

Londonderry Sentinel 15 January 1891 page 2 Marriages

Mr James Sheridan, Drumhallow, Rathmullan, to Mary, eldest daughter of **Mr Daniel O'Boyce, Irish interpreter**, Drumsany, Fanad, county Donegal.

Cork Constitution 17 January 1891 page 7

QUARTER SESSIONS. Killarney, Friday. The business of the above sessions ' v<w ' soied ti» y, before Coart Judge A Curran. James Coffey appealed from a hoe ofiltsnflicte on him by the magistrate* Waterville, for bavins the 31sl October last, nulmv* fully used a for the purpose hah. Murphy was produceJ as a witness, and professed not able speak English. The interpreter was requested to wilnev* in Irish if were able to apeak Euglisb. replied in the negative. In answer to some further queries put by the interpreter in Irish, witness said amidst much merriment., that he was school and was examined partly in Irish. passed aa examination in English spelling. His Honor said he had not the slightest daubt but witness eould speak English. To Mr lie was jail, in Tralee, for stealing sheep, was unable to peak English. His Honor said should speak English beat be oonld. After some more disenssion the merits ibe hoy, it was decided have his evidence beard Irish. Witness then testified having seen appellatnt the day in question using a spear killing aome trout. He was assistant bailiff Denis Currahane. Defendat followed witness as if with the intention of assaulting him. He found five trout, which believed were killed appellatnt. Cross examined Mr Moriarty—He was imprisoned lor sheep stealing, but wrongfully, he was away from home at the time of the" occurrence. It was Coffey's friends who tendered evidence for the prosecution then. Denis Currahane also gave corroborative evidence. He appellatnt the day in question using the spear in the Coomavoker river. Some farther evidence for the prosecution having been tendered, Mr Moriarty, for the defence, urged that the story these called for the prosecution pure concoction, got a matter of spite against his client. For the defence, it was attempted to prove alibi. Daniel Sbeehaa said appellatnt was working in same potato garden with him, and did not leave it that day. Witness gave his evidence in Irish, pretending not to understand English. When leaving tbe bench bis Honor said him in English, "Had you your eye Colley all the day?" Witness turned out perfectly spoken sentence of English in the otlirmative, amid much laughter. Bis Honor said those persons were coming upon tbe tabic and deliberately perjuring themselves in a most barefaced manner. The last witness swore he could not speak English, and afterwards blurts out sentence of English. Mr Moriarty contended that the same remarks would apply to the complainant. There was undoubted proof that be could speak English perfectly. His Honor said the last witness was guilty of coming on the table and intentionally perjuring himself. Mr Moriarty—There is use in bringing witness up in this court at all. A witness by the name of Foley was then called to sustain the alibi. He could swear that defendat did not leave the field at all. Judge Curran seemed disinclined believe the evidence, when Mr Moriarty said the evidence was quite probable. He could swear that his honor did not leave the bench for tbe last ten minutes, though he bad not bis eye on him. (Laughter.) His Honor— must say that I should behave myself when yon would have your eye ou me, Mr Moriarty. (Laughter.) Martin Coffey, the father of defendat, next came on the table. He produced certilicates of character, and Mr Moriarty took them tc band them to his Honor, but declined to jeceive them, and said that he believed the character went only show that he wa-« a r. ntpaying Christian. That was his experience of testimonials character from landlords. Judge Curran deliberated with the magistrates on the bench, who were Messrs A J M'Uermott, RM; C Coltsman, M Leonard, and H Herbert, and he said they were divided as to what conclusion they would come unon the facts of the case. He would hold himself responsible for his opinion that the conviction should stand. He then reviewed the evidence at some length, and said he admired the defendat for not bringing his brother and sister to perjure them. If he got up a memorial reduce the fine he would himself personally recommend that it would reduced to one half. He would allow the other magistrates express their opinions. Mr Leonard—I uphold the conviction. The other magistrates

made pronouncement. Mr Moriarty (addressing Mr Connane, Deputy Registrar)—What order have you taken the case His Honor—Take no order from Mr Moriarty, Connane. Take your orders from me, Mr Moriarty explained that he had no intention of giving any order Mr Connane, he only wanted merely to ascertain what order he intended registering. The matter then dropped.

Cork Examiner 19 January 1891 page 4 Kerry Weekly Reporter (1891, January 24) 5

Judge Curran on the “Alibi” Witnesses refuse to speak English

At the **Killarney Quarter Sessions** on Friday before County Court Judge Curran, James Coffey appealed from a decision of the magistrates sitting at Waterville Petty Sessions fining him £4 on a charge of having on the 27th October last used a spear for the purpose of taking trout from a weir in Colmavoher, near Waterville. Messrs AJ McDermott, R.M.; M Leonard, H Herbert and DL Coltsman were associated with his Honor during the hearing of the appeal.

Mr McGillicuddy, SCP, appeared for the prosecution.

Mr DM Moriarty, Killarney, appeared for the appellant.

The case for the prosecution was that members of a family named Currane saw the appellant in the act of spearing the fish.

Denis Currane, aged about seventeen, was the first witness put on the table. He did not reply to questions put in English.

His Honor – I don’t believe that any boy of your age cannot speak English.

Mr Moriarty – In ’87 he passed in second class reading, writing, spelling and arithmetic in the National School (laughter). And further after coming out of prison, where he was for sheep-stealing, he gave an account of his life there to his teacher (renewed laughter).

Mr Sullivan (the interpreter) – The boy says he can speak words, but can’t give his evidence in English. He says that he was in the National School and passed sometimes.

Mr Moriarty – Was the reading and writing he passed in English?

Mr Sullivan put the question in Irish, and replied – He says no, but in Irish (loud laughter).

His Honor – I have not the slightest doubt but that he can speak English.

Mr Sullivan (to witness) – You must try and speak English.

Witness did not seem to notice the remark.

His Honor – I must take his evidence for what it is worth.

Witness then deposed, in answer to the interpreter, that he saw the appellant poaching.

In cross-examination by Mr Moriarty, he stated that James Coffey, the appellant, had given evidence against himself and his uncle for sheep-stealing, but they were wrongly convicted in Tralee.

Denis Currane gave corroborative evidence in Irish.

Mr Moriarty – Who were also put to gaol for sheep-stealing?

Witness replied through the interpreter – I came out of it, thank God (laughter).

Was it in your house the sheep were caught; There was only one sheep caught there (laughter). I found her dead on the mountain and brought her home, and often the fox killed more sheep than one (loud laughter).

For the appellant,

David Sheehan was examined through the interpreter. His evidence was to the effect that he was working in a field adjoining that in which the appellant was working on that day, and that he had his eye on them all.

Witness (leaning forward) – I –

Here Witness stopped suddenly, while every one laughed.

His Honor – Ah! He was just going to speak English there when he caught himself (laughter). Oh! Be off. I believe that boy can speak English as well.

Patrick Foley gave his evidence in English. [...]

Kerry Evening Post 21 January 1891 page 4

Killarney quarter sessions

James Coffey appealed from a fine inflicted on him by the magistrates at Waterville, for having on 31st of October last, unlawfully used a spear for the purpose of killing fish.

Patrickk Murphy was produced as a witness, and professed not be able to speak English. The **interpreter** was requested to ask witness in Irish if you were able to speak English. He replied in the negative.

In answer to some further put by the interpreter in Irish, witness said amidst much merriment, that he was at school and was examined partly in Irish. He passed an examination in English spelling.

His owner said he had not the slightest doubt but witness could speak English.

To Mr Moriarty – when he was in jail in Tralee eating sheep he was unable to speak English.

His honour said witness should speak English as best he could.

After some more discussion on the merits of the boy, it was decided to have his evidence heard in Irish...

Daniel Sheehan said appellant was working in the same potato garden with him, and did not have it that day. Witness gave his evidence in Irish pretending not to understand English.

When leaving the bench his honour said to him in English – had you your eye on Coffey all the day.

Witness turned out a perfectly spoken sentence in English in the affirmative, and made much laughter.

His honor said those persons were coming up on the table deliberately perjuring themselves in the most barefaced manner. The last witness swore he could not speak English, and afterwards blurts out a sentence of English.

Moriarty contended that the same remarks would apply to the complainant. There was undoubted proof that he could speak English perfectly.

His owner said the last witness was guilty of coming on the table and intentionally perjuring himself.

Mr Moriarty – there is no use in bring a witness up in this court at all.

Londonderry Sentinel 14 March 1891 page 3 Glenties union – the polling at Dungloe

Polling day for election of coroner

Mr Gallagher's personation agents - Mr Condry Boyle PLG

The Irish-speaking voters objected to monopolized a lot of time, **as the sworn interpreter had to be hunted from one booth to another.**

Donegal Independent 20 March 1891 page 3 Crown Court

The Falcarragh shooting case (Robert Bankhead, bailiff, Falcarragh – intent to kill and murder Mary Magee) Catherine McGinley (who gave her evidence in Irish, **interpreted by Dan Boyce, the court interpreter**) said she saw the prisoner strick John Magee on the head with a stick.....

Tuam Herald 23 May 1891 Tuam Petty Sessions, 4

A "Cross" Case

Pat Newell summoned Anne Costelloe for assaulting him with stones, and Anne summoned Pat for abusive language.

Pat Newell was sworn and deposed that on 1st May, Mrs Costelloe's cow was grazing on his (witness's) land. He sent his dog after the cow and defendant took stones and pelted them at him.

She was always abusing him and calling him names.

Anne Costelloe, an Irish-speaking witness deposed (through **Mr Gannon, Registrar, as Interpreter**) that Newell's dog cut the ear of the cow and one of her teats.

Witness (in English) – Two of her teats.

Mr Gannon – You can speak English as well as I can myself (laughter).

Witness, continuing, said she did not strike Newell. He called her all the names possible and impossible (laughter).

Pat Costelloe, son of previous witness, was sworn and deposed that his mother did not strike Newell.

Catherine Costello, another witness, saw the dog after the cow. Did not see the cow.

Newell said that she was always abusing him and calling him names.

Catherin Costelloe – One of ye is as bad as another (laughter)

The Bench dismissed both cases, but cautioned the litigants to be of a more peaceable disposition in future.

Kerry Sentinel 24 June 1891 page 4 The Irish Language in Iveragh To the Editor of the Kerry Sentinel Caherciveen, June 15, '91

[...] in civil legal cases, I have heard and witnessed many droll interpretations of Irish evidence. A few instances (Irish spelling euphoniously). At quarter sessions one time here a cross-examining solicitor, aiming at the character of an Irish witness, asked, "how long were you in the penitentiary? Interpreter – an fada, veesh ansa workhouse, i.e. How long were you in the workhouse. The judge evidently understood and dismissed the interpreter. At petty sessions once a farmer sued another for carting out of his quarry three cart loads of stones. On the cart was a butt, or side boards, which farmers use in carting manure, and is called in Irish "putta", why I fail to comprehend. Pota in "Irish" is a pot, and applied to our pottle measure. The charge was for the value of three putta clogh, ie three butts of stone. Interpreter, rapidly – "For the value of three pottles of stones" amid laughter, there was a correction. On another occasion for assault and battery, were two female litigants, one accused the other of being a "ban gan struss, gan braageilt", which literally means a woman without responsibility or subjection. Interpreter – "A strong able woman". It passed so before the court, for the amazon referred to was apparently superior to her antagonist. Such misinterpretation may possibly lead to serious miscarriage of justice.

It would be desirable if priests, doctors and Lawyers understood at least the Irish language in Irish speaking districts. Some National Teachers here have established Irish classes in their schools, a great boon to their Irish speaking pupils. I listened to a sermon in a country chapel recently and I am satisfied less than half the congregation (sic) understood the English eloquence of the Rev preacher. Many years ago a certain woman, suffering from bronchitis applied to a local doctor for a remedy, he gave her a plaster – mustard – or some such, skillfully prepared to suit the patient, and guaranteed to give immediate relief, the doctor instructed her to put it on her chest when she reached home. She had a big chest (timber structure) in her kitchen, and on her arrival pasted the plaster upon the side of it – she being ignorant of any English terms describing the anatomy of the human body. Soon the doctor was summoned to attend her, but only to find the woman dead, and the remedy that possibly might have saved her life stuck on the timber chest. [...]

Timothy O'Connor

Donegal Independent 16 October 1891

Donegal quarter and licensing sessions criminal business Alleged Arson

Rose Duffy, an old woman, was charged with having attempted to set fire to the house of Hannah Sharkey at Dungloe, on 22nd May, by putting a live coal in the thatch, and attempted to injure Hannah Sharkey. Mr Boyle defended.

Hannah Sharkey, a simple looking woman, in poor circumstances and who spoke Irish, deposed that Rose came to her place on 22nd May, asked did she see Rose in court prosecutrix looked round and said she didn't, though Rose was beside her; told to walk down by the table she did so, and in reply to the interpreter said that when she brought Rosy to the court she thought she had done enough.

His Honour considered that the witness was trifling with the court and directed the interpreter to tell her to look at the people about.

The Witness on being told went over to where the prisoner was sitting, and putting her hand on her head, said in Irish "There you are, my lady" then sat down and laughed quietly to herself.

His honour at once directed the witness to be brought before him, and putting a constable on either side of her, **had her warned by the interpreter that unless she answered the question she would be sent to Derry gaol for a month: he would not allow the court to be made a fool of.**

Nolle prosequi

1892

Munster Express 9 January 1892 page 1 Dungarvan petty sessions

Maurice Foley summonsed Mary Foley for trespass of a donkey.
In the absence of Keane, Mr Thomas McCarthy, town clerk, acted as interpreter.
Fined 1s.

Tuam Herald 18 January 1892 page 4

Colonel Nolan's Estate

On Friday in the Land Commission Court, before Mr Justice Meredith, Hon Commissioner Fitzgerald, and Mr Commissioner Lynch, the cases of Col JP Nolan MP, Michael Lee tenant; Richard Berridge, landlord, and Morgan Falan, tenant, came on for hearing. The point involved was the right of the landlords to exact rent for seaweed taken by the tenants. The tenants appealed from a decision of the Sub-Commissioners by which rent was assessed on the weed. [...]

Michael Lee, a tenant on Colonel Nolan's estate, was examined by Mr Clancy. The witness, an Irish speaker, was examined through the medium of an **interpreter**. He said they got the weed out in the deep sea, where it was thirty or forty feet deep. The weed was always in deep water, and never on the land. They got £4 per ton last year for the stuff, but to earn that sum a great deal of labour was necessary. Every two years he would get about four loads of this weed off his own shore. Last year, in the month of May, about a boat load and a half came up, which would make about 2 cwt of kelp. Mr Healy – That would be about value for about eight shillings. [...]

Kerry Sentinel 27 February 1892 page 3 Killorglin petty sessions

Before Mr AJ McDermott, RM (in the chair), and Messrs W Spring, J Power and G Stack.

He could not speak English

An old man named Griffin summoned a man named Sullivan for assault.

Complainant brought an **interpreter** to the table with him. The latter said Griffin could not speak English.

Sergeant McEvoy – He can speak English, your workships, I often heard him (laughter).

Major McGillycuddy, CPS - He can speak it as well as myself (laughter).

Mr McDermott then addressed complainant and told him they would not hear his case unless he spoke in English.

Complainant feigned ignorance of what Mr McDermott had said, and,

Mr Moriarty addressing the complainant, called him an unmitigated fraud, and told him to go down off the table.

Complainant – I will go down if I like (loud laughter).

Mr McDermott – You can speak English.

Complainant – Wisha no, sir (laughter)

The case was then proceeded with, and complainant gave his evidence in English.

The case was dismissed.

Southern Star 12 March 1892 'Serious Assault at Cape Clear', 6. Skibbereen petty sessions

The Queen, at the prosecution of District Inspector HP Shiel, charged Thomas Sheehan with grievously assaulting Manon Driscoll at Cape Clear on the 24th January.

Dr Edward Shipsey was the first witness examined and deposed – I am medical officer for the Schull dispensary district; I was called to attend the injured man, Macon Driscoll, on the 25th January; I saw him in his house in Cape Clear; he was suffering from a scalp wound with an injury to the brain; the wound was on top of the head, behind the forehead; I dressed the wound, and have been in

attendance on him since; I considered his life in danger on the occasion of my first visit; I visited him four times since; the last was on Monday, 26th Feb; I consider his life still in danger, and has been all through; it is such a wound as might be inflicted with a blunt instrument, such as a stone.....

Mary Driscoll, wife of the injured man, spoke only in Irish, and **Dr Shipsey, who was in court, volunteered his services as interpreter**, and interpreted her deposition as follows – I remember Sunday the 24th January; I and my husband left home that day to visit an uncle of mine, who had returned from America, and who lived only a short distance away....

Belfast Newsletter 13 April 1892 the Maryborough Trials page 7

Mr Jackson, in reply to Mr Blane, said that fifteen persons were sentenced at Maryborough in 1889 in connection with the trial arising out of the murder of district Inspector Martin, of the RIC, in the County of Donegal.

Mr MacNeill asked whether, in reference to the case of the man Coll, who was sentenced to ten years' penal servitude, the right honourable gentleman was aware that Coll, a Roman Catholic peasant who **could not speak a word of English**, was tried by a panel of special jurors which consisted of 117, of whom no fewer than 44 were asked by the crown to stand aside; that if those 44 there were no fewer than Roman Catholics; that this Roman Catholic peasant was tried and convicted by a distinctly Protestant jury.

Leinster Express 16 April 1892 page 2 The Maryborough Trials

In the House of Commons, on Tuesday evening, Mr Jackson, in reply to Mr Blane, said that fifteen persons were sentenced at Maryborough in 1889, in connection with the trial arising out of the murder of District Inspector Martin, of the Royal Irish Constabulary, in the county of Donegal. Of the accused eleven were sentenced to terms of imprisonment, ranging from two to six calendar months, which sentences had long since expired. Four were still in custody for terms of penal servitude, varying from five to ten years, the latter term being passed on Wm Coll. The Government were not aware of any arrangement between the prisoners' counsel and the counsel for the Crown, nor were they aware whether any of the convicted persons were unable to speak English, but as a matter of fact **an interpreter was employed to interpret the evidence of witnesses**. The cases of these convicts had recently been under the consideration of the Lord Lieutenant, who saw no reason to interfere with the due course of the law.

Mr Blane asked whether arrangements had not been made similar to those which were continually taking place at the Old Bailey and the assize courts in England?

Mr Jackson – I have answered the question according to the information supplied to me. The Government have no further information on the subject.

Mr MacNeill asked whether the man Coll was not a Catholic peasant who could not speak a word of English and was brought from Donegal to Queen's County – practically an exclusively Protestant county, and that he was tried by a panel of special jurors, which consisted of 117, of whom 44 were asked to stand aside by the Crown; whether 40 of these 44 were Roman Catholics, and that this peasant was tried and convicted by an exclusive jury of Protestants?

Mr Jackson – I have no knowledge of these circumstances.

Mr P O'Brien said he had actual knowledge of the facts. Was it not correct that the arrangement alleged to have been made was made with the then Attorney-General and now Lord Chief Justice of Ireland? If so, what was the nature of the arrangement by which these men's liberties were bargained away? (Hear, hear, and cries of "Oh, oh") Every honest man in Donegal and Ireland believed that that liberty had been bargained away, and if the Chief Secretary could not give an answer he would press him again on the subject, and supply him with information in his possession on the subject. (Hear, hear).

Mr Jackson said he had no further information on the subject, as he had already stated to the House, and it was quite impossible for him to obtain the information the hon. Member had just asked for.

Tuam Herald 21 May 1892 page 4 Tuam Petty Session Crimes' Act Case

The ordinary business of the court being finished, a Crimes Court was held for the purpose of trying a case against an old man, called John Neiland, of Farcamartin (Galway Road) for re-taking possession of a house belonging to Captain Handcock, from which he had been evicted.

Mr Concannon appeared for the prosecution.

Neiland, who was an Irish-speaking witness, in reply to **Mr Gannon Registrar, as Interpreter**, said that he only took possession of the House. They had the land. He would give the house up to Sergeant Kilcommins in a week.

Mr Concannon – Oh, we'd give him a month, but he has often promised.

Sergeant Kilcommins was examined and handed in copies of the "Dublin Gazette" proclaiming the district.

Mr Concannon said that Neiland had broken his promise to leave.

In reply to Mr McLean, Neiland said he was nearly 80 years of age.

Mr Mayne – Well, shall we send him to Jail?

Mr McLean – Oh, give him another chance. I'm sure he'll go.

Mr Mayne – Well, we can adjourn the case to next Court day, then if the house is not give up, we'll send him to prison.

Neiland said he would willingly give up the house to the Sergeant, and if he did not they could send him to jail.

Mr Concannon – He is very fond of the Sergeant (laughter)

The Court adjourned.

Cork Examiner 10 June 1892 page 8 Killarney Quarter Sessions

Mr P O'Sullivan, the Court interpreter, gave the prisoner a good character.

Kerry evening Post 11 June 1892 page 2

Killarney quarter sessions

An old man named James Coffey, who was found guilty of stealing a pocketbook containing a sum of money, was put forward for sentence.

Mr P O'Sullivan, the court interpreter, gave the prisoner a good character.

His owner took this into consideration, and sentenced to prison are two months imprisonment, with hard labor.

Kerry Sentinel 15 June 1892 page 4 Killarney Quarter Sessions

At twelve o'clock today the criminal business of these sessions was resumed before his Honor County Court Judge Shaw.

An old man named James Coffey who was found guilty of stealing a pocket book containing a sum of money, was put forward for sentence.

Mr P O'Sullivan, the court interpreter gave the prisoner a good character.

His Honor took this into consideration and sentenced the prisoner to a month's imprisonment, with hard labour.

Cork Examiner 19 June 1892 page 8 The criminal business Killarney, Thursday Evg.

At twelve o'clock to-day the criminal business of these sessions was resumed before his Honour County Court Judge Shaw.

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His Honor took this into consideration, and sentenced the prisoner to a month's imprisonment, with hard labour.

Anglo-Celt 25 June 1892 Untitled, 3.

A few weeks ago an immigrant named John Kearney, a native of the "Kingdom of Kerry" aged 27 years, arrived in New York on the steamer "Majestic". On being landed at Ellis Island, the authorities there were dazed on learning that he spoke no language but Gaelic, and had to hunt up an interpreter before they could hold communication with the embryo citizen of the Republic. The fact that this scion of the old sept of the O'Kearneys having lived in his birthplace till his twenty-seventh year without a knowledge of the alien tongue "whose phrase uncouth distorts the Gaelic jaw", shows with what tenacity the Irish language still clings to those regions of the old land that, even within the past century, produced the many eminent scholars whose works reflect its ancient glories.

Southern Star 23 July 1892 page 3 the election for West Cork

Baltimore

There were two booths at the school room. The presiding officer was Mr Wm Dorgan, Cork; poll clerk, Mr C. Shine, Baltimore; personsating agents for mr Gilhooly, Mr P. Sheehy, H.C. and Mr Wm O'Connell; for Mr Payne, Mr CC Thornhill; interpreter, Mr Jas Carey. In the second booth the presiding officer was Mr Wm Hanna, Cork; poll-clerk, Mr James Pulvertart; personating agents for Mr Gilhooly, Rev P Hennessy, and Mr James O'Driscoll, Ballylynch, I **sherk**. There was a great bulk of voters illiterate. Out of a total of some six hundred voters, about three hundred had polled about two o'clock, 90 per cent of which were for Mr Gilhooly. The Islanders mustered very strong for the Nationalist candidate.

Tuam Herald 13 August 1892 page 4 Tuam Petty Sessions

A female politician gets a month by the sea side

A very old woman, shaking with the burden of four score years, and proferring her charge in the Gaelic tongue through Mr Gannon, as **Interpreter**, complained that Mary O'Leary, a woman younger in years and of more robust build, had beaten her, knocked her down at her own door, and torn her (complainant's) cap. On another occasion defendant had broken complainant's windows with stones.

Mr McCormack, Solr, who appeared for the defence, cross-examined the witness – Did not know why Mary O'Leary had beaten her.

Mr McCormack – Were you in the interest of Colonel Nolan at the Election (laughter)

Mr Hosty, Solr – And so I believe is Mary O'Leary.

Mr McCormack – Perhaps you are too

Mr Hosty – Perhaps I am (laughter)

Mr McCormack pressed the witness further, but succeeded in eliciting nothing new.

Mr McCormack – Did you "banker" give you the money to take out the summons?

Witness (through interpreter) I don't know any banker, and have no money avourneen (laughter).

Mr McCormack – Ask her again where she got the money to take out the summons?

Mr Gannon (having put the question) – She says Fr Flatly gave her 2s (loud laughter). I must say that at the time she was taking out the summons she told me the same. I suppose Fr Flatly gave her the money in charity.

[Mrs O'Leary was sent to jail for one month and told to pay 2s and 5s in compensation in each case]

Ballinrobe Chronicle 8 October 1892 page Ballinrobe petty sessions Assaults

There were exchanges of summonses on charges of the above between the members of the Duddy family, Cornaroya.

Mr Kirwan appeared for one side and Mr Tuohy for the other.

Michael Groonell, a very old man, gave evidence through an **interpreter**, of an assault committed on him....

Derry Journal 28 October 1892 page 8 lifford quarter sessions Daniel Gallagher versus Robert Gregg

This was an action at the suit of the plaintiff (an Irish speaking witness, who was fluently examined through the court **interpreter**, Daniel Boyce) the latter made several improper overtures, but the girl resisted him till he got her in a secluded place, and then he overcame her by force. The question was raised as to whether the girl was at that time servant of the defendant.

His honour here remarked that this seemed to be a case for the intervention of the Crown to prosecute for rape, and in his opinion defendant should make compensation.

Paternity having been denied on behalf of the defendant, his honour gave directions for future proceedings, and dismissed the present case, remarking that it was a cruel one, and that the law operating against the plaintiff was a monstrously unjust one.

Derry Journal 28 October 1892 Lifford Quarter Sessions Daniel Gallagher v Robert Gregg

This was an action at the suit of the plaintiff (an Irish-speaking witness, who was fluently examined through the **Court Interpreter Daniel Boyce**), the father of Mary Gallagher, Kincaslugh, against the defendant to recover £50 damages for seduction.

Sligo Champion 10 December 1892 page 3 Connaught Winter Assizes A Galway rape case

A strong looking man named Martin Kerrigan was found guilty of having committed rape on an unmarried woman named Catherine Leydon, aged 30, on 9th August last. The woman could only speak Irish, and had to be examined through an **interpreter**. The prisoner was sentenced to three years with hard labour.

The Irish Times 22 December 1892 ‘Evicted Tenants Commission: The Coolgreany “Planters”, 6. The Olphert Estate

John Curran, who speaks only Irish, and for whom Father McFadden acted as **interpreter**, stated that his land was cut-away bog, which he reclaimed himself. He held fifteen acres.

1893

Ballinrobe Chronicle, 11 February 1893 page 1 Assault

Sergeant Elliott prosecuted Thomas Mellott, Creevagh, and Lawrence Mea for assaulting each other on the 30th of last month.

[...] Mea, through an **interpreter**, said that without any cause whatever he was struck by the other defendant.

Chairman asked Mellott why did he strike the old man?

Southern Star 18 February 1893 ‘Timoleague Dispensary Committee: Charges against the Dispensary Doctor’, 2. [Also Cork Examiner 10 May 1893 page 7]

A specially convened meeting of the members of the above Committee was held on Monday last, for the purpose of hearing a charge of neglect preferred by Mr Driscoll against Dr TJ Magner, Medical Officer of the district.....

Mr Collins – You met a woman at the door, and commenced to joke with her as she could not speak English? That is her statement.

Dr Magner – Would it not strike you that a person who could speak nothing whatever but Irish, would bring a story very imperfectly?

Mr Collins – You said you understood a little Irish?

Dr Magner – I understand “colleen beg” and Michael Collins (laughter), Leslie Court. I think you are a sufficiently intelligent person to do your business properly.

Mr Collins – I admit I made a mistake in the first instance.

The Chairman – You got a second ticket?....

She thrust the card into his hand; she spoke most volubly in Irish, he asked his servant did he speak Irish, and she said she did not. There was a patient named Peter Neville in the kitchen (a man, totally unacquainted with his house), and he said he could speak Irish, and, on asking the woman what she wanted, she said, she got a red ticket for the Doctor's attendance and he had not attended. The Doctor said to tell her he had not got the ticket, and she got furious and walked off. He said to call her back, and ask her who was sick, but the old woman would not come back.

Peter Neville was called before the meeting and corroborated the statement of Dr Magner.

Dr Magner – There is another thing – who acted as interpreter? This (the statement of the woman) was drawn up subsequently to my instituting proceedings for libel. It is very easy to take away the character of a doctor, underhand.

Kerry Sentinel 18 March 1893 page 4 Dingle Petty Sessions (Before Capt Keogh, RM) A sad case (civil case)

Ellen Moriarty, of Ballyvoheen, summoned her husband, John Moriarty, and her brother-in-law, Maurice Moriarty, for assaulting her.

Mr Kennedy, solicitor, Dingle, appeared for the complainant who swore that she got married a year ago, and gave her husband £78 fortune. For the first three months she was treated fairly well, but ever since her only food is potatoes and sour milk, while the rest of the family got tea. They all sit at the same table "to the potatoes" but when they are eaten her mother-in-law makes tea and gives a share of it to all in the house except herself. [...]

Maurice Moriarty, who spoke in the vernacular, said there were no special seats in the house. [...]

The husband, (who also had no English) denied that he struck his wife. He offered her the tea but she would not take it. They are not always quarrelling. [...]

Richard Fitzgerald, complainant's brother, was examined. He was sworn in Irish. [...]

I leave the husband go with a caution but Maurice must pay £1 0s 6d, 10s 6d fine, the costs of the summons, 5s solicitor's fees, and the balance to the **interpreter**.

Adjourned.

Southern Star 13 May 1893 'Interesting Articles' 1. Charges of alleged neglect of duty against Dr Magner – Sworn inquiry at Timoleague

Ellen Crowley, who spoke Irish only, and for whom Mr **John Walsh, PLG, acted as interpreter**, said she would not take the oath, but she would tell the truth.

Dr Browne – I must have her evidence on oath.

Father Kearney, by leave of Dr Browne, addressed the witness, who was then sworn.

Witness said she got a ticket from Patrick Crowley but could not tell whether it was red or black (laughter); she got it on the 4th January; she went next morning to Dr Magner's, and gave the ticket to the servant, who told her to wait until the doctor would come; when the doctor came he asked her who gave it, and she said Mr Collins; it was to the servant she gave the ticket; the doctor was inclined to "joke" her.

Dr Browne - what did she say to the doctor?

Witness, through the interpreter, said she did not ask the doctor to visit her husband, she said nothing to him; he began "joking" her.

Father Kearney spoke, and

Dr Magner said – I object to this gentleman speaking.

Mr Sullivan – Oh, he's all right.

Witness further said there was no interpreter between them first, the Doctor said there was no use in people coming who did not speak English, but that the doctor should visit her husband was on the ticket.

Dr Browne – The Doctor commence to joke her, and she lost her temper?

Witness said she did not lose her temper; the Doctor said “the ticket is no use” and she said “If not you have a ticket for the last two day”.

Dr Browne – There was no interpreter there?

Mr Sullivan – Oh, there was a man there.

Ballinrobe Chronicle 20 May 1893 page 1

Ballinrobe petty sessions

Abusive and threatening language

Mary Lynagh had Honor Joyce, Creagh Road, summoned on the above charge.

Mr Kirwan appeared for defendant.

Complainant, through an **interpreter**, stated that she lodged next door to defendant....

Freeman’s Journal 15 June 1893 page 10

THE WRONG MAN SENT TO PRISON. Yesterday in the Queen's Bench Division, before Mr Justice O'Brien, Mr. Justice Johnson, and. Mr. Justice Madden, in a case of Curran v the Justices of the County of Donegal,

Mr Wylie (instructed by Mr. J E O'Doherty) moved for a writ of habeas corpus directed to the governor of Londonderry Jail, to obtain the release of Edward Curran, at present undergoing imprisonment on a conviction for malicious injury. Counsel also asked for a writ of certiorari for the purpose of having the conviction quashed.

Mr. Justice Johnson—Is it alleged that the magistrate convicted the wrong man?

Mr Wylie said there was an affidavit of Edward Curran, of Curranspoint, county of Donegal, which stated that on the 30th of May last he was present at the Petty Sessions in Falcarragh, awaiting the hearing of a case at the suit of Mr Olphert against his brother Daniel for alleged malicious injury. When the case was called he addressed the court to explain that the summons against Daniel had been served on him by mistake. He spoke Irish, and believed he was taken as appearing to the summons. He understood that the witness proving the case said that he was the man, and that Mr Mackey, solicitor for the prosecution, urged that he could be tried. The case went on as if he had been duly summoned, and he was convicted of the charge against his brother Daniel, and sentenced to a month's imprisonment with hard labour, without the option of a fine.

Mr. Justice O'Brien—Although he was not Daniel he may have been the right man.

Mr Wylie said that was not so. There was no doubt about his client being the wrong man. He swore positively, and could prove clearly that he was perfectly innocent of the offence, and that his identity had been mistaken.

Justice O'Brien—Does he give any particulars of the evidence? Mr Wylie - He does not. He does not speak English, and was only able to communicate with the Court through an interpreter.

Mr. Horner (instructed by Mr. Mackey) appeared for Mr. Olphert, the complainant in the summons, and said that all the witnesses proved that the man before the magistrate was the offender. However, Mr Olphert did not oppose the present application.

Their lordships granted a writ of habeas corpus for the immediate release of the prisoner, and for a conditional order of certiorari to bring up the conviction.

Cork Examiner 20 November 1893 page 7 Tralee Quarter Sessions

(Before County Court Judge Shaw) Murphy v Mahony

This was an action at the suit of Catherine Murphy, Castleisland, against Daniel Mahony, farmer, Castleisland, for £50 damages for assault. [...sexual assault case]

Defendant's wife, an Irish-speaking woman, was also examined for the defence. Through the interpreter she explained that when she came to the door plaintiff was walking out, and made no complaint to her.

His Honor dismissed the action.

Sligo Champion 9 December 1893 page 3 Burglary

Michael Nee, Dudley Nee, Patrick Nee, and Denis Nee were charged with feloniously entering the house of Brian King, and taking therefrom the sum of £30.

Prisoners pleaded guilty...

Brian King, of Connemara, who gave his evidence with the aid of an interpreter...

Anthony Nee deposed by the interpreter...

Kerry Evening Post 20 December 1893 page 3 Dingle petty sessions

Dr Miles read aloud circular from Dublin Castle regarding the practice which has prevailed in Ireland for a considerable number of years of issuing summonses. The circular stating that no summons in future shall be issued without the complaint been previously made to a magistrate and that summons signed by the same justice of the peace.

Dr Myles – do you and all that, Mr Dobyns (clerk).

Mr Dobyns - I do, your worship, it means that I cannot fill a summons without a magistrste's order

Dr Myles – that means interminable work, and the magistrates in this district will require an **interpreter** at their elbow, where we have so many Irish speaking people. For instance, in the last case heard some of the parties in the case were not able to speak a word of English.

Kerry Sentinel 20 December 1893 page 4 Dingle Petty Sessions A man named Lynch, of Ballyviheen, Dunquin, charged two boys of the same village named John and Michael Connor, aged 12 and 14, with having thrown stones over the corrugated roof of his house. The witnesses produced appeared not to know what was said to them, and had to be **interpreted by a summons server, Patrick Kelly**. In reply they denied all knowledge of the alleged stone-throwing, and in answer to the court said they were not attending school. Dr Miles – They'll have to attend school after the 1st January. Pat Kelly – They're going to school your worship, they're d___ __rogues (laughter) The charges were dismissed.

1894

Munster Express 10 February 1894 page 8 Stradbally petty sessions (Waterford)

Waterford District Fisheries Conservators – DI Barry watched the proceedings on behalf of the constabulary

For the defence

Mr Williams called a host of witnesses, a number of whom bore the name of Fleming, for the purpose of proving an alibi. The evidence of these witnesses, most of which had to be tendered through an interpreter, as they all declared that they could only speak Irish, was to the effect that on the night of the poaching affray prisoner was at the house of the Flemings, and did not leave it during the course of the evening.

Mr Lynch remarked that he did not believe one word of what any of the witnesses said.

House of Commons 10th April 1894

THE IRISH LANGUAGE IN IRISH LAW COURTS.

MR. FIELD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any of the Magistrates or Clerks of Petty Sessions in the Provinces of Connaught and Munster, and in the Counties of Donegal, Derry, [28] Tyrone, Armagh, and Cavan, speak Irish, and how many; whether a procedure is adopted to secure that persons who, speaking Irish only, charged with offences have those charges and the evidence explained to them; have any civil proceedings been taken against or by Irish-speaking persons in recent times at Petty Sessions; how many persons speaking Irish only have been confined in gaols, lunatic asylums, and Unions; how many are now confined therein; and how many of the officials in gaols, asylums, and Unions speak Irish?

MR. J. MORLEY: There are no official records containing the detailed information required by this question. The Registrar of Petty Sessions Clerks informs me, however, that in 497, out of a total number of 606, Petty Sessions districts in Ireland no Irish-speaking persons have been charged with offences within the memory of the present clerks, and that in the remaining 109 districts provision is made for an interpreter, when the services of one are required, by the employment of a person duly sworn so to act. Provision is made by the Act 6 & 7 Will. 4, c. 116, for the employment and remuneration of Irish interpreters at Assizes, and by the 14 & 15 Vict., c. 57, at Quarter Sessions. There is no statutory provision applicable to Petty Sessions, but where necessary, and on application, I have been informed the Crown provides an interpreter in criminal cases. Paid interpreters are rarely required, however, at Petty Sessions, as there are usually present in Court persons who volunteer to interpret upon the occasion arising.

Ballymena Observer 11 May 1894 page 6 In a Siamese Law Court

The Siamese Free Press publishes the following interesting account of the local law court. One of the greatest difficulties which the court has to contend with is the proper interpretation of the Siamese questions into English and vice-versa. We saw how one court interpreter failed the other day, and the Recorder, who is rendering valuable assistance, had to be utilised before any progress could be made. The difficulty of proper interpretation is one which few farangs can properly understand. They apparently think that it is quite a simple matter to translate any English question into Siamese. They forget they have to deal with the native mind, and to be able to think in Siamese before translation can be properly accomplished. It is one thing to be a good Siamese scholar, and quite another to be a good interpreter. There is also the probability ever present that the prosecution may exact a literal translation of English questions which in very many cases is absolutely impossible. Another difficulty is, that the counsel for the defence are not able to comprehend this very serious phase of the trial, and so matters tend to become hopelessly complicated, and, at times, hopelessly absurd. The fact that the Chief Justice is a good English scholar does not alter the situation, as the proceedings are carried on entirely in Siamese. If the defence were allowed the services of a thoroughly competent interpreter by the court, things would go more smoothly for all concerned.

Southern Star 27 October 1894 'Timoleague Petty Sessions: She Didn't Understand English', 2

John Perrott, Ardgehane, summoned Ellen Driscoll for the trespass of fowl on three different occasions.

Complainant proceeded to describe how some thirty hens and ducks belonging to defendant were trespassing on his fields.

Defendant, an old woman of about eighty years, intervened and delivered a long harangue in Irish. For several minutes she talked at the Bench, at the complainant, and in turn at every body in court. For a few moments it looked as if she would stop at about 5 p.m. One of the magistrates appealed to the nearest constable to pull up the old lady.

Constable (in conciliatory tones) – Will you shut up for a while, ma'am?

Defendant (emphatically) O Agus a na garghk shimaichshin &c.

Constable – She doesn't understand English, your Worship.

The defendant then resumed her address in Irish, and when it threatened to become indefinitely prolonged, an oldish looking man, with long grey beard, advanced from the body of the court and spoke to the old lady in Irish. It was understood that he meant to act as an **interpreter**.

Man with the beard (addressing the old lady)

-Tuiggin thu Bearlaighe?

Defendant (indignantly) – Ni thiginn.

Complainant, at this point made another effort to state the facts of the case and was describing the share which the ducks took in the trespass.

Defendant (suddenly and in plain English) – Oh, do you hear that - shure these ducks were not two months old (laughter).

The would be interpreter at this point, beat a hasty retreat, and the old lady went on to protest, assert and deny in English and Irish alternately, until the announcement of a small fine from the Bench brought her to a standstill.

Cork Examiner 10 December 1894 Munster Winter Assizes Charge of Whiteboyism

Seven men named Michael Walsh, Richard Walsh, John Twomey, Timothy Twomey, Cornelius Leary, John Leary, and John Ahern were indicted for having on the night of the 17th or morning of the 18th October last at Inchinasig, near Inchigeela, in the county o of Cork, armed with firearms and other offensive weapons and having their faces blackedned and thereby disguised, unlawfully risen to the terror of her Majesty's subjects; they were further charged with having attacked and injured the dwelling-house of a man named Michael Mahony. The prisoners pleaded not guilty.

Margaret Mahony, who spoke in Irish, and whose evidence had to be **interpreted**, stated she was the wife of Michael Mahony. Her evidence was corroborative of that given by her husband and her daughter. One of the men, she added, presented a gun at her, and when she got a chance she let herself out of the window, but got a fall to the ground. She went away from the place as best she could, and hid herself in some bushes. She had only her night dress on. Later on she went to the house of one John Cronin.

Evening Post 19 December 1894 page 3 Aunascaul petty sessions Assault

Patrick Brosnan labourer was charged at the suit of Sergeant Barrett with an assault on an old man named Spillane, at Gortacurrane, 25th of August.

Spillane, was unable to speak English, in reply to the **interpreter**, deposed that on the evening in question he was in the house of his daughter, who was a gatekeeper on the Dingle railway.

1895

Cork Examiner 1 January 1895, 6 The Macroom Moonlighting Case

Mrs Margaret Mahony, an Irish-speaking witness, whose evidence had to be taken through an **interpreter**, was examined by Mr Bourke. She was the mother of the last witness. She was awakened by her daughter, Mary, saying that one of the Twomeys and other blackguards were outside. She jumped out through a window, after a man pointed a gun at her, and ran to the house of a man named John Cronin.

Southern Star 9 February 1895 'Land Court in Skibbereen', 8.

The tenant, who could not speak English, gave his evidence through an interpreter.

Munster Express 2 March 1895 page 8 Dungarvan petty sessions

Stealing potatoes

The Queen prosecuted Patrick Keane for stealing potatoes from a pit in a field.

Acting Sergeant Leary deposed that on the night of the 1st February, he saw defendant in a field near his own house with a basket of potatoes on his back; I asked him where he got the potatoes; he said he got them from a man named Terry; he went to Terry, and he said that he gave no potatoes to defendant; saw a couple of days afterwards a pit of potatoes in the field interfered with.

Chairman – In what circumstances are the defendant?

Mr Egan DI – Oh, he is very poor. I think it is poverty was the cause of it.

The defendant, a boy of about fifteen years of age, feigned that he could not speak English.

The interpreter asked him could he speak English.

Defendant said he could not.

Keane (interpreter) – I think he is an idiot, sir.

Declan Morrissey was called, and deposed he had two pits of potatoes on his land near Ring; saw a gap in one of the pits; the pit had been interfered with; gave no leave to any one to take the potatoes.

Mr Egan – Did the potatoes you saw look like your own potatoes?

Witness – That is not a thing that any one in the world, could say, sir (laughter)

The father of the boy said that he went out from him, and he did not know where he went.

The boy was convicted, and ordered to be bound in his own recognisances in the sum of £1, and if he is convicted of any future offence he will be punished for that and for this also.

Keane, the interpreter, said the boy was fasting for two days, and he was hungry.

Kerry Sentinel 10 April 1895 Killarney Land Sessions (Before JJ Shaw, QC)

There were ejectments against each of these tenants, which were heard later on, and the decrees were given at the judicial rate. The tenants were wretched looking people, particularly Peter Shea, who gave his evidence in the Gaelic tongue, and said it was by the proceeds of fishing, augmented by doles from his children he paid his rent. His house (which was claimed by the landlord) let in the wet, and was unfit to live in on this account.

His Honor – Why doesn't Lord Lansdowne repair your house? Why don't you ask him?

The tenant, not understanding his Honor, made no reply, but Mr Moriarty through the **interpreter** told the poor man to go to Derreen and ask Lord Lansdowne to repair his house.

Kerry Sentinel 1 May 1895 page 3

A few days ago a friend was telling me about a Dingle Irish speaking witness who never saw a judge until he saw him in the Dingle Courthouse, on an occasion in which he went there to give evidence. When he saw the judge he asked the interpreter in Irish, "Who is that baste above with the tail out of him?" The interpreter, who was rather a nervous man, said in a frightened voice to the old man "Whist you d---l, Whist, you d---l!" The fun commenced when the judge asked what he was saying to the witness. The interpreter of course assured the judge it was nothing concerning the case, but the judge sternly demanded to be know what was passing between the interpreter and the witness. The

interpreter pushed into a corner, had to tell the judge, amidst great laughter in the court, which the judge did not at all relish, though he brought it on himself.

Cork Examiner 25 May 1895 page 12 [Also Cork Examiner 1897, January 23, page 12]

Baron Dowse

Baron Dowse was once Judge where the accused could only understand Irish, and an interpreter was accordingly sworn.

The prisoner said something to the interpreter, and the latter replied.

“What does he say?” demanded the Judge.

“Nothing, my lord”

“How dare you say that when we all heard him? Come sir, what was it?”

“My lord” said the interpreter, beginning to tremble. “it had nothing to do with case.”

“If you don’t answer I will commit you, sir. Now, what did he say?”

“Well, my lord, you’ll excuse me, but he said ‘Who’s that old woman, with the bedcurtain round her, sitting up there?’”

At which the court roared.

“And what did you say?” asked the Baron, looking a little uncomfortable.

“I said, ‘Whist, ye spalpeen! That’s the old boy that’s going to hang yez.’”

Munster Express 25 May 1895 page 7 Dungarvan petty sessions

Sylvester Murray was charged with a breach of the Licensing Act.

Mr Egan DI prosecuted and Dr EP Williams defended.

The sergeant of the Ring police barrack deposed that he approached defendant’s public house on Sunday; saw a number of men running away; he caught one of them, and the man admitted that he was in defendant’s house; and defendant also admitted that he was there; this man said that he went in about some money that was due to him; Constable Kelleher was with him (witness) examined the shop, and saw pint measures with traces of porter on them; Manahan was the name of the man he caught.

The Chairman said the bench would fine Murray 10s and not endorse the license, and Manahan 2s 6d.

Manahan, who spoke Irish fluently, seemed irate at the decision and said. “Oh, give me fair play” (laughter)

The interpreter explained to him that the fine was for being found on the premises.

Sligo Champion 15 June 1895 page 4

From the report of the Society for the Preservation of the Irish Language for the year 1894 we observe that Mr John Downes, Riverstown, figured prominently during the year in the movement for the resuscitation of our grand old National tongue. At a meeting of the Irish Teachers Congress held on February 7th 1894 Mr Downes spoke at length in Irish and his remarks were listened to with great attention. We are glad to be in a position to state that a Gaelic class, under his tuition, will be started in Sligo in a short time, and we have pleasure in wishing it success.

Sligo Champion 15 June 1895 page 4

We have much pleasure in announcing that, following a competitive examination held before Dean Townsend at Ballymote on Wednesday, Mr John Downes, Riverstown, has been appointed **Interpreter** to the Courts for the county of Sligo. We cordially wish Mr Downes, whose many talents especially fit him for the position, many years to faithfully discharge the duties of his new sphere.

Waterford Standard 26 June 1895 page 2

Interpreter of Irish language at Assizes

Notice is hereby given, that the Grand Jury of the County Waterford will, at the ensuing Summer Assizes, appoint a fit and proper person AS ABOVE, at a salary not exceeding Five Pounds each Assizes.

Applications, in writing, to be sent in to the Secretary County Grand Jury not later than 4 o'Clock on FRIDAY the 5th JULY NEXT.

R. G. Paul Secretary Grand Jury

County Secretary's Office, Waterford

24th June 1895

Southern Star 29 June 1895 'Thursday', 8. Bantry Quarter Sessions Civil Bills and Ejectments Scully v Scully

Separated couple - £20 for clothing etc

The plaintiff, a very old woman, came on the table, and told a woeful tale in Irish, which the court received through an interpreter. and being unable to speak English, an **interpreter** was procured.

Sligo Champion 6 July 1895 page 8 The Appointment of an Irish interpreter

The Secretary (GJ) said the former interpreter, Mr Eakins died three months ago, and it was necessary that an appointment should now be made. The County Court Judge recommended the appointment of Mr John Dowd. [This is a mistake – should be John Downs or Downes]

Mr Phibbs – Do we want one at all now.

Secretary- Yes, the judge will require you to make the appointment.

Several Grand Jurors said Mr Dowd was a most competent person.

Captain O'Hara – He underwent a creditable examination by Archdeacon Townsend.

The GJ unanimously appointed Mr Dowd as their interpreter.

Ballinrobe Chronicle 13 July 1895 page 1

Trespass

Anthony Byrne, Shanvallyard, had a series of trespass cases against Bridget Meenehan of the same locality.

Mr Tuohy appeared for complainant and Mr Sheridan for defendant.

Byrne, examined by Mr Tuohy, proved the trespasses of a horse and a number of sheep and lambs on his growing crops of oats and potatoes.

Defendant deposed, through an **interpreter**, that no one of the offending animals belonged to her, that they were the property of her son, who was at present in Scotland, and who was also tenant of the holding it was alleged she occupied. [...]

Western People 31 August 1895 page 3 Castlebar Petty Sessions Wednesday

Before Mr CL Fitzgerald, DL and subsequently Mr AE Horne RM in the chair; Messrs WE Kelly JP, CE and John Kelly, JP.

Martin Gallagher v Wm Burke

A difficulty arose in this case, as complainant was an Irish-speaking witness, and there was no interpreter available.

Mr Horne requested Mr James Daly to act as **interpreter**.

Mr Daly declined; he thought he could not do it satisfactorily, but there was a gentleman on the bench, Mr J Kelly, who could do it better than he.

A Mr Chambers volunteered, and complainant said – I remember of the 12th August Wm Burk and Pat Burke knocking down my fences; I tried to stop them and told them not to knock them down, and Wm took a stone and struck me on the face; I bled a good deal; Pat Burke also struck me and knocked me down; I lost my senses; my brother Edward came up and brought me into the house, and I was in bed six days; the doctor attended and the sergeant from Ballycroy came to see me; I gave no provocation, only asked them not to be knocking down the fences.

Cross-examined by Mr PJ Kelly – His brother is a very quiet man; he was in jail, but he was sent in wrongfully; he is also under a rule of bail; when he went over to where they were knocking down the wall he went into Burke's yard; he had to go down a distance of 8 feet, but he did not fall; the wall was rebuilt on the old foundation.

Edward Gallagher, another Irish-speaking witness, was examined. He corroborated his brother's statement in every particular.

Cross-examined by Mr Sheridan, he said he had no stones in his hands when he came up, his brother did not fall until the Burkes knocked him; Wm Burke struck him first.

Sergeant Gray, examined by Mr Jordan, said he saw Martin Gallagher on the 12th August; there was some blood on his face; he washed it off and found two cuts on him – one on the eye and one on the corner of the mouth, which seemed to have been inflicted by a sharp instrument. Dr Nally attended him the next day.

Cross-examined by Mr PJ Kelly – He was not as bad as he pretended to be; the wounds could have been caused by a fall.

After consultation the bench fined Wm Burke 10s and 2s 6d costs, and Pat Burke 5s and 2s 6d costs.

Western People 5 October 1895 page 2 Ballinrobe Petty Sessions Monday Trespass

Pat Monahan, Ballinaya, sued Michael Rochford, of the same place, for the trespass of two donkeys. Complainant, an Irish speaking witness, stated through an **interpreter** that he found the donkeys on two different occasions on his land.

Defendant asserted that they were put in off the road.

Decree for 6d in each case with costs.

Tuam Herald 12 October 1895 page 2 codeswitching Tuam Quarter Sessions

The above sessions opened on Tuesday last before His Honour Co Court Judge Henn?, RA Carter Esq Registrar was in attendance. The business was even for Tuam exceptionally light and was concluded early on Wednesday. The only case of any sort of public interest was one in which an old woman who was in the receipt of out-door relief processed another woman for keeping £25 which she gave her. She had lodged the money in the Ulster Bank and the receiver had subsequently altered it to her own and her husband's name. Of course she swore she never got any money from the poor old creature, but the poor old creature had little difficulty in persuading the court she gave her twenty five gold pieces and she got a decree with costs for the amount. The fact of her being in receipt of relief was notable and shows how the money goes. The lady receiver first stoutly swore she could not speak English and her evidence was taken in Irish and **interpreted**, but she forgot her oath during the course of her cross-examination and gave her testimony in very fair English.

Sligo Champion 26 October 1895 page 5

We understand arrangements are being made for the starting of a Gaelic class in Sligo during the coming winter, under the conductorship of Mr John Downs, Riverstown. Several lovers of the language of our forefathers, so rich in song and story, and legendary lore, have signified their intention to become members of the class, and it is expected many others will join it later on. In foreign countries the many beauties of the Irish language are highly prized, and in a few instances professors of Continental universities have been sent over to Mayo and Galway to become acquainted with the vernacular spoken. It is strange then if the Irish people will allow its study to become extinct. It must be said that the actions of the Boards of Intermediate and National Education are not satisfactory in this regard, notwithstanding the which the number of pupils who presented themselves for examination last year was an increase on former years, but better encouragement is expected in future. Mr Downs is a most competent Irish scholar, being Irish Interpreter for the County Court.

Munster Express 9 November 1895 page 6 Dungarvan petty sessions

Custody case – Edward Mahony followed and waylaid by James Molloy and Edward Foley. John Keane was the first witness. He gave his evidence in Irish and a man name Keane acted as interpreter.

Molloy Sure I could not be speaking Irish to that fellow. (Through the interpreter): Did you see me strike him on the ground?

Witness: I saw you striking him with your fist.

Southern Star 16 November 1895 'What he said', 7.

Also, Donegal News 26th December 1925, 7 and Ulster Herald, same day, same page. 'Around the Christmas Hearth'

What he said

Baron Dowse once was judge where the accused could understand only Irish, and an interpreter was accordingly sworn. The prisoner said something to the interpreter, and the latter replied.

"What does he say?" demanded the judge.

"Nothing, my lord."

"How dare you say that, when we all heard him? Come, sir, what was it?"

"My lord", said the interpreter, beginning to tremble, "it had nothing to do with the case."

"If you don't answer I'll commit you sir. Now what did he say?"

"Well, my Lord, you'll excuse me, but he said "Who's that ould woman with the red bed curtain round her, sitting up there?"

At which the court roared.

"And what did you say?" asked the baron, looking a little uncomfortable.

"I said, 'Whist, ye spalpeen! That's the old boy that's going to hang yes!'"

Sligo Chronicle 7 December 1895 Drumkeerin Petty Sessions page 5 "Kathleen Mavourneen" [Drumkeerin is in Leitrim]

Catherine Cormyn (plaintiff) had James Kelly, her brother-in-law, summoned for assault.

Mary Harte, an old woman, mother of plaintiff, was next examined, but on being called commenced an endless oration in Gaelic, but as some of their worships could interpret that interesting and beautiful language, the evidence of the witness was not gone into, and after a short consultation the Bench were unanimous in dismissing the case.

1896

Cork Constitution 14 March 1896 page 6 Homicide

Patrick Connell pleaded not guilty to an indictment charging him with the manslaughter of Patrick Grady, on the 23rd December.

Mr P Lynch (instructed by Mr Skuce, Cahirciveen) defended.

John Ahern deposed that he was an assistant in Mr Ahern's publichouse at Ballinskellig. Deceased and prisoner, with a man named Neill, were in the public, and left at half-past nine o'clock. Deceased was drunk, and a short time after the parties left he heard some noise.

Cross-examined by Mr Lynch- He saw no person injured, and knew that deceased and prisoner were good friends.

Michael Sullivan, an Irish-speaking witness, deposed that Grady was at this house the night before he died. He was dying then.

Mr Mahony then asked the interpreter to ask if Grady made a statement to him, but

His Lordship disallowed the question.

Mr Mahony asked if his lordship would allow a statement made by deceased be put in evidence?

His Lordship refused.

Dr Mannix was then examined and said deceased died about four o'clock on the day in question. Death was due to blood poisoning, the result of erysipelas, caused by a wound over the left eye. The wound might have been caused with a stone.

Mary Grady, widow of deceased, deposed that prisoner came into her house half-an-hour before her husband died. Connell asked her husband if it was he (Connell) struck him with a stone and deceased said not to be in dread that he (Connell) would not suffer for him as he would not go against him. Connell then said that wouldn't do for him and her husband said that Connell knew well that he did the harm.....

Six months imprisonment with hard labour

Southern Star 21 March 1896 'County Record Court', 8.

The plaintiff, whose evidence had to be repeated by an **interpreter**, on account of his (plaintiff) being unable to speak any language other than the Irish, was examined by Mr Sheehan,

Western People 11 April 1896 page 2 Ballina Petty Sessions Tuesday

Before RD Crotty, Esq RM (in the chair) and JB Dillon Esq JP

Who was the trespassers?

The case of Michael Mullen for trespass and cross-case also for trespass were heard together on the application of Mr Garvey, solicitor, for defendant.

Mr Coolican, who appeared for complainant, said he would be candid with the court and state that none of the parties could succeed in their action in that court. There were charges of willful trespass on both sides that their worships could not deal with at all. His client sold his holding to this woman, reserving to himself an acre of land; the trespass charged occurred on that acre of land. He did not know that there was a cross-case.

Complainant addressed the bench in Irish to the effect that he did not speak English well.

Mr Coolican said the man instructed him in English.

The chairman told Strogon, who acted as interpreter, to inform the complainant that unless he spoke English he would not be heard, as he spoke English to Mr Coolican.

Defendant – He speaks English as well as me.

Chairman (smiling) – Perhaps not so fluently.

Complainant, after being spoken to by Strogon, proceeded to give his evidence in English, to the effect that he sold his land to his son Pat Mullen (Michael), who was married to Mrs Henegan's daughter. He believed she got the land last March twelve months. She lived about a half mile away on another holding. He gave evidence as to the reservation of the acre of land. He noticed her about the trespass, and asked her to leave the land, which she refused to do. The summons for trespass was served on 26th March and on the 1st April she issued a summons against him for trespass. She damaged his oats.

Mr Coolican – You will have a civil action against her for that.

[...] Cases dismissed without prejudice [twelve Strogens in Mayo in 1901 census. They don't live anywhere else]

Ballinrobe Chronicle 17 October 1896 page 1

Abusive language

Martin Mellett v John O'Donnell, Knockroe, for abusive and threatening language

[...] Mr Tuohy examined O'Donnell in a cross-case through an **interpreter**. [...]

Western People 24 October 1896 page 3 County Mayo Criminal sessions

Larceny at Belmullet

Two young men named Michael Brennan and Owen McDonagh were put forward charged with feloniously stealing a purse of money containing £2 10s. on being asked to plead, McDonagh said he

was 'guilty' but Brennan entered a plea of not guilty as to stealing and as to receiving. He was defended by Mr Myles J Jordan. [...]

John Keane, who gave his evidence through the court **interpreter**, was next called. He said he lived in Belmullet and remembered the fair held there on the 15th August. He was selling fish at a stand there that day and remembered McDonagh coming up to him. He was asking him what was the price of the fish and "bothering him" by putting his arm around his neck. There was another man walking around a little distance from the stand. Witness thought it was Brennan. Witness had a small red purse containing two sovereigns and a half-sovereign. When they took the money both men went away very quick, and a man named Johnny Coyle called out that he (witness) was robbed. Witness turned round and saw a half sovereign dropped by one of the men, which he could not say, but McDonagh picked it up. [...]

The jury, after being in some time, were unable to agree and were discharged and the accused was sent for trial to the Winter Assizes. Brennan was sentenced to 12 months' imprisonment.

Ballinrobe Chronicle 24 October 1896 page 1

Pat Costello, Cloughbrack, examined by Mr AB Kelly, through an **interpreter**, stated that on the day in question he brought on two pigs to the Ballinrobe market for Mary Mara. [...]

Mary Mara, examined by Mr Sheridan through the interpreter, deposed that she sold her two pigs to Flannery. ...

Ballinrobe Chronicle 7 November 1896 page 1 Ballinrobe petty sessions

Interpreting

Michael Connor sued Mr Martin Flannery for 5s – fees alleged to be due for acting as **interpreter** at the request of defendant in the recent case of Flannery v Head-Constable O'Brien.

Mr Sheridan, for defendant, applied for an adjournment owing to the absence of his client at Westport fair.

Mr Tuohy, for plaintiff, did not object.

Adjourned accordingly.

Cork Examiner 24 November 1896 page 7 The New Land Act

Messrs L Doyle (Chairman), E Moroney, and EG Peet, Sub-Commissioners, sat in Macroom on Saturday, to hear 51 cases arising in the Union of Macroom to fix fair rents for the second statutory term. The principles of the new Act being applicable to applications for the second statutory term a great deal of interest was manifested in the proceedings by the agricultural community of the district, and the Court was crowded with farmers from the surrounding districts.

The first cases heard were on the estate of Sir George Colthurst, and it is a remarkable fact that all the tenants, with a few exceptions, were exclusively Irish speaking, and the services of an Irish **interpreter had to be got in the person of Mr Patrick O'Callaghan, law clerk**. There were 29 cases on the estate of Sir George Colthurst, the names of the tenants being – Michael Dineen, Denis Sweeney, Patrick Kelleher, Owen Sullivan, P Kelleher, John Murphy, Timothy Kelleher, Michael Kelleher, Callaghan McCarthy, Patrick Roche, Jeremiah Dineen, Mortimor Sullivan, John Casey, John Kelly, Denis Leary, John Murray, Margaret Twomey, Daniel Twomey, Jeremiah Quill, B Roche, Timothy Herlihy, Michael Sullivan, Mary Sullivan, M Casey, Daniel Herlihy, P Twomey, Johannah McCarthy, Jeremiah Murray, and C Sheehan. [...]

Munster Express 19 December 1896 page 7 Pursuing game

Mr HC Villiers prosecuted Nicholas Burke for trespass in pursuit of game.

Patrick Dalton, an Irish speaking witness deposed – On 6th November saw two men with a sheep dog and three hounds on Mr Stuart's property; they were poaching around, and then he saw them hunting a hare; he rode a horse and followed them as far as he could go; he kept the parties in view;

he came u to them in Pat Curran's land, they had the three greyhounds and the sheep dog with them there.

Cross-examined – What Mass was he at? (Through the interpreter) – I wasn't at e'er a Mass (loud laughter).

1897

Ballinrobe Chronicle 9 January 1897 page 1 Ballinrobe petty sessions

Small Debts Act

Mr John Ryan, Main-street, sued John O'Donnell, Knockroe, for the sum of £1 7s 6d, for shop goods sold to defendant. [...]

Defendant, examined through an **interpreter** by Mr Tuohy, deposed that he generally dealt with Mr MH Feerick, Abbey-street. He did not owe plaintiff one penny of the sum claimed. [...]

Irish Examiner 11 January 1897 Extraordinary case at Dungarvan Committing a witness for not speaking English

Dungarvan, Saturday. At the Dungarvan Petty Sessions to-day, before Mr William Orr, R M, a case came on in which Nicholas Walsh had William Quinn summoned for loss of a sheep destroyed by his dog. Amongst the witnesses was a woman who gave evidence in Irish through the interpreter. After her came Pat Connors, apparently about eighteen years of age. When questioned he remained silent. The Chairman asked him could he speak English. The witness replied in Irish. Chairman I warn you if you can speak English to do so. Const Kelleher—I know the witness, and he speaks English very well. Chairman—The last thing I would like to do is to commit you, but I will take the informations of Constable Kelleher, and commit you if you don't answer. Mr Williams—And it will have a very salutary effect. The witness was again questioned but answered in Irish. Constable Kelleher then made an information as follows—I am stationed at Ring. I know the witness, Patrick Connors, who lives at Helvick, and has declined to answer questions put to him in the English language by the solicitor for the complainant. About three months ago I had a conversation with him in the English language, with which he was familiar, he knows tbe language well enough to carry on a conversation in it and give evidence in a court of justice. I believe that he is now shamming ignorance of the language. Chairman (to witness) - Do you wish to ask Constable Kelleher any questions ? No answer. Chairman—Very well get a warrant. We will adjourn the case for a week. If in the meantime he recovers his acquaintance with the English tongue he can be discharged. Are you willing to answer now ? The witness again replied in Irish. The Town Clerk, who is very proficient in the Irish language, spoke to witness and prevailed upon him to answer ; So also did his (witness's) friends, but without effect. Chairman—It is my duty to tell you if you don't answer you will have to go to Waterford Gaol. I cannot allow anyone to defeat the administration of justice in this way. The warrant was made out, and as the police were removing witness he said " I did not see any sheep or any dog," which remark occasioned loud laughter. Chairman—Will you answer the questions in English now? No answer. The witness's friends again addressed him in Irish prevailing upon him to do his best. Witness—I did not see any dog or sheep. Chairman—He would not answer at the time. Witness—I saw no dog or sheep. Chairman—It is a gross contempt of court, and you will go to Waterford Gaol for a week now. I find you know plenty of it. The witness was then removed by the constables en route by train to Waterford Gaol subsequently, when the witness was brought to the Constabulary barracks he explained that he was afraid he could not speak what he wanted in English, and this being conveyed to Mr Orr, R M, he cancelled the warrant, and the witness was released from custody.

Cork Examiner 13 January 1897 page 5

The Celtic Tongue at Dungarvan

Dublin, Jan 11, 1897

Dear Sir – After the official discomifutre of the self-constituted opponents of the Irish language over Gleeson’s car and Doherty’s cart, hopeful souls like mine might not unreasonably be left in peace. Gleeson fought the battle in Cork and Doherty in Donegal. The penalties for using Irish were limited to sixpence a piece. Now we have Pat Connors committed to prison because he would risk his evidence in English. The outrage should not be palliated by the almost immediate cancelling of the warrant. The youth feared that he could not say what he had to say in English. This is perfectly intelligible to any man who knows the people in Irish-speaking districts.

Think of it! Mr Foley, teacher of the Ring-ville N.S., near Dungarvan, told me many years ago that a boy in the second book, while being examined by the Inspector, failed to explain in English what “Set the lion at liberty” meant. When asked to speak out in Irish, he gave an answer which has never yet been improved on: “Cead a chos a thabhairt dho”. But Mr Orr, R.M., would make out a warrant committing that sparkling, intelligent boy to Waterford Gaol!

Nearly thirteen years ago, Father Walter Conway, P.P., Killeen, county Galway, writing to the *Nation* of those days, told me that a boy in one of his parish schools, having been asked what “Lies in the shade meant”, answered in the language of old Ireland, “Miol an sa a gceann”. The boy could read his lessons fairly well, could speak a little, and pass as speaker of English. But Pat Connors, of Dungarvan, knew that he could not do himself justice through the English tongue. Good boy, Pat! And shame on those who made no effort to sustain you and justify you. was as innocent as Twiss. From the day that Myles Joyce was hanged, I have been looking after the use of the Irish language in Courts. I submit that you should give me space to sound another note of warning. The Gaels of the South should look round. No man should be compelled to give his evidence in English. Interpreters should be forthcoming.

Yours faithfully,

Michael Cusack (Irish teacher and founder of GAA)

Derry Journal 15 January 1897 page 4

Was not Mr Orr, R.M., a bit hasty and sharp with the Irish speaking witness who came up for examination at **Dungarvan** the other day? The witness, it had been discovered, had been heard to express himself in English- a foreign tongue to him – to some little extent, and not to his own satisfaction, so the R.M. proceeded with the necessary ponderosity to “warn” the poor Celt that if he could and didn’t reply in the language of the Sassenach there was no knowing what might happen him. A police constable, with the patriotic instincts of his profession, at once came to the assistance of the Bench, declaring the witness could speak English “very well”. But what is very well? Forthwith the same solemn procedure of legally proving the Irish lad –only in his teens – was gone through. What was the proof that the witness knows the use of English sufficiently for the satisfaction of his own mind, that is, in such a degree as to be able to convey his ideas or impressions of facts accurately and adequately? Just this from the constable, that the boy knows English “well enough” – to do what? “Carry on a conversation”, and – in the opinion of the constable – “give evidence in a Court of Justice”. Yes, but would it not be crippled and confused evidence? There is an Irish **interpreter** attached to the court, which shows that it is an Irish-speaking district, and Mr Orr might have paused and reflected a little as to what that conveys. A “little English” is not adequate for strict evidence from a native Irish-speaking witness, and in a higher Court in any serious issue the interpreter – sworn for the purpose – would have been employed to get the answers of the witness. But the “belief” of the constable – against the witness – was apparently enough, and the warrant for imprisonment for contempt was made out. Under all the terrors the boy was go to say, repeating, we observe, the same words with painful exactness, “I saw no sheep or dog”. This was an official triumph, but a foolish one. What is the upshot of all the fury and the fuss? “The witness was removed by the constables *en route* by train to Waterford Jail. Subsequently, when the witness was brought to the constabulary barracks, he explained that he could not speak what he wanted in English, and this being conveyed to Mr Orr, R.M., he cancelled the warrant, and the witness was released from custody. The explanation will be accepted by anyone who can appreciate the difficulty

in which the much-scared Gael of Dungarvan felt himself, fearing to go wrong with a language he could not grasp, and whose idiom and method of expression are greatly different from his own. The Court would have shown quite as much dignity and common sense if the warrant and its concomitant display of “warnings” and punitive preparation had not been issued.

Derry Journal 20 January 1897 at Letterkenny Quarter Sessions

Thade McFadden, who gave his evidence in Irish through the court **interpreter**, Mr Boyce, deposed he remembered when Mr Roach came down. (Case about trespassers and boundaries).

Flag of Ireland 23 January 1897 page 12 Gaelic League (Lee Branch, Cork city)

At the Council meeting held on Thursday night the case of Patrick Connors, the Irish-speaking witness who was committed to jail at the Dungarvan Petty Sessions, on the 8th instant, by Mr William Orr, RM, for asserting his right to be examined in the Irish language, was the subject of a resolution protesting strongly against the injustice of punishing Irish-speaking people who prefer to give their evidence in the language they understand best. The Dungarvan case was an especially flagrant one, for the court **interpreter** was present, and had actually been employed in the examination of the previous witness. The circumstances have been brought under the notice of all the branches of the Gaelic League in the United Kingdom, and are attracting considerable attention. The Central Branch is considering the advisability of moving the Queen’s Bench by *certiorari* to quash the conviction. The matter will not be allowed to rest till the Irish-speaking people are fortified in their rights by the public opinion of the country. When that is secured we may soon see an end to the browbeating of witnesses whose only offence is that they are too Irish for the shoddy respectability of a West British magistrate.

Freeman’s Journal 23 January 1897 Proscribing Irish in the Courts Letter to the Chief Secretary

The following letter has been addressed to the Chief Secretary for Ireland by the Secretary of the Gaelic League –

Gaelic League, Dublin, Jan 20th, 1897

Dear Sir – I beg to draw your attention to the case of Patrick Connor, who was convicted for contempt of court by William Orr, R.M. at Dungarvan Petty Sessions on January 9th. The contempt consisted in Connors, who was a witness in a trespass case, having answered in the Irish language the questions put to him. The magistrates appeared to think he was shamming, and a Constable Kelleher having stated that he had carried on a conversation with the witness in English, a warrant was made out committing him to jail for a week. He was removed in custody to the Constabulary Barracks, where he stated that he feared he could not make himself intelligible in English, and this being conveyed to Mr Orr, his release was ordered.

These, sir, are the facts as they have been reported, and I am directed to submit to you that the magistrate’s action was altogether unjustifiable, and is calculated to have an unfavourable effect on the language.

1. Because Dungarvan and the district (Ring) from which Connors came, are largely Irish-speaking, the last return showing that 64 per cent of the population admitted they spoke the Irish language.
2. An interpreter was in court at the time, and had been actually engaged in the examination of a witness in the preceding case.
3. Every person has a perfectly legal right to be examined in the language he knows best, it being held that it would be unfair to submit a man to examination and cross-examination by a hostile advocate in a language with which he was but imperfectly acquainted.

I am informed that Connors explained to the Court in Irish during the early part of the proceedings that he could not use English sufficiently well to give his evidence in it. It is presumed that the magistrate did not understand him; but this only shows the absolute importance of appointing only those who are acquainted with the language of the people to public positions in the Irish-speaking districts.

Considering that this is not an isolated case, and that the system of browbeating Irish-speaking witnesses is common enough in many parts of the country, the Committee of the Gaelic League hope you will see the advisability of taking some steps to show magistrates and other public servants that they must not take up a position of antagonism to the Irish language in the discharge of their duties. Yours faithfully (Signed) James Casey, Secretary [Letter to Gerald Balfour Esq MP Chief Secretary for Ireland]

Southern Star 23 January 1897 'The Gaelic League: Lee Branch', 1. (also in the Nation, same day)

At the council meeting held on Thursday night, the case of Patrick Connors, the Irish-speaking witness, who was committed to gaol at the Dungarvan Petty Sessions on the 8th inst by Mr Wm Orr, R M, for asserting his right to be examined in the Irish language, was the subject of a resolution protesting strongly against the injustice of punishing Irish-speaking people who prefer to give their evidence in the language they understand best. The Dungarvan case as an especially flagrant one, for the Court interpreter was present, and had actually been employed in the examination of the previous witness. The circumstances have been brought under the notice of all the branches of the Gaelic League in the United Kingdom, and are attracting considerable attention. [House of Commons debates

Munster Express 13 February 1897 page 7

THE GAELIC LANGUAGE IN THE PETTY SESSIONS COURTS Dungarvan, Saturday,

At the Dungarvan Town Commissioners last evening, Mr J Curran (chairman) presiding,

Mr Thomas O'Connor said that they all knew a certain case came before the Petty Sessions in this town three or four weeks ago. In the case an Irish-speaking witness turned up, and he (Mr O'Connor) had read in the reports of the case that this witness refused to give his evidence in English, and that for not doing so a warrant was made out by the Resident Magistrate for his imprisonment for a week. The witness was taken into custody and sent off to the police barracks, and while waiting to go to Waterford Gaol he told the police that his reason for refusing to give his evidence in English was that he could not state his case properly in it. That was a good reason and the magistrate that made out the warrant, on being informed of this, cancelled the warrant. The case again came on that day fortnight. The newspaper report stated that the witness gave his evidence in English very intelligently. But there also appeared a letter from a Mr O' Higgins on the manner in which this Irish-speaking witness gave his evidence in English, and he stated that his answers to the questions put to him by his solicitor were "I did," "I didn't," "no," "yes." However, this question has been going the rounds of the Press, and it had also been taken up very warmly by the Gaelic League in Dublin, an association that has been formed for the protection of the Irish language. He (Mr O'Connor) thought that as a public board it was their duty, and the duty of every public board in Ireland, and the duty of every honest Irishman that loved his native tongue to do all that in him lies to foster, to protect, and encourage the Irish language. It was the language of their forefathers : it was the language of their bards and their poets, and the language of their patriots and soldiers, their saints and sages; it was the language of their ancient chieftains and ancient kin; it was the language of Brian Boru that whipped the Danes from the land, the language of St Patrick, St Bridget, and St Columbkille, and therefore it was the duty of every Irishman to foster and protect this language as much as possible (hear, hear). Let them look at Wales. When a Welshman comes into the law court, if he protests against giving his evidence in English, on the grounds that he could do it better in Welsh, there is no forcing, no threat of imprisonment. He is allowed to give his evidence in the Welsh tongue without

any coercion. It was only in Ireland that this system had been practised. It was a slavish practice, a disreputable practice, and it was a practice that every honest Irishman should show his face against.

Therefore he (Mr O'Connor) had come there specially to bring this matter before the board, and to move a resolution which he was sure would be passed unanimously.

"Resolved—That we, the Dungarvan Town Commissioners, request the representatives of the County and City of Waterford to call the attention of the Lord Chancellor and Chief Secretary of Ireland to the system practised in the law courts of this country—namely, the forcing of Irish witnesses under threat of imprisonment, to give their evidence in the English language, notwithstanding the declarations of these witnesses that they are unable to do so, having only a very imperfect knowledge of the English tongue, but are only too anxious to give their evidence in their native tongue—the Irish language ; and to impress on the Lord Chancellor and Chief Secretary for Ireland the very great necessity, when appointing resident magistrates and other magistrates in the future to the Commission of the Peace for Ireland to make it a condition that the resident magistrates and other magistrates should have a knowledge of the Irish language and be authorised to take evidence of all Irish-speaking witnesses in the Irish language, with the aid of interpreters, which are generally attached to their court ; and that copies of this resolution be sent to the representatives named above."

Mr Ryan seconded the resolution. He concurred with every word that had been expressed with reference to this sad business in the petty sessions court. It was a deplorable and painful incident, which never happened before in Dungarvan. But they had only to bring their minds back for a moment to where the gentleman came from who was guilty of this insult to their beautiful language. It was the most ancient language, he supposed, in the world at the present hour. It was held by some very learned men and some historians that Irish was the language spoken in the Garden of Eden. He had heard it proved by a very erudite scholar, the late Professor Casey, of the Catholic University ; he had proved it over and over again. With reference to this sad case there was no more painful incident than the swearing of the policeman, but the swearing of policemen is remarkable when any little job turns up. He (Mr Ryan) had had an intimate knowledge for some years of the man that was going to be imprisoned, and in contradiction of the sworn testimony of the policeman he (Mr Ryan) declared, and he could swear it, that that man could not coherently tell his story in English. He had heard Judge Waters state over and over again that because a man is able to say yes and no to a question it is no evidence that he could tell his story in English. It was a great crime that this poor Irishman was guilty of. and he (Mr Ryan) said if this little resident magistrate did not funk, and that that man went to Waterford Gaol, the four corners of Ireland would ring with the dastardly act, and he would be wiped out of Dungarvan. At the last moment he tried to repair the insult to the whole country, the insult to the beautiful language of the Irish people, in the courthouse, in the very heart of Ireland. He would simply say that every board in the country should take up the matter, and strengthen the Gaelic Association, which has the preservation of their ancient tongue so much at heart. The resolution was unanimously adopted.

Kerry Sentinel 3 March 1897 page 2 Try Again

The Lord Chancellor of Ireland has written a letter of considerable importance in reference to the Irish language. It is by way of reply to a resolution passed by the Dungarvan Town Commissioners calling on him "to make it a condition that any future Justices of the Peace or Resident Magistrates

appointed by him shall know Irish". While the letter cannot be regarded with unqualified approval, there are some points in it that will be read, not alone with interest, but with gratification by all lovers of the old tongue. The Lord Chancellor says that "while unable to concur with the Commissioners in their view as to the necessity of making it a condition of appointment to the Commission of the Peace in Ireland that all Justices should possess a knowledge of the Irish language, he fully recognizes the obligation upon all Magistrates of securing to Irish speaking witnesses the utmost facility for expressing themselves fully and clearly when giving evidence in a Court of Justice, and trusts that Magistrates will satisfy themselves before requiring any such witness to give evidence in English that he is as fully capable of giving evidence in that language as in his own."

We shall deal with the latter portion of the letter first. We regard the Lord Chancellor's statement as to the duties of Magistrates as a direct and well deserved censure on the Removable Magistrate who, the other day, with a light-heartedness that would have done credit to the days when coercion was rampant in Ireland, committed a witness for contempt of court because he refused to give his evidence in English. No doubt the man knew some English, but he made it sufficiently clear that he was not acquainted with the language to such an extent that he could express himself in a manner that would properly convey the ideas in his mind. The Magistrate in this case certainly did not give the witness "the utmost facility for expressing himself fully and clearly in his evidence. Committal for contempt of court was the only "facility" which this audacious Irishman received for desiring to express himself in the language he knew best. We trust the Lord Chancellor's statement on the duties of Magistrates- a statement which, as we have said, has a direct bearing on the case on which we have commented, will have a good effect, and will tend to curb some of the snobbish tendencies, especially to Removable Magistrates. In regard to the first statement in the letter, in which the Lord Chancellor says that he cannot concur with the Dungarvan Commissioners in their view as to the necessity of making it a condition of appointment to the Commission of the Peace in Ireland that all Justices should possess a knowledge of the Irish language, "we think he could at least have decided that he would appoint no magistrates, in districts in which Irish is largely spoken by the people, who were not conversant with the mother-tongue. It does not meet the case to say that a good interpreter in such districts would meet all the requirements. No matter how able an interpreter may be he cannot convey to the mind of a magistrate the same impression as the witness himself would be able directly to convey supposing the magistrate possessed a sufficient knowledge of the Irish language. This is a matter on which the Lord Chancellor should be again approached; and we have no doubt if the merits of the case were put clearly before him he would give it a very favourable consideration.

Ballinrobe Chronicle 31 July 1897 page 1

Kyne, who spoke Irish, only stated through an **interpreter** that defendant owed him 7s. Mr Corcoran engaged him as servant boy on the 6th January, present year. The arrangements made at the time was that the hiring could be determined by either of them on a week's notice. He left his employment three months ago. [...]

Western People 31 July 1897 page 7

Ballinrobe Petty Sessions Monday

Before Col Knox, DL, Messrs EJ McDermott, RM in the chair, and Bernard Daly

A young lad named Martin Kyne processed Mr Corcoran, by whom he was lately employed, to recover the sum of 6s 3d, balance of wages due for work and labour done.

Mr Kirwan, solr appeared for the defendant.

Complainant being unable to speak English his evidence had to be interpreted.

According to the **interpreter's** translation complainant entered Mr Corcoran's employment as servant boy in January last at wages at the rate of £6 10s per year. He remained for three months

and nineteen days. During that time he received instalments of hire amounting in all to £1 13s. he now sought to recover the balance.

Commenting on the manner in which the complainant had given his evidence the chairman said the latter was an awfully stupid boy – not able to tell his case at all.

The defendant was married, and in reply to Mr Kirwan, said Kyne left his employment at the busiest time of the year notwithstanding that he had agreed to remain for twelve months. In consequence of his leaving so suddenly he had to pay 15s extra to other men to do the work. He (the defendant) admitted the amount claimed was due and said he would pay it.

The chairman said the defendant was acting conscientiously.

The defendant then lodged the amount in court.

Southern Star 14 August 1897 'Macroom Petty Sessions', 8.

A man named Jeremiah McSweeney was next called, and declared (in Irish) his inability to speak English. The **interpreter** was called. Mr Purcell put the first question to the interpreter, who was about to put it to the witness, when the latter replied to Mr Purcell in good English, and came to speak in the same language to the end.

Ballinrobe Chronicle 9 October 1897 page 1 Ballinrobe Petty Sessions

Alleged breach of the License Act

In the prosecutions against two women named Mary Wall and Margaret Keaney, who were found on this particular Sunday on the licensed premises. [...]

Mary Wall, examined through an **interpreter**, stated that she was doing business with Miss Jennings that day, as was also Margaret Keaney. She paid Miss Jennings 10s 9d, and the latter told her to go to her brother's house and he would give her a treat. She paid for no drink nor was any money for it taken. [...]

Margaret Keaney, in reply to Mr Kirwan, through an interpreter, deposed that she received the treat as the other woman did – after paying Miss Jennings a bill.

Chairman – Ask her if the police did not catch her would she have paid for it.

In reply to this question defendant said she would not. [...]

Derry Journal 29 October 1897

Patrick Harkin v Thomas Patton and William McDermott

This action was to recover £50, money lent by plaintiff to defendants.

Mr E McFadden was for the plaintiff, and Mr P Gallagher for McDermott.

Plaintiff is an Irish-speaking witness, and gave his evidence through the court interpreter. The defendants and partners in the cattle trade, and plaintiff alleged he lent them the money to assist them in business.

His Honour gave a decree for the amount claimed as against Patton, and gave a DWP against McDermott.

Derry Journal 29 October 1897 Derry quarter sessions

Patrick Harkin v Thomas Patton and William McDermott

This action was to recover £50, money lent by plaintiff to defendants.

Mr E McFadden was for the plaintiff, and Mr P Gallagher for McDermott.

Plaintiff is an Irish-speaking witness, and gave his evidence **through the court interpreter**. The defendants and partners in the cattle trade, and plaintiff alleged he lent them the money to assist them in business.

His Honour gave a decree for the amount claimed as against Patton, and gave a DWP against McDermott.

The Irish Times 26 November 1897 'Land Acts Commission: The Galway Sittings – evidence of tenants', 2.

Martin Connelly, an Irish-speaking tenant, in reply to Mr Kelly, said he had about 19 acres from Mr P.J. Blake with rights of commonage; the rent used to be £6, but it was raised to £7 10s some years ago, and some years after the landlord voluntarily reduced it to £6. On application by tenant to have fair rent fixed, the Land Commission raised the rent to £7.

John Freeny, Spiddal, another Irish-speaking witness, was next examined. His rent was raised by the Sub-Commissioners.

The Commission terminated the Galway sitting shortly before 5 o'clock, and the President announced that they would adjourn till Tuesday morning in Dublin. **Mr Wm. Bourke acted as interpreter for the Irish-speaking witnesses.**

1898

Cork Examiner 19 January 1898 page 8

Cork Local Bankruptcy Court

[Before Mr Registrar Standish O'Grady]

In the matter of Cornelius Kelleher, a bankrupt.

The bankrupt was a farmer, residing at Bridgemount, near Macroom, and the sitting was for the examination of witnesses. [...]

John Lucey was next interrogated. He spoke in Irish, and his evidence had to be interpreted. He denied that he could speak a word of English, but Mr Herley stated that he had spoken to him fluently in English for half an hour.

Mr Coakley, court messenger, also said that the witness had conversed with him in English, and had informed him that he had four sheep, the property of the bankrupt, but that he would keep them all right.

The witness, who was cautioned by the Registrar, then gave evidence through the **interpreter** as to what became of a number of calves taken to Millstreet fair and sold there by his son, who received the money and handed it over to the bankrupt. They were purchased by a Cornelius Crawley, cattle dealer.

The case was adjourned.

Southern Star 22 January 1898 'The Macroom Bankruptcy Case', 1.

At the sitting of the Cork Local Bankruptcy Court on Tuesday, before Mr Standish O'Grady (Registrar), the case of Cornelius Kelleher, a bankrupt, was dismissed.....

An old man named John Lucy was next put into the witness chair by Mr Herley, and immediately proceeded to speak very quickly in Irish.

The Registrar – Do you speak any English?

Mr Herle – He did, sir. When I had a conversation with him last he spoke English fluently for an hour.

The Registrar – If you do not speak English I will put you in jail and keep you there until you speak it.

The Court Messenger stated that the witness as speaking to him in English for some time when in Macroom, re the missing goods. (Addressing Lucey) – Did you not say “you'd keep the four sheep all right”

The witness replied, at length, in Irish.

The previous witness then acted as **interpreter**, and elicited the facts that Lucy, though he was at Millstreet fair on the 1st December last he did not take any calves with him, but his son told him to tackle the horse as he was going selling calves for Cornelius Kelleher. His son sold the calves to Cornelius Crowley, Millstreet, with whom witness had been doing business for a number of years. He believed his son gave the money to “Connie” Kelleher.

The Registrar (to witness) – That will do. You are a fine boy (laughter).

Cork Examiner 28 January 1898 page 3

Gaelic League Lee Branch

The members of the branch noted with satisfaction that Mr Standish O'Grady, the Registrar of the Cork Bankruptcy Court, who threatened to send a witness to gaol for speaking Irish, thought better of his rash assertion, and consented to the use of an **interpreter**. The committee of the branch have thus been saved the unpleasant necessity of taking action in the matter, which they certainly would have done had the Registrar carried out his threat.

Cork Examiner 9 February 1898 page 8 Dungarvan petty sessions Code switching

Michael Walshe prosecuted a man named John Cuddihy for threatening him and using abusive language towards him. Mr IF Williams defended.

The complainant expressed his wish to give his evidence in Irish as he could not speak English, and the interpreter was duly sworn. His evidence went to show that defendant followed him with a knife and struck the knife into a barrel near and said that he would have his (complainant's) life.

As the interpreter was giving the English interpretation of the Irish evidence the complainant caused intense merriment by correcting the interpreter in English.

Further evidence was interpreted and again the complainant corrected the interpreter in English.

In cross-examination the complainant proved that he could speak English very well.

Cork Examiner 3 March 1898 page 5 Also Kerry Sentinel 5 March 1898 page 3

House and Lobby

(From our Parliamentary Correspondent)

House of Commons, Wednesday night

Mr Burke Roche will ask the Chief Secretary on Friday whether his attention has been directed to the case of Patrick Sullivan, of Killorglin, county Kerry, who for 31 years has been Irish interpreter to the Courts in Kerry at a salary of £30 per annum, although he has of late years performed the duties formerly carried out by two interpreters; whether he is aware that the Grand Jury of the county of Kerry in 1889 unanimously supported Mr O'Sullivan's application for an increase of salary, and specially recommended him to the Treasury, and whether he will state in who power it is to grant such increase?

Munster Express 2 April 1898 page 5

Fainne an Lae 26th March... contains a letter from "Portlairge" complaining of the Grand Jury for not appointing an interpreter.

Freeman's Journal 19 July 1898 page 2 Weekly meeting of Gaelic League

The following letter was read from the Clerk of the Peace for the County of Waterford, to whom the Secretary had written, asking if an Irish interpreter had been appointed. "Madam - The Grand Jury for the County Waterford decided at Spring Assizes last, not to make a permanent appointment, as there is seldom anything to be done. If an occasion should arise they intend getting the Irish interpreter from Dungarvan, who does the work at Quarter Sessions. Yours respectfully, WA Dobbyn

Ballinrobe Chronicle 23 July 1898 page 1 Ballinrobe petty sessions

Dispute about a passage

Mark Ryan had John and Michael Lynagh, of Lavans, charged with having willfully removed and broken a gate, his property on the 2nd last. The Lynaghs were also summoned for having used threatening language to Mrs Ryan. [...]

Pat Varrilly, an Irish-speaking witness, was next called. Thomas Mellett, of New-street, was about being sworn as **interpreter** when Mr Kirwan objected to his being allowed to act on the ground that he was a **relative of Lynagh**.

Melletts said he was related in the same degree to both litigants; but Mr Kirwan pressed his objection, with the result that Mellett was directed to leave the table and Jim McGrath, of Land League days notoriety, interpreted instead. [...]

Sligo Champion 30 July 1898 (several examples) Advertisement

Fair Rents John Downs Surveyor and Valuator, Riverstown. Makes Valuations on Shortest Notice.

Munster Express 24 September 1898 page 6 Petty Sessions Assault

Mrs Parkes summoned Mary Carbery for Assault

Lucas (an Irish-speaking witness, gave evidence in Irish. Mr T McCarthy, Town Clerk, acted as interpreter.

Kerry Evening Post 5 October 1898 page 3 Killarney Quarter sessions

Patrick Keating, a man of the labouring class, was indicted and pleaded not guilty to a charge of stealing £400 from Ellen Sullivan, at Portmagee, on the 16th August last.

Ellen Sullivan, an old woman of 75 years of age, who appeared on the witness table in her bare feet, with one of them bandaged, **was examined by an Irish interpreter**. She stated that the prisoner was her sister's son and was living with her. When he came to her house she had £500. She had four purses with £100 in each, and the four purses were in two sewn bags. She also had a £100 in one of her pockets. She kept the money under her tick, and on the day in question, when coming out of her house with the £400 the prisoner snatched it from her.

After a protracted hearing the jury acquitted the prisoner and he was discharged.

Belfast News-Letter 9 December 1898 page 7 The Donegal Murder Case

Hugh Boyle was indicted for the wilful murder of his father, Connell Boyle, at Meenderrynasloe, Lower Rosses, County Donegal, on the 30th August last.

Margaret Forker was next called. She said, although she knew some English, she knew Irish better, and preferred to be examined in that language.

His Lordship – I thought Irish was only spoke, Mr Attorney, where you and I come from?

The Attorney-General – I thought so too, my lord. (To witness) – We will try English for a while, at any rate.

Munster Express 10 December 1898 page 5 Gaelic League – Dungarvan branch

An Irish-speaking witness was being examined at the petty sessions court a few weeks ago, and was treated courteously by Mr Orr RM, who, when he found that the witness was unable to speak English, had him examined through the interpreter. This is an improvement on the treatment of an Irish-speaking witness a few years ago. It was pleasant to hear the rebuke administered by the witness to those who laughed at the idea of an Irish-speaking witness.

Londonderry Sentinel 10 December 1898 page 7 The Annagry Tragedy – Trial of Hugh Boyle

Several of the witnesses displayed a reluctance to converse in English, and were examined with the assistance of an interpreter Mr Daniel Boyce acting in this capacity.

Margaret Forker was next called. She said, although she knew some English, she knew Irish better, and preferred to be examined in that language.

His Lordship – I thought Irish was only spoke, Mr Attorney, where you and I come from?

The Attorney-General – I thought so too, my lord. (To witness) – We will try English for a while, at any rate.

The witness was then examined in English. She stated in reply to the AG that she lived with her mother near to the house that had been occupied by the deceased....

Mary Bonner, sister of the deceased, an Irish-speaking woman was then examined. Mr Daniel Boyce, Derry, a fluent Irish speaker acted as interpreter.....

Hugh Bonner, husband of the previous witness, was next called, and prior to being sworn intimated in Irish that he wished to give his evidence in that language.

Mr Atkinson said that the witness had given his English at the inquest.

His Lordship – They do not speak it (English) well, and they are afraid. It is the same in the South of Ireland in some parts.

The oath was then administered in English.

Mr Atkinson – Were you examined before the Court in Irish?

Witness – Bhidheas (I was)

Mr Atkinson – You spoke in English before, and you may as well speak in English now. How far did you live from the dead man?

Witness replied in Irish – About two hundred yards.

Mr Boyce was then sworn to interpret the evidence of the witness, who continued to give his testimony in Irish.

The Derry Journal 12 December 1898 page 7 The Donegal Murder – The Crown Evidence Belfast Winter Assizes

Margaret Forker was next called. She said, although she knew some English, she knew Irish better, and preferred to be examined in that language. The witness was then examined in English.....

Mary Bonner, sister of the deceased, was next examined. She gave her evidence in Irish, an **interpreter being engaged.**

Margaret Harley, an Irish-speaking witness, mother-in-law of the prisoner, called for the defence, said she had not seen the prisoner on the night of the murder nor for months.

Londonderry Sentinel 13 December 1898 page 7 The Annagry Tragedy – Boyle found guilty – sentenced to death [for the murder of his father Connell Boyle]

Hugh Bonner was also recalled, and was asked by his Lordship, through the interpreter- At what hour on Tuesday evening were you at the house? About seven o'clock....

Southern Star 31 December 1898 Skibbereen Petty Sessions, 8

Hanora Sullivan, called, could not speak and English and Mr Jerh Sullivan acted as interpreter.

1899

Kerry Sentinel 25 January 1899 page 3 Killorglin Petty Sessions - The agrarian question

Catherine Reardon, of Upper Cromane, summoned her brother John Foley, and his wife, for assault on Sunday 8th inst.

Mr B O'C Horgan appeared for the complainant and Mr Mangan for the defendant.

Mrs Reardon, a decrepid old woman, was accommodated with a seat at the witness table, and being an Irish witness, was examined through the **court interpreter**. She stated, in reply to Mr Horgan, that she was 108 years of age, and remembered '98. On the day in question she was standing in her own field when her brother caught her by the two shoulders and "shook her" and "choked her" "and kilt her" "and knocked her down". The field was her's , and she would keep it for ever.

Cross-examined by Mr Mangan – She remembered being in a public house in Killorglin and putting her hand to a paper. Her brother gave her a pound then, and would not take it back. Did not know the stick produced.

Mr McDermott – The stick she has in her hand now appears to be a new one. Did not say "you d---l, keep out of this".

John and Owen Sweeney, relatives on both sides, were also examined.

The bench were unanimous in binding Foley to the peace himself in £10 and two sureties in £5 each, and in default one month's imprisonment.

Sligo Champion 18 March 1899 page 9

Messrs O'Brien, M'Guinness, M'Hugh, Mitchell, and **John Downs** represented the tenants as valuers before the head Land Commission during the week in Sligo.

Kerry Sentinel 18 March 1899 page 2 (also Kerry Evening Post same date)

Death of Mr P O'Sullivan, Brookhill

We deeply regret to have to announce the death of Mr **Patrick O'Sullivan**, of Brookhill, Killorglin, a well known and respected inhabitant of Kerry, who, besides being a large farmer and agent, was also interpreter of the Irish language in the several courts of the county. The deceased, who was about 65 years of age, was father to Mr JP O'Sullivan, the well-known and popular athlete. The funeral takes place on Saturday.

Londonderry Sentinel 18 March 1899 page 7 The Glenties Libel Case Trial at Lifford Kelly v Colhoun, Molloy and McLoone

The case for the plaintiff

Mr Justice Madden in the Crown Court, Lifford, opened the hearing of the Glenties libel action, in which Dr John Kelly, dispensary medical officer of the Glenties district, is plaintiff, and Mr William Colhoun, proprietor of the Londonderry Sentinel, Mr John Molloy, general merchant and hotel proprietor, and Mr Patrick McLoone, grocer, Glenties, are defendants.

A succession of deaths of newly-born infants and their mothers in Dr Kelly's district

Counsel for plaintiff- Messrs Drummond QC, Todd and Patchell...

For Messrs Molloy and McLoone – Dr Wylie QC, Messrs Gannsen and Gallagher

The case was heard by special jury

Madge Ward, an Irish-speaking witness, was then examined and interpreted by the Court interpreter, Boyce, in answer to the questions of Mr Drummond...

Had the doctor a woman there who could speak Irish and act as interpreter for you? [no answer to this Q]

Did he [Mr Molloy] speak in Irish to you? He did not use many words in Irish to me.

Does he know Irish? Only a trifle.

Did he bring you into his own room? Yes

His Lordship – Was the conversation in English or Irish? He talked to me in Irish.....

Did McLoone say anything to you about Dr Kelly being "breasty"? He did not.

His Lordship – What does "breasty" mean?

The Interpreter – It means broken, my lord.

Mrs Mc Glynn, another Irish-speaking witness, was then called.

Dr Wylie said he had grounds for believing that this witness could speak English. He would give evidence of this.

The oath having been administered, the witness was asked did she understand it, and she said only a little.

His Lordship said he had found it always better to examine such witnesses in their native language, with which they are most familiar.

Dr Wylie –But I have authority for saying that she can speak English.

Witness (in broken English) – Well, indeed, I can't. (Laughter)

Mr Drummond – She speaks broken English.

His Lordship – When Irish is her native tongue she is entitled to be examined in it.

The interpreter then put the questions asked by Mr Patchell....

Dr Wylie said he would not cross-examine the witness, as he considered she should not have given her evidence in Irish.

His Lordship- I don't understand you. It makes no difference whether the woman speaks Irish or not.
The case for the Defence

The next document was one purporting to be signed by Magey Ward. She was the first Irish-speaking witness, remarked counsel, and he commented upon the difficulty of cross-examining a witness through an interpreter. He asked the jury to agree with him that this witness had gone back entirely on her statement. She did not want to give evidence against Dr Kelly, and quite naturally so, but they would prove that the paper was written by John Molloy in his own room when Magey Ward was present, and that the statement was made out through the interpretation of Patrick McLoone, as she only spoke Irish. Patrick McLoone would tell the jury that he read the statement over to her before she put her mark to it, and that she took the pen quite willingly without the slightest objection, and made her mark, and Mr McLoone himself signed it as witness.

Court then adjourned

Kerry Sentinel 3 May 1899 page 3

County Council estimate of the mother tongue

A Cork paper contains the following: - Evidently the members of the Kerry County Council, or at least the members of the committee appointed by that body to tax the election bills, entertain a very small estimate of the value of a knowledge of the Irish language, when they allowed the munificent fee of "fourpence" to an **interpreter** in the case of a remote Kerry polling station. The polling clerk who did duty in the same station had his bill taxed down to £3 7s 6d, while the official who did the twofold duty of poll clerk and Irish interpreter was allowed an extra fourpence. This does not speak well for the interest taken in the revival of the mother tongue by our newly-elected legislators, many of whom pledged themselves before election to support in every possible way every movement calculated to revive the mother tongue. The incident may be taken as a fair sample of the value of election pledges.

Munster Express 1 July 1890 page 7 Dungarvan petty sessions

Ellen Fitzgerald now summoned William Quinn for the trespass of three horses

An Irish interpreter was sworn, and examined Mrs Fitzgerald, who deposed she found defendant's horses on her land and had them taken home to Quinn.

Nenagh News 5 August 1899, 4

North Tipperary County Council

Important Proceedings at this week's meeting

Meetings of the North Tipperary County Council and the Proposals' Committee of the same body were held in the council chamber of the courthouse here on Monday.....

Payment of an Irish interpreter

In the course of the discussion which arose over applications for payment, a good deal of attention was given to the case of **Michael Nugent, Clonmel**, who has been for years past in the employment of the old Grand Jury as interpreter of the Irish language at assizes or quarter sessions when his services would be required.

Mr Trench said he had on a former occasion expressed himself in favour of the abolition of that office altogether, and the salary attaching to it was at that time cut down one-half of its original amount. It was then decided, Mr Trench remarked, that the recipient should come in to claim his payment in order that it should be known whether he was alive or dead.

Mr Power (solicitor) – I may state he is coming in to claim his payments. He was here on the last occasion; he is an extremely old man.

Mr Trench – I believe he is alive, at all events (laughter).

Mr Power – He is, but he will not be long a trouble to the Council; he has passed 85 years of age.

Chairman – Was this man appointed under the Grand Jury?

Mr Trench – He was, and Mr Power says he is an old man about dying. I want to know whether upon his death we are bound to appoint a successor?

Mr Power, in reply to Mr Trench and Mr O'Brien, said the old man lived in Irishtown, Clonmel. The small pittance which he received as the reward of his knowledge of the Irish language was his only means of sustenance, and it would be discretionary with the Council to allow him remain in the enjoyment of the small allowance he was getting, or have the matter referred to the Local Government Board with reference to the appointment of a successor to the position; that would be also discretionary with the Council.

Mr O'Connor said that now, when Irishmen were endeavouring to regain a knowledge of their native language, he thought every encouragement ought to be given on its behalf without any undue trespass on the interests of the ratepayers. The small sum which Nugent was in receipt of would not be any burden, practically speaking, and as it was the only means of sustaining him in his last years it ought to be allowed to him.

It was agreed that the allowance be continued.

Southern Star 9 September 1899 'Board of Guardians: the Irish Language', 8.

Mr Cotter said he had a notice of motion to move on that day fortnight – "That in future all appointments to the Board of Guardians be given to persons who had a knowledge of Irish, provided their other qualifications are up to standard." He thought the resolution was an important one.

The Chairman – You should have put it on before Mr Carroll was appointed.

Mr Gilhooly – Mr Carroll is a good Irish scholar. There need be no interpreter in court when he is there.

Western People 16 September 1899 page 3

Ballinrobe Guardians and District Council Monday

Permission to leave the [work] house

An inmate named Connor wrote requesting the guardians to grant him permission to leave the house without taking his wife with him.

Chairman – We can't allow him out without his wife.

Mr Hennelly – How often was he out before? He has some kind of position as **interpreter** to the court.

Mr Walsh – If he wants to go out let him bring out his wife with him.

The application was refused.

The Irish Times 27 October 1899 'Judge Dane and the Irish Language: an Emphatic Denial', 7.

At Castlebar Quarter Sessions to-day his Honor Judge Dane said – Before we enter on the licensing business I wish to take this opportunity to contradict a most unfounded statement which has been current for the last two days, and which was promulgated by some of the Dublin newspapers, to the effect that in a case recently before me at Ballinrobe Sessions I denied hearing to a litigant who was ignorant of the English language, and dismissed his case because he was unable to give his evidence in English. I desire to take this public opportunity of giving a most strenuous denial to that statement, which appears to have been founded upon the statement of some Ballinrobe scribe. The facts of the case were very simple. A litigant came up before me, and noisily insisted upon the interpreter of the court swearing him in in Irish, and the interpreter, who is a paid official of the court, a paid sworn official, proved to my satisfaction that not only was this man not ignorant of English, but that he thoroughly understood English, and that he spoke it, and had been speaking it to him on that very day and the day before. The man came up, and appeared at all events to thoroughly appreciate everything that went on, and when the solicitor for the defendant, Mr Alfred B. Kelly, father of this Bar, called upon him to be sworn in English, the man said in very good English, showing that he thoroughly appreciated the situation, that he would not be sworn in in English, and he proceeded in very good English to mock Mr Kelly. Under these circumstances, I did what I shall

always do until I am reversed by a higher tribunal – I dismissed his case without prejudice. I think it only right to add that every Irish-speaking witness has the fullest latitude in this court, which is provided with an official interpreter, sworn to interpret the evidence faithfully, but I am sorry to say that, in many instances, people who are speakers of the Irish language, and also understand English, sometimes avail themselves of that fact to come up here and try to frustrate the ends of justice, because they think that being sworn in Irish they will have time to hear the questions put and to consider what kind of an answer they will give. I wish to make these observations, because, while personally I care very little for criticism in the Press, I always admire the criticism of the Press in any proper case, but I should be sorry, through the promulgation of false reports, such as were made respecting the Ballinrobe case, that it should be thought for a moment that the poorest man in the country, if he happens to be an Irish-speaking man, won't get the fullest justice in this court. That I desire to mete to every man, no matter what his position may be.

The Irish Question

Ballinrobe Chronicle 28 October 1899 page 1 Ballinrobe

Judge Dane and the Irish language

Michael Connor, Cloongowls, v A McCormack, of the same place.

When plaintiff came on the table and was about being sworn, he protested in Irish that he could not speak the Irish language.

Mr AB Kelly, who appeared for defendant, said he was informed that Connor understood and could speak English if he choose.

Kane, the court interpreter, stated that Connor held a conversation with him that morning in English, and on the preceding day, and that to his own knowledge the witness was competent to be examined in English.

His Honor said if such were the facts he would dismiss the case unless Connor submitted to be examined in English.

Connor – ‘Caon fios a ta agadsa, sir?’ (what knowledge have you of it). This reply created some laughter.

Mr AB Kelly – You are a lad; you well understand English.

Connor (pointing at Mr Kelly) said, ‘Now, now, yourself’

His Honor then dismissed the case without prejudice.

Connor, protesting forcibly in Irish, was removed off the table.

Mr Kirwan appeared for plaintiff.

Mayo News 28 October 1899 page 7 Ballinrobe Quarter Sessions

No respect for “Mere Irish”

Michael Connor v Anthony Mc Gowan. This was an action for £30 for assault. Mr Kirwan appeared for the plaintiff and Mr AB Kelly for defendant

Plaintiff was sworn and Mr Kirwan said he could not speak English. The court interpreter said he has spoken in English with plaintiff some days previously. In reply to the question “Do you remember 13th May?” the witness replied in Irish although Mr Kirwan asked him to speak English.

Mr AB Kelly: What is your name?

Witness – Connor (laughter)

What is your christian name? Plaintiff replied in Irish that he did not know what Mr Kelly was saying.

Mr Kelly – Now, now, now.

Witness – Now, now, now (laughter)

Plaintiff, a sharp looking old man, was proceeding to state his case in the native tongue when

The Judge dismissed the case without prejudice.

Plaintiff, who evidently did not know that his case had got a “short knock”, continued to address the judge in Irish, quite regardless of the commands in English to go down, but to his surprise he was roughly dragged from the chair by two constables.

Freeman's Journal 1 November 1899 page 12 Dr Douglas Hyde in Castlebar

(A voice – “What about Judge Dane.”) Yes, the speaker [Hyde] said, it was a great mistake on the part of Judge Dane, as a witness should be allowed to speak in any language he wished. The witness could not speak English, and it was rather presumptuous on the part of Judge Dane to refuse to hear him and dismiss his case. But the matter will come before a higher tribunal, and Judge Dane will have ample time to give an explanation. There should be some protection for Irish witnesses, and the executive would see to this important matter in future.

Ballinrobe Chronicle 4 November 1899 page 1

Mr Ruttledge – It is quite right if a man cannot speak English that he ought to be heard in Irish, but I understand that the judge was misinformed by the interpreter in this case, and I am certain that if he believed the man could not speak English he would have willingly heard him in Irish. I think in fairness you ought to add that to your resolution.

Mr Regan – I left it an open resolution, and if the board wish I will add that to it. I think myself Judge Dane as far as I have seen is a very fair-minded man, but in this particular instance he showed bad judgment, as he was led astray by the interpreter, who, I am informed is not a proper Irish speaking interpreter at all.

Mr Costello – I was present on the occasion and saw the whole transaction, and certainly I will say this – that we all believe Judge Dane is a very impartial, fair-minded man, and gave satisfaction as far as I could see to all litigants except in this particular case. He acted, I feel bound to say, a little hastily with this poor man. However, the interpreter right enough came on the table and said he was speaking that morning to the man in English, and thereupon the poor man protested that he could not speak English, and, as a matter of fact, the only single word of English he could say was intermixed with Irish in the phrase “fair-play”. It was hard lines on him in those circumstances to be turned down and his case dismissed. I read the judge's observations at Castlebar, and I am very sorry to have to disagree with him, because he stated there, I am sure under a false impression, that this man proceeded to mock Mr Kelly in English. I say this never occurred, and neither is it in accordance with truth.

Mr Regan – Every man knows it is untrue, because the man never knew English, and therefore could not speak it.

Mr Murphy said he was present in the courthouse at Castlebar when Judge Dane made the statement, and Mr Alfred Kelly concurred with it.

Mr Hennelly – Perhaps it suited him to do so.

Mr J Walsh said he knew the man and was aware that he was unable to buy as much as a ha'penny worth in English.

Mr Regan said Mr Francis Fahey, a respectable and honourable merchant with whom he dealt, was prepared to affirm that the poor old man could not call for a pint of oil or a tip for his shoe in English, and Mr Fahey knew him for 30 years and that ought to be convincing testimony.

Mr Regan here read the letter from Dr Maguire published in Monday's papers vouching his personal knowledge that the man knew no English.

Mr P McGing said he would be for leaving the resolution as it stood and not polish it up for an y man.

Mr Regan – We only want justice where justice is due, and not condemn any man wrongfully.

Mr P McGing – Give justice to the poor man. The next time an Irish speaking litigant goes on the table we will see that his case is heard.

Mr Regan – My statement before the resolution was put will show that it is not a bit too strong. We want to clear up the thing properly and have an inquiry into the matter. Efforts are being made elsewhere to resuscitate our old language, but if this sort of business is allowed to go on it will help to kill all the good work.

Mr Heraghty considered that Judge Dane's action was an insult to the whole country, and they would be unworthy of its confidence or of that of their forefathers if they did not condemn it in the

strongest terms. It was a scandal to see the way this poor old man was treated and hustled off the table by two policemen just as if he did not belong to the country at all. He (Mr Heraghty) knew the man perfectly well for 30 years, and could state that during all that time he never spoke a word of English. They should make this a test case and not allow Judge Dane or any other man to interfere with the language of the country.

Mr Regan – We will send a copy of the resolution to the Lord Chancellor and another to Judge Dane.

Mr Costello gave his experience of the interpreter on the occasion when an Irish-speaking witness was on the table, and he neither conveyed the questions to him in the form put by counsel or give the correct answers of the witness. He (Mr Costello) knowing Irish –for fortunately he was not ashamed of the language of the country – told the judge the interpreter was misrepresenting counsel’s questions and the witness’s replies, and the judge, after consulting Mr Kelly, Crown Solicitor said he had no power in the matter, that he was the officer of the court.

Mr Murphy stated that he heard the interpreter one evening when on his way home, admit that he was not a competent Irish speaker, and that he did on several occasions misconstrue the questions put to him by counsel.

Mr Ruttledge – After what has fallen from Mr Costello and other gentlemen about the interpreter the judge is undoubtedly placed in an awkward position where he doesn’t understand the language himself. I am as certain as I am standing here that the judge would have no objection to hearing any Irish speaking witness provided he cannot speak the English language; but in this matter he is altogether in the hands of the interpreter and if the interpreter fails to do his duty properly it follows that things will not go right. In this case the judge was manifestly misinformed. Mr Regan, as a rule, although he sometimes goes to considerable lengths, seems inclined to give every man fair play; and if the judge, as I say, has been misinformed I think it only right, and fair, and honest that some notice should be taken of that in the resolution he has proposed.

Mr Regan said the real blame in the matter lay at the door of those who sent judges down here to administer the law without understanding the Irish language. The case was different in Wales where the judges had to know the Welsh tongue, but any treatment was good enough for Ireland. He repeated again that Judge Dane was not wholly to blame, but he was a good deal to blame, for by his action poor O’Connor, who sought justice in court, got left, and who was to pay him now for his loss.

Mr J Walsh – There ought to be an inquiry into the whole transaction, and something will leak out that will surprise Judge Dane.

The chairman said he must decline to put the resolution as it was too strong.

Mr Regan said the chairman must put it (hear, hear).

Chairman – If I do I must entirely dissent from it. [...]

Mayo News 4 November 1899 page 8 Ballinrobe Union

[Peter Regan]

Judge Dane and the Irish-speaking Witness

Mr Regan said they had all heard of Judge Dane’s treatment of an Irish-speaking witness and he now wished to propose a resolution on the subject.

Chairman – Alex Martyn JP - We had better go through our work first. Wait till the end of the boards.

Mr Regan – No, I will bring it right now. We have all heard a good deal of Judge Dane but I myself don’t think Judge Dane a very harsh judge by any means. It was not all Judge Dane’s fault. A good deal of it was due to the interpreter. Judge Dane was informed by the interpreter that that man could speak English. The interpreter said he was speaking to him that morning. The interpreter told a story there because the man could not speak English and there is not a merchant in Ballinrobe that won’t make a declaration that the man cannot speak English. His brother can. This is the resolution I have to propose:-

“We, the members of the Ballinrobe District Council, condemn in the strongest manner the action of Judge Dane at the recent Quarter Sessions here in dismissing the case of an Irish litigant because he

could not speak the language of the oppressors of our race and our country. We maintain that any Irish-speaking peasant has as much right to give his evidence in the Irish language in an Irish court as the Welsh people have to give theirs in a Welsh court, and we further believe tht it should be compulsory for judges administering the law in Irish-speaking courts to have a knowledge of the Irish language. In our opinion the high-handed conduct of Judge Dane should be inquired into on oath, and the thanks of all Irishmen are due to the "Freeman's Journal" for exposing the outrage to our language and to our country.

Continuing, Mr Regan said he believe the resolution would be passed unanimously, though he (Mr Regan) from what he could see did not regard Judge Dane as a very harsh judge.

Chairman – You are not in favour of any sort of judges, Mr Regan?

Mr Regan – I am. I believe you are not a bad judge yourself sometimes down at the Petty Sessions (laughter)

Chairman – I don't see what we have to do with Judge Dane here.

Mr Regan – I will show you we have. The interpreter employed in that court and paid out of the county rates is a very poor interpreter. Mr Costello was there that day, and the poor man, Connor, was very badly treated because he could not speak the English dialect.

Mr [Mark] O'Brien – I think the interpreter was worse than the judge.

Mr [W] **Ruttledge** – I think it is quite right, if a man cannot speak English he ought to be fairly heard in Irish, but I understand the judge was mis-informed by the interpreter. If the judge thought the man could not give his evidence in English he should hear him in Irish.

Chairman – He said so.

Mr Ruttledge thought that the resolution should state that.

Mr Regan – I don't want to condemn any man. As far as I have seen of Judge Dane he is a fair-minded man, but in this case he was led entirely astray by the interpreter.

Mr [J] Costello – I happened to be sitting on the solicitors' bench and saw the whole transaction, and I will say this: We all believe Judge Dane is an impartial, fair-minded judge, and appears to have given general satisfaction to litigants except in this particular case. But in this case he acted rather hastily. When this poor man came up the interpreter came on the table. He was not sworn, but he said this man was speaking to him that morning in English. The poor old man protested that he could not speak English, and said in Irish that they should give him fair play and the only fair play he got was to be hustled down off the table. I have read Judge Dane's observations at the Castlebar Sessions, and I am sorry I have to disagree with him. I am sure he must be under a false impression. Judge Dane stated, as reported in the "Freeman's Journal" that this man spoke in English mocking Mr Kelly. I say that is not accurate, neither is it in accordance with truth.

Mr Regan said Mr Costello was quite right, and read the following letter from Dr Maguire M.A. Ballinrobe, and published in the "Freeman's Journal":

The Editor of the "Freeman's Journal"

Ballinrobe, 27th October 1899

Sir – I happened to be a medical witness in the now celebrated case of Michael O'Connor v McCormack for assault, listed for hearing before Judge Dane at the recent Quarter Sessions held in Ballinrobe.

The judge says in his explanation in Castlebar – "The man said in very good English that he would not be sworn in English". This statement of the judge is the very contra of the truth. I was present in court as a witness in the case, and I am ready to prove on oath that O'Connor did not speak a word of English when on the table. I know him for years, and I tended to him during his late illness. He never spoke a word of English to me. The judge says – "I dismissed the case without prejudice". He did not state so in court. He simply said – "I dismiss the case." In my opinion it is a case that ought to be investigated on oath. – I am, Mr Editor, your obedient servant,

Edward Maguire, MA [his son applied for job as interpreter that Kane/Keane got]

Physician and Surgeon

Mr Murphy said he was listening to Judge Dane stating at Castlebar that the man could speak English, and Mr AB Kelly concurred with him.

Mr Regan – Every man in Ballinrobe knows that is untrue.

Mr John Walsh – If Judge Dane and Mr AB Kelly were denying the facts for a hundred years, the man is not able to buy a halfpenny worth in English.

Mr Regan – Mr Fahy, a merchant in this town, told me the man could not call for a pint of oil in English, or for a tip for his shoe, and Mr Fahy knows the man for forty years.

Mr McGing – I would leave the resolution just as it is. I would not polish it up for Judge Dane or any other body. When it comes on again and when there is an Irish-speaking witness to be examined Judge Dane will take care to examine him.

Chairman – I think the resolution is too strong.

Mr Heraty thought it a great insult to this country, and it behoved every Irishman to condemn Judge Dane's conduct. They would be unworthy of the name of Irishmen and of their forefathers if they allowed it to go uncondemned. He (Mr Heraty) knew Connor well for thirty years, and lives within a mile of him and Connor never spoke a word of English. Judge Richards always kept back the cases of Irish-speaking witnesses.

Mr Regan – I propose that we send a copy of the resolution to the Lord Chancellor and to Judge Dane.

Mr Costello said he was on a jury in Castlebar when this interpreter went up to translate the evidence of an Irish-speaking witness, and he (Mr Costello) found the interpreter was not putting the questions of Counsel at all, neither was he interpreting her answers. He (Mr Costello) knew the language of his country, and he was not ashamed of it (hear, hear), and he pointed out to the judge the incapacity of the interpreter, but the Crown prosecutor said he had no power in the matter as he was the officer of the court.

Mr Murphy said the interpreter admitted to him that he could not interpret properly.

Mr Rutledge said Mr Costello's statement showed that the judge was placed in an awkward position. That was the reason he wished Mr Regan to alter his position.

Mr Regan – the men who sent Judge Dane down here as a judge are the men to blame. Why send men here to administer law who are not able to speak the Irish language? They send judges to Wales who speak the Welsh language. Between them poor O'Connor got left, and who is to pay for that?

Chairman – I dissent from the resolution. I don't see the use of condemning people wholesale in this way.

Mr Patrick McGing said he had much pleasure in seconding the resolution.

Mr Regan – Yes, and it is carried by acclamation.

The Chairman called for a show of hands by those in favour of the resolution, and most of those present held up their hands.

Mr Regan – They are all for it.

Chairman – They are not.

Mr Regan – Who are against it? There are only two dissentients. Take a vote on it, and we will see who are against it.

Mr Michael Walsh – It is all a waste of time.

A vote was then taken, when all present voted for the resolution except the chairman and Mr WE Rutledge.

The resolution was declared carried.

Sligo Champion 15 November 1899 page 3

When the Michaelmas Quarter Sessions are over – and I expect they will be over some time – my friend, Mr John Downs, of Riverstown, the worthy and most intelligent court interpreter, might undertake it. (translate some poems) (John Downs is not in Riverstown in 1901 census)

1900

Western People 27 January 1900 page 8 Claremorris Quarter Sessions

Mangan v Mangan

This was an ejectment brought by Catherine Mangan against her son, John Mangan, to recover possession of part of her holding which he used and occupied against her will.

Messrs Tuohy and Verdon for plaintiff; Mr Kirwan for defendant.

The plaintiff, an Irish speaking witness (whose evidence was interpreted by Mr Hughes the **court official being ill with influenza**) was examined and deposed that her husband was dead 12 years, since which time she had been paying the rent to the landlord. [...]

Munster Express 10 February 1900 page 6 Dungarvan petty sessions Assault

Constable Callaghan charged James Manahan with being drunk on the 19th January, and with assaulting him. He (constable) went into Sylvester Murray's publichouse on private business....

Margaret Manahan, mother of the boy, was examined in Irish by the interpreter. The policeman and the publican treated her son like a dog in the house; her son was not drunk and if he were they would kill him

Western People 24 March 1900 page 6

The Ballinrobe Irish-speaking Witness Case

Judge Murphy reverses the decision of County Court Judge Dane (from our reporter)

The case of Michael O'Connor against Anthony McCormack – an action to recover £10 damages for assault – which was dismissed by his Honor Judge Dane at the last Ballinrobe Quarter Sessions because the plaintiff, Connor, would not give his evidence in English, came on on appeal before Mr Justice Murphy at Castlebar Assizes on Saturday last. Judge Dane's refusal to hear Connor's evidence in Irish excited much comment, it will be remembered, at the time in the public press, and the result of the appeal was looked forward to with some interest.

Mr Taylor QC and Mr Powell BL (instructed by Mr Kirwan) appeared for O'Connor; Mr Fetherstonhaugh QC (instructed by Mr GF Tuohy), appeared for McCormack.

O'Connor was produced, and on taking his place in the witness-box the court interpreter, Kane, translated his evidence in Irish to the judge. It went to show that on the 29th May last he was cutting turf with his brother for Mr George Hearn, of Ballinrobe; McCormack came up to them and asked witness to point out the trench where he was cutting the turf; witness stretched out his hand to show McCormack where the trench was; the latter knocked plaintiff down, tried to choke him, and prised (?) his knees against his chest and gave him a blow on the head with a slane; witness's brother did not do anything to defendant; witness sent his brother to Ballinrobe for the police, and the sergeant then brought him to Dr Maguire, who put several stitches in his head; witness was about a fortnight in bed.

Cross-examined by Mr Fetherston – I summoned McCormack to petty sessions and the magistrates bound both of us to the peace. My sister was on the bog at the time; my brother had a shovel in his hand; McCormack took up the slane to strike my brother; McCormack was trying to choke me; we had a case at petty sessions.

His Lordship – I am not paying the slightest attention to what happened at petty sessions.

During the course of examination the **interpreter** stated that the witness was not giving proper answers.

A sister of O'Connor, an aged woman, was produced to give evidence. She commenced to speak Irish at a rapid rate, to the evident dissatisfaction of the judge, and was stated to evade the questions of the interpreter.

Mr Taylor – I know what she is saying. She says this interpreter is not translating her evidence fairly.

Subsequently the witness calmed down, and swore that she saw the assault, she did not know how long her brother was laid up.

Tom O'Connor, brother of plaintiff, corroborated the evidence of his brother.

John Hennelly deposed, in reply to Mr Taylor, that he was on the bog when the old man was struck, he did not interfere in the matter at all; a man named Duffy shouted out "save McCormack's life or the O'Connors will kill him"; Michael O'Connor was cut and he caught hold of McCormack by the throat; Tom O'Connor had a stone raised over McCormack's head and witness took it from him. [.....]

Connaught Telegraph 24 March 1900 'Mayo Assizes: Saturday – Record Court', 5.

Mr Justice Murphy resumed the hearing of appeals in the Record Court to-day. The case of the Irish-speaking plaintiff, Michael Connor, Ballinrobe, against Anthony McCormack, which was an action for £10 for assault, and which was dismissed at Ballinrobe Quarter Sessions on the 19th October last, by his Honor Judge Dane, with £2 14s 3d costs, because Connor would not give his evidence in English, came on appeal before Judge Murphy to-day. It will be remembered that the action of Judge Dane at the time was severely criticised, and formed the subject of a debate in Parliament. Judge Dane, when referring to the case at Castlebar after the first criticism appeared in the "Freeman", stated that Connor spoke "in very good English". The statement was flatly contradicted by all the Press of Mayo and by several independent witnesses, who stated they knew Connor for years. The case excited an amount of interest....

Connor was examined in Irish and his remarks interpreted to his Lordship, who did not, as was done by Judge Dane, question the statement that he could not speak English.....

His Lordship reversed the decision of the County Court Judge and gave a decree for £5, with £1 10s expenses.

Sligo Champion 16 June 1900

The Cunard Steamship Co (Limited) 8 Water Street Queenstown and Liverpool
Or to their agents – John Downs, Riverstown

Ballinrobe Chronicle 21 June 1900 page 1 (also in Western People 23 June 1900 page 8) Ballinrobe petty sessions

The cross-case was gone into.

Honor Malley v Honor Casey for abusive language.

Honor Malley (sworn) in reply to Mr Robertson, deposed – I remember the 5th June. Honor Casey came and told me that my horse was trespassing on her oats; I said to her that I found her mare on my oats the previous night and I did not say anything about it. She said it would be better for me to go home to my husband.

Examined by Mr Tuohy – How far is the bog away from the place? About a quarter mile. Her husband was in it and he could not hear what was going on.

Could you swear that? I will

How do you know – did you keep your eye on him? I did not.

If he came here and swore that he could see you and that you could not see him, would you contradict him on oath? I don't know.

Could you swear where he was? I could not.

Mary Maguire (sworn) in reply to Mr Robertson, deposed – I am related to both parties in this case, and have no interest in its result.

Witness at this point seemed to get confused, and nothing further could be got out of her.

Mr Bell – We have heard the case fully, and are convinced that Honor Casey was the worst of the two. She will have to pay 1s, which is to go to the man that **interpreted** the evidence of Honor Malley, all the other cases are dismissed on the matter.

Sligo Champion 18 August 1900 Sligo County Council

Mr John Downes, Irish Interpreter for the Courts, applied for an increase of salary. He was only paid £15 a year, which did not cover his expenses. He asked it to be increased to £25 a year, the salary his predecessor (Mr Eakens) had.

Chairman – There is no doubt that Mr Downes is a most erudite, gifted, and intelligible interpreter of the Irish language (hear hear). He speaks the Gaelic ably and well. If the Council can see their way to raise any salary it should be that of Mr Downes' (hear, hear).

Mr Mc Hugh – I propose we reduce it to £12 (laughter and cries of “no”).

Mr Brennan proposed that the salary should be increased to £20.

Mr Collery – And let him teach the Councillors who cannot speak their mother tongue to do so fluently. I know something of it already.

Mr McManamy seconded the resolution which was adopted unanimously.

Ballinrobe Chronicle 1 November 1900 page 1

A Galway “Canibal”

At the Castlebar Criminal Sessions on Thursday last, Martin Joyce, pleaded not guilty to a charge of assaulting Martin Lydon on the 17th March. [took man's ear off]

Mr MJ Kelly, CS, prosecuted on behalf of the Crown.

Mr AB Kelly appeared for the defendant.

The witnesses for the Crown gave their evidence in English.

Three Irish-speaking witnesses who were examined for the defence said that provocation was given.

His Honor remarked on the peculiarity that one side could speak English, and the other side could only speak Irish, while they all came from the same locality. He supposed they went to the same National school.

Mr MJ Kelly asked of the Irish speaking witnesses what National school she went to.

The witness replied through the **interpreter**, that she never went to school.

Southern Star 17 November 1900 ‘The Southern Land Sub-Commission in Clonakilty’, 3.

John O’Grady, landlord

Area 9 acres, 1 rood, 15 perches.

Mr PW O’Donovan for tenant, and Mr Wright for landlord.

The tenant said he had very bad English.

The Chairman – I won’t force you to speak English. Is there an **interpreter** here?

Mr O’Donovan - His English will do well enough.

Southern Star 17 November 1900 ‘Land Sub-Commission’,

John M Duggan, Dunowen, tenant

John O’Grady landlord.

Area 9 acres, 1 rood, 15 perches. Old rent 8 pounds, PLV 7p 4s

Mr P W O’Donovan for tenant, and Mr Wright for landlord.

The tenant said he had very bad English.

The Chairman – I won’t force you to speak English. Is there an **interpreter** here?

Mr O’Donovan – His English will do well enough.

The tenant, examined, stated there was a lot of rock and cliffs on the farm. It was his two daughters who were sending him money from America enabled him to keep the place. It would feed one cow only....

Tuam Herald 24 November 1900 page 4

Tuam Petty sessions

The usual fortnightly petty sessions were held on Monday last [.....]

A series of assaults

Michael Curry and Pat Ryan summoned Bridget Ryan and Michael Curry, and other Ryans, other Currys, and so on in a bewildering series of cases and cross cases. All parties live in the neighbouring village of Cloondarone, and the casus belli is some little miserable patch of a field, which one party succeeded in getting over the other's head. [.....]

Mrs Mullen was examined in Irish through Mr Gannon, Registrar, as Interpreter. One of the opposing parties asserted that she could speak English well; but the ancient dame stoutly asserted that she was no scholar and proceeded to give her evidence in sturdy and sonorous Erse. That evidence was not however of a very enlightening character.

Skibbereen Eagle 1 December 1900 6. Bantry Board of Guardians

Letter from the Kealkil Gaelic League The following letter was read:

"The Gaelic League, Kealkil Branch,

"25th November 1900

Sir – Having seen by a report in the Press the proceedings of the Bantry Board of Guardians, where a notice of motion was given by a member calling on the Medical Officer of the Kealkil Dispensary District to resign, I have been directed by the Committee of the Kealkil Branch of the Gaelic League to communicate to you, and through you with the Bantry Board of Guardians, calling their attention to a resolution of theirs pledging themselves to give preference to candidates seeking official positions from the Board, who have a practical knowledge of the Irish language, 'provided their other qualifications are satisfactory'. It is well known that this is an Irish-speaking district, as at the recent election, Irish speakers were sent to the different polling stations in the locality as **interpreters**. The Gaelic League hope, if the opportunity arises, the members of the Bantry Board will equal to the occasion, and appoint for this Irish-speaking district only a medical doctor with a thorough knowledge of the Irish language. If they do not, their resolution is only a farce, and their actions will deserve public censure. – I remain, your obedient servant,

J. Murphy Hon Sec

To R Croly Esq, Clerk of Union, Bantry

Mr J McCarthy quoted an Irish phrase, and asked jocosely how would that suit?

The Chairman was not satisfied as to its suitability.

Mr D O'Leary thought the letter should refer to all the candidates who were appointed to official positions – Master Clerks and all.

The Chairman said that it did not do so.

The Clerk said that if that had been so in the past many officials would not be in the position they now occupy.

The Chairman said it was only right that the Irish people should wake up before they lost their language altogether.

The Clerk said it would be better for him to study matters which would be more beneficial to him; he would more likely study something which would advance his own personal interests.

Mr D O'Leary asked if the names of the members who were present at the meeting of the League were given.

The Chairman replied in the negative; the letter only came from the Secretary.

Mr O'Leary said it would be well if their JP's and MP's should also study the language.

The Chairman said that any person anxious for a position in the country should study the language; if anyone started it earnestly they would master it in six months.

The Clerk said that so far as he was acquainted with the duties of a Clerk of the Union the knowledge of Irish would be of very little use to him; but apart from that altogether he would like to know it very well.

The Chairman said it was the duty of the Irish people to preserve their language.

The matter ended.

1901

Munster Express 12 January 1901 page 7 Dungarvan Petty Sessions

A man named Finger was charged with being drunk. He gave the name of Terry instead of Finger. He could not speak English, and Mr McCarthy, Town Clerk, was sworn as interpreter for Irish. The defendant said he was called Terry. A fine of 2s was imposed.

Derry Journal 23 January 1901 page 6 Lifford Quarter Sessions (before his Honour Judge Webb)

During the hearing of one of the cases, Mr **Boyce**, Court Interpreter, was called on to interpret the evidence of two Irish-speaking witnesses, which he gave very fluently to the court.

His Honour remarked that one of these Irish-speaking witnesses looked very dull and stupid as if amongst strangers, but when he conversed with the interpreter his face brightened up, and he seemed quite another man. That was strange.

Southern Star 16 February 1901 Untitled, 3.

The Irish interpreter at a Quarter Sessions requires to understand the language in all its bearing. When a witness asserts he does not know mere English, then, as a general rule, he knows Gaelic in a wonderful and astounding way. On some occasions, he becomes utterly forgetful of the fact that the Court is ignorant of the language, and will deliver a statement at lightning speed and with an idiomatic phrasing that sometimes, in part, baffles interpretation. There is on record the story of a witness who professed he did not know English. It is to be feared, too, that the interpreter had not a good knowledge of Irish. At any rate, the witness gave one answer which the interpreter translated hap-hazard, and then, to the amusement of the Court, the former blurted out "Yerra go away out o' that. I tell his worship all about it." And he did.

Munster Express 20 April 1901 page 6 Dungarvan petty sessions

Burke v O'Brien

This was a process for the cutting of furze off the boundary ditch.

Plaintiff's son deposed he had a farm of eight acres; he could not say what rent he paid for it.

Mr Williams (for defendant): Is it 1s 3d an acre? I could not say.

Mr Williams said the place was a commonage. My clientt is an Irish-speaking witness and we would want an interpreter.

An interpreter was called, and defendant deposed he was cutting furze on this place for the past 20 years; the place is seven miles from Dungarvan.

The judge said he would go and see the place on Saturday morning.

Southern Star 27 April 1901 'Skibbereen Petty Sessions'

Skibbereen Petty Sessions

The Urban Council and Sergeant Kelly summoned Cornelius Driscoll for allowing his horse on the streets without anybody in charge of him.

Fined 2s 6d and costs.

Same against Michael Connolly, Collaganeve, for a similar offence.

This man had just acted as **interpreter** in another case, and

The Chairman said as one turn deserved another they would leave him off.

Western People 25 May 1901 page 3 Interesting case at Belmullet

The tables turned

The prosecutors summarily dealt with, and deservedly

(From our reporter)

At Belmullet petty sessions on Monday week, before Gerald Griffin Esq RM, Dr Lavan, and Trevor Wade Browne Esq, a prosecution brought at the suit of District Inspector Wallace against Edward

O'Malley and Martin Corrigan, of Mountjubilee, on a charge "that they did on the 15th April last unlawfully, willfully and feloniously assault John Coyle and Patrick Coyle and cause the said Coyles grievous bodily injury". The parties declined to prosecute, and as John Coyle's life was certified to be in danger the Crown made no delay in taking up the case, the defendants being brought before a special court and remanded for eight days to Castlebar, after which they were admitted to bail to appear at petty sessions.

There were up to a dozen of cases and cross cases altogether. The Coyles appeared in court heavily bandaged with sticking plaster and linen.

Mr M V Coolican, solr, was specially retained for the defence. [.....]

Mary Barrett (an Irish-speaking witness) was next called. **The court interpreter was not present, and in the circumstances Mr Coolican asked if Constable Patrick Brennan would interpret the evidence.**

DI Wallace – It is against our instructions to allow a constable to act as interpreter.

Mr Coolican – Didn't I see him act in a case to day?

D I Wallace – That was only a trespass case. He cannot do it in a Crown case.

A man named John O'Malley, of Doologuh, was then called to act as interpreter, but Sergeant Kenna said in a stage whisper "He's a friend".

Mr Coolican – That is the most blackguard charge I ever heard made against a man of unquestionable character.

Sergeant Kenna – He is O'Malley's brother.

Mr Collican – And is that a reason why he should be charged with deliberate perjury, sir? I thought we were well acquainted with the Irish language in Belmullet without having to go to Galway for an Irish-speaking policeman.

Pat Coyle was then called to act as **interpreter**, which he did. Her evidence was not very important. [...]

Southern Star 15 June 1901 'Star Rays', 8 No information on type of case

Star Rays

At a recent case at the Skibbereen Petty Sessions, an Irish speaking witness came on the table. An **interpreter** consequently was required. There were a number of persons in court who could speak Irish, but they were all slow to come forward, owing to the fact that none of them had the legal wording of the oath in Irish. Now this is a matter the Gaelic Journals would do well to bring before their readers occasionally. We don't remember ever having come across the Irish oath in the course of our Irish reading, which is not very limited either.

Freemans Journal 23 June 1901 'East Kerry Election: The Petition at Hearing Cross Examination of Witnesses', 2.

[Intimidation and impersonation during elections in East Kerry]

The witness talked at a tremendous rate, and with a great **brogue**, which the judges declared their inability to understand.

Most of the replies had to be interpreted.

Freeman's Journal 17 July 1901 Co Mayo, 11 Castlebar

Yesterday morning, at 10.30, his Lordship the Righ Hon Mr Justice Walker, resumed the criminal business. Thomas Hunt, Ballyhaunis, Inspector for the Irish Provident Assurance Company, and Anthony Murphy, agent, Achill, were charged with conspiracy to defraud divers persons in Achill Island by taking up old insurance policies and substituting invalid ones instead.

The case was tried at the last assizes in March, but the jury disagreed.

Nearly all the witnesses examined on behalf of the Crown were Irish-speaking and their evidence was given through an **interpreter**.

Western People 21 September 1901 page 2

Court Interpreter

A letter was read from Sir Benjamin Whitney stating that **John Keane, Hollymount, had ceased to act as county interpreter.**

Applications for the job of interpreter were addressed to Benjamin Whitney in 1893. He was the Clerk of the Crown and Peace for County Mayo.

Cork Examiner 14 October 1901 page 7

At Youghal Petty Sessions a witness in an assault case, on being cross-examined by the District-Inspector of Police, replied in Gaelic, whereupon the latter said: - "Come now, you told me the facts in English, and you must speak English. Do you remember that day?" the order that a witness "must speak English", even though it came from a police officer, is, of course, absurd, and we are glad to notice that the resident magistrate took a more sensible view of the right of the witness to speak in the language of the Gael, for he said "he was sorry they did not all know Irish, but he hoped they would before long. He thought that every witness was entitled to give his evidence in the language he knew best". An **interpreter** was procured, and the witness went on with his evidence. The well-merited rebuff given to the police inspector may possibly enlarge his ideas on the subject of evidence, and also show him that witnesses have rights which are not to be overridden by officious police officers. If District Inspectors are to keep abreast of the times a knowledge of Gaelic might profitably be added to the qualifications required for the position.

Cork Examiner 18 October 1901 page 5 Irish-speaking witnesses

Sir – I observe in Monday's issue of the "Cork Examiner" a report of the proceedings at the Inst Petty Sessions Court in Youghal. Amongst the cases heard was that of a respectable elderly farmer, named Jeremiah McCarthy, against a man apparently of the tramp class, named O'Grady, for assault. McCarthy was very weak in his English, so the Bench determined to hear his evidence in Irish. The service of an interpreter had therefore to be secured. Constable Leahy was called on to discharge the duty, and he certainly did his work most satisfactorily. He appeared to have a perfect knowledge of the language, and Mr Carey, JP, who was on the Bench, complimented the Constable on his quickness and smartness in translation. The compliment was endorsed unanimously by the magistrates present, and I, who in Court, can honestly confirm the pronouncement. In justice to Constable Leahy, whom I believe to be a quiet, honest, impartial and popular officer I hope you will insert these few lines. – Yours obediently,

WG Fitzgerald

Chairman Youghal Board of Guardians

Merville, Youghal, Oct 14th, 1901 [This was a civil case]

Southern Star 19 October 1901 Macroom Quarter Sessions', 3.

Ejectments

Buckley v Buckley

Denis Buckley sued Mary Buckley for possession of a farm at Collavoohig.

Mr Norwood, B.L. (instructed by Mr Ashe, solr), appeared for the plaintiff, and Mr G McSweeney, B.L. (instructed by Mr Purcell, solr), defended.

Denis Buckley, the plaintiff, on going before his Honor, said he could not speak English.

His Honor said that in that case he would have to adjourn the case, as the **interpreter** was unable to attend.

After some pressure from his solicitor, plaintiff said he would do his best in English.

Plaintiff, then examined, stated he worked with his brother Pat; he (plaintiff) sued him for wages and got judgments against him. They settled the case by the brother making over the farm and stock to him plaintiff. The others lived on the farm all the time. Plaintiff, under the deed of settlement, got 8 cows. His brother refused to allow him sell any of the cows. He has all the produce of the farm.

To Mr Mc Sweeny – He did not pay rent or rates since he got over possession of the farm. His brother pays the rent and rates.

Patrick Buckley, on being sworn, failed to answer the questions of the solicitor. He could not speak English well.

His Honor said he would give a decree against him if he did not talk English.

On being further pressed by the solicitor, witness again signified his inability to understand.

Mr Ashe said he could speak English as well as his brother.

His Honor – It is my belief that his fellow is too great a rogue to be taken in by anyone (laughter).

Witness seemed to understand and appreciate this, for he smiled, but on persisting in his stand, he was sent down.

Mary Buckley was then called and after hearing her evidence,

His Honor said he would allow the case stand, as he believed the deed would not stand in any Court, executed as it was between three brothers, without any legal advice. He would adjourn the case to the next Sessions.

Connaught Telegraph 19 October 1901 Mr Horne, R.M., on Irish-speaking Witnesses, 3

At the Youghal Petty Sessions on Friday (Before Messers AF Horne RM, Richard Carey, JGF Linehan, TV Farrell and W Broderick)...District Inspector Buswell charged Michael O'Grady with ??assaulting Jeremiah McCarthy, Carraghmore, farmer, on September 21st last.

.....Mc Carthy had declined to prosecute.....

David White deposed that he saw O'Grady knock McCarthy down and kick him. McCarthy did not try to defend himself, but endeavoured to get away.

McCarthy was then called, and the District Inspector proceeded to examine him.

Do you recollect the day that O'Grady assaulted you?

Witness – Ni bruil and ??aga.

District Inspector – Come, now, you made your complaint to me in English, and you must give your evidence in English. Do you remember that day?

Witness – Sea.

Mr Carey said he had personal knowledge of the fact that McCarthy spoke but very little English.

The Chairman said he was sorry they did not all speak Irish, but he hoped they would before long. He was of opinion that every witness was entitled to give his evidence in the language he knew best.

An **interpreter** was then procured, and McCarthy deposed that he was confined to bed for two weeks from the result of the assault.

O'Grady was then sentenced to two months' imprisonment, with hard labour, for the assault, and one month hard labour for being drunk and disorderly on the same occasion, the chairman remarking that they were very sorry they could not make it more.

Southern Star 24 August 1901 'Bantry Petty Sessions: An Irish Interpreter's Fee', 6.

Denis Leary, and his son, Denis, summoned Hanora Leary for beating their cattle and abusive language. There were the inevitable cross-cases.

Mr Flynn, solr, appeared for Denis Leary and his son.

When Hanora Leary came to the table to be sworn she addressed the Bench in Irish.

Mr Flynn, solr, said she gave the instructions for the summons in English to the Clerk of Petty Sessions.

Mr H. Kelleher, Court **Interpreter**, in reply to the Chairman, said she could not tell her story in English.

Mr Kelleher was then asked to interpret. He refused to do so unless paid 5s for so doing. He asked the witness for the amount. Her husband offered 2s 6d, which he indignantly refused.

The Bench said they would not allow him to take payment from the Leary's, but they would send a certificate to the Crown Solicitor, and he (Kelleher) should be satisfied with what he would get.

Mr Kelleher, from the air of uncertainty about him, did not consider this a very satisfactory way of being remunerated, especially when he said he might not get enough, as he got before 1s for his services. He then said he would take the 2s 6d which he at first refused.

This caused some merriment, but the bench refused him permission to take it. On being pressed by the bench, and after some hesitation, he consented to interpret and rely on the generosity of the Crown Solicitor. Evidence having been heard on both sides, all the cases were dismissed, and the chairman stating that they ought be ashamed of themselves to be at law and away from their business on such a fine day over such trivial cases.

Ballinrobe Chronicle 30 October 1901 page 1 Untitled

The prompt release of the three Maamtrasna prisoners, Martin Joyce, Pat Jyce, and Thos. Joyce, from Maryborough Jail, where they had been undergoing a sentence of penal servitude for life, is accepted here as an evidence of the keen and genuine interest taken in the people of the West by his Excellency owing to his personal observations during his visit last week. At Maamtrasna the wives of the prisoners threw themselves before his Excellency, and in their expressive Gaelic appealed for the release of their imprisoned husbands. An **interpreter** was quickly found to make all clear, with the result that on Friday evening the three men arrived by train in Ballinrobe, well clad and looking well after 20 years' incarceration, free once more to return to their native mountains, where we trust a new and happier life awaits them in exercising the habits of industry and control which they must have acquired during the dark days of their imprisonment.

Ulster Herald 9 November 1901 Cumann Litiortha na Gaedhilge 5

On Friday evening, 1st inst., the members of the above Society had the privilege of meeting Messrs John C. and Daniel O'Boyce, of Fanad, in the Association Rooms, Foyle-street.

Mr D. O'Boyce, Donegal Court interpreter, entertained the members with the relation of a Donegal story in Irish....

Cork Examiner 20 November 1901 page 7 ALSO in New Irish Jurist 1901: 70 Also in Killarney Echo and South Kerry Chronicle 23 November 1901 page 2 Also Kerry Sentinel 20 November 1901

Scripture and the Irish language

Amusing application at the Tralee Quarter Sessions

Tralee, Monday

Before County Court Judge Shaw, at the sitting of the Quarter Sessions Court this morning, the process servers having been sworn,

Mr John P Broderick, solicitor, addressing his Honor said – May it please your Honor, if it would not be intruding too much on your Honor's time, I would take leave to remind your Honor of a petition sent to you, I understand, by one of the Civil Bill Officers of the court, John Jones, praying that he may be appointed interpreter for Tralee, instead of the existing interpreter who, Jones says, is incompetent for the office. Your Honor, Jones, whom you see in the process servers' box, is a distinguished Biblical Irish scholar (laughter). He has under his arm in the box a ponderous volume of Holy Writ in Irish (laughter). He desires me to direct your attention to Job's prayer to hear the voice of his petition. That is what he asks your Honor to do, for Jones –

His Honor – I thought it was the Psalmist who said that (laughter).

Mr Broderick – I think the Psalmist only paraphrased Holy Job, for Job's words are: "Hear diligently my speech and my declaration with your ears (laughter). Jones can tell you in both languages of the wisdom of Solomon, the superhuman strength of Samson, and the downfall of David (great laughter). He can take you into the New Testament and translate for you into Irish every line of the Four Gospels, particularly the Sermon on the Mount, which he has be heart (great laughter).

His Honor – He ought to be a missionary of the Irish Church missions (more laughter).

Mr Broderick – No, your Honor; he has no connection, whatever, with Dr Long, of Limerick (laughter); but he is patronized by Judge Adams, a great promoter and supporter of the Irish

language movement (laughter). Jones can course you in Irish over the Acts of the Apostles and all the Epistles until he lands you at last in the Island of Patmos with the exiled martyr, St John (great laughter). So you see he is a diligent reader of the Holy Scriptures from cover to cover (laughter).

His Honor – It would be all lost on me, as I don't understand the Irish language.

Mr Broderick – Your Honor, he would educate you into it speedily and with marvelous rapidity. He has been giving me some profitable lessons in my office – (laughter) – and it would be a great advantage, and, let me presume to say, a great education for yourself (laughter). His application, on those grounds, is very meritorious indeed (laughter).

His Honor – There is no vacancy at present and he must wait his turn 'till Dowd, the preent man, goes out.

Mr Broderick – I'm afraid that is a very remote contingency. I thank your Honor for listening to me so patiently.

Ballinrobe Chronicle 26 December 1901 page 1

We are glad to hear that Mr Peter Toole, Abbey-street, has received the appointment of Court Interpreter for the County, vacant for some time past. His recommendations were particularly good, and he brings to the discharge of his duties an intelligent and **practical knowledge of the work**, as well as thorough proficiency in the Irish language.

1902

Kerry Sentinel 12 February 1902 page 4

Gaelic in the Courts

At the **Tralee Quarter Sessions** on Saturday, when the land cases came on for hearing it was announced that two of the tenants named Kavanagh, from near Ventry, were unable to speak English.

It was found that the **Court interpreter** was not present, and his Honor (referring to a process-server named Jones, who had previously applied to be appointed interpreter) asked, "Where is that learned Irish scholar that Mr Broderick introduced to us."

Mr O'Connell LLD solr – I think he must have got disgusted, sir. He hardly ever appeared in court since, as his application was not granted (laughter).

His Honor – Is there anyone here who can interpret?

Mr O'Connell – The tenant's valuer, if there is no objection.

Mr Huggard, solr, said he had no objection.

Mr Daniel O'Connell, an intelligent farmer and valuer, then called the tenants, and without waiting for any instructions delivered the oath correctly in Irish, to them, his Honor appreciating the help thus rendered.

The evidence having been given, the decision in the cases were, with others, reserved.

Nenagh News 22 February 1902, 3 North Tipperary County Council

The Irish Language

The secretary said he had received a communication from the Gaelic League enclosing a copy of their paper, An Claidhnean Solus, and asking for advertisements; but as it was printed in Irish he could not read it.

Mr Fogarty – Show it to me.

The secretary handed the paper to Mr Fogarty.

Mr Trench – Where is our **interpreter**?

Mr Going – He is dead.

The matter dropped.

Cork Examiner 26 February 1902 (hard copy, NLI) page 6 Appointment of interpreter

Waterford News

County Waterford County Council

A quarterly meeting was held at Dungarvan Courthouse on Monday.

PF Walsh chairman

The meeting then considered the appointment of interpreter of the Irish language.

Mr Ussher - What salary are we going to give?

Mr Power - We are simply appointing for the County Court Judge. We have nothing to do with the Assizes.

Mr Paul The appointment is for the **one Quarter Sessions of Dungarvan**. Chairman I have communications here that are entirely in the Irish character, and I am sorry I cannot read it.

Captain Wyse Oh, oh!

Chairman Hand it to Captain Wyse to read it.

Mr Power said he had a testimonial from the local branch of the Irish League respecting Mr Thomas Veale.

Mr Hayes Pat Keane is interpreter here for the past half century. I think he ought get a pension.

Mr Power said the present man is very old, and the County Court Judge called on the Clerk of the Peace to have an interpreter appointed for Quarter Sessions.

An application was received from Mr T Veale, who was highly recommended by the Augustinian Fathers and several citizens of Dungarvan. Also he was recommended by telegram from Mr O'Daly, general secretary of the Gaelic League. Mr Hayes recommended him.

Mr T Power proposed Mr T Veale be appointed, at a salary of £30 per annum. Mr Veale has considerable experience as an Irish scholar. He would discharge the duties with honour and credit.

Mr O'Gorman seconded the motion.

Mr Mulcahy proposed Michael Walsh at £10 a year.

Mr Curran It was only £6 a year and now you make it £30.

Mr James Hayes thought £30 a bit extravagant. He would name £20.

Mr Mulcahy proposed that Mr Walsh be appointed to Quarter Sessions at £6 a year.

Mr Ussher seconded the motion.

Mr Hayes proposed that £10 be the salary.

Mr T Power proposed the salary of interpreter for Dungarvan Quarter Sessions be fixed at £20.

Mr Ussher proposed the salary be £6 a year, the same as before.

Another resolution for £10 a year, proposed by Mr James Hayes, seconded by Mr JV O'Brien.

A poll was taken and there voted

For £20 - Messrs Queally, T Power, T O'Gorman, chairman, Kearney, JC OBrien, and E O'Shea - 7

For £10 - Messrs J Flavin, Mark Smith, W Fitzgerald, JV OBrien, T Murphy and James Hayes 6

For £6 - Messrs CJ Curran, BJ Ussher, LB Wyse and Mulcahy 4

A poll was then taken as between £20 and £10.

The same gentlemen voted for the £20 and £10 respectively, with Messrs Wyse, Ussher and Mulcahy voting for £10. This made the voting 9 for £10 and 7 for £20, Mr Curran not voting.

The salary was then fixed at £10, and a vote was taken as between the two applicants, Thomas Veale and Michael Walsh.

Fifteen voted for Veale and two (Messrs Ussher and Mulcahy) for Walsh.

Mr Veale was declared elected, and he returned thanks in the Irish language.

Derry Journal 19 March 1902 page 7 record court Donegal. McGhee v Pauling & Co

This was a remix at action brought by the plaintiff for injury to his houses, lands, cattle, sheep, and crops by the defendants... The plaintiff, owing to illness was unable to appear, but his daughter, was examined, and through the Irish **interpreter**, stated that her father's house was injured by blasting operations carried on by defendant servants, who are constructing the Burtonport railway. The roof

of the house was injured, and the rain coming in destroyed the bedclothes. A number of cattle were also injured, as well as some fowls and sheep, six of the latter being killed. The cows were useless since.

Munster Express 22 March 1902 page 6 Trespass (civil)

An old man came on the chair and began speaking Irish.

Mr JF Williams: Oh, we had an interpreter appointed the other day, but not for the inferior courts.

Mr McCarthy, town clerk, was sworn as interpreter, and the witness deposed...

Southern Star 5 July 1902 'Cork County Council Quarterly Meeting: Superannuation'

Mr James Flynn, solicitor, Bantry, wrote on behalf of Mr Humphrey Kelleher asking that he be granted superannuation. Mr Kelleher was Irish **interpreter** to the County Court Judge of the West Riding for a number of years.

The Chairman – We have nothing to do with it. It is the County Court Judge appointed him.

Mr Kelly – He does not know where to go to look for it.

The Chairman – He will have to find out.

Galway Irish Interpreter.

HC Deb 22 July 1902 vol 111 cc898-9898

§MR. T. M. HEALY (Louth, N.)

To ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that, owing to Galway city being merged in the county by the Local Government Act, the interpreter of Irish has lost the emoluments he received from the town grand jury, and is obliged to do for nothing work for which £25 a year was previously paid; and will he consult the Recorder of Galway on the matter, with a view to this extra remuneration, if found equitable, being paid.

(Answered by Mr. Wyndham.) The present interpreter was not an "existing" officer within the meaning of Section 109 of the Local Government Act of 1898, in as much as he was not appointed until March, 1901. Moreover, the amalgamation of the city with the county of Galway took place in January, 1900. There are no grounds, therefore, for considering that he has any claims for compensation as suggested.

Hansard

Mayo News 26 July 1902 page 7 Mayo County Council The Election Expenses

Interpreters

The chairman said that in a few cases in which presiding officers or polling clerks acted as **interpreters** and charged fees in both capacities the Council had disallowed the lesser fee, that of interpreter. They considered that one fee was sufficient for the day. Letters had been received from some of these gentlemen complaining of this ruling and claiming the second fee. He presumed they would adhere to their decision.

Mr Daly said a rule should be made that nobody should be appointed presiding officers or polling clerks who could not speak Irish.

The chairman said it would be an excellent rule, but if the same rule were made regarding County Councillors many of them should disappear from the Chamber. They could not very well apply a rule to presiding officers and clerks that they would not apply to themselves.

Mr Costello said that if they went to France or Germany or anywhere except Ireland they found the people speaking their own language.

The New Irish Jurist and Local Government Review Vol 2 No. 4 15th August 1902 page 345 (HeinOnline)

A question has been asked in Parliament as to the gentleman in Galway City who formerly acted as interpreter of Irish in the Recorder's Court there, for which it was stated that he received £25 yearly. It was suggested that the executive should consult the Recorder of Galway on the matter with a view

to extra remuneration being paid this gentleman in respect of his capacity as interpreter in the County Court of Galway. The Chief Secretary said that the interpreter was not an “existing” officer within the meaning of section 109 of the Local Government Act of 1898, inasmuch as he was not appointed until March, 1901. Moreover, the amalgamation of the City with the County of Galway took place in January, 1900. There were no grounds, therefore, for considering that he had any claims for compensation as suggested. Of course this strict view of the law is right, and the gentleman is not entitled to any compensation as an “existing” officer; but if it is a fact, as it appears to be, that he is doing the work in the Galway County Court for which former interpreters got £25 yearly more than he is receiving, and if that result has been brought about by reason of the abolition of Galway as a county of a city by the Local Government Act, 1898, it would appear equitable and proper that his claim should be recognised by the Executive to some extent. The Local Government Board and other administrative bodies are very keen in watching the interests of officials in the employment and pay of the county and district councils. We hope that the executive authorities in the present instance will not show the local councils a bad example.

Southern Star 27 September 1902 ‘Sad Suicide in Bantry’, 2.

A determined suicide took place at Bantry about noon on Friday, when an old man named Humphrey Kelleher hanged himself by means of a rope to a small bush in the rear of his house at Glengarriffe road. The deceased was until recently interpreter of Irish in the County Court, and also civil bill officer. Owing to an accident some time ago he was compelled to relinquish the positions, which were his only means of support. He was well advanced in years, somewhere around 80. The forced loss of these positions, the bad state of his health, and the absence of means to support him appear to have unhinged his reason and driven him to the desperate deed which launched him into eternity.

Mayo News 27 September 1902 page 5 Belmullet Petty Sessions (Saturday) Na Gaedhilge

In a trespass case, the complainant was an old man of sixty-five summers named O Raghallaigh. He informed the bench that he had no English. There is no official interpreter and Constable Patrick Brennan, who interpreted on such occasions was temporarily transferred that day. Mr Gerald Bingham volunteered to interpret, but as he did not know the Irish formula of the oath, Mr Griffin, the chairman, administered the oath in Irish. (Irish words in Irish script in newspaper)

Southern Star 25 October 1902 ‘Skibbereen Quarter Sessions’, 8.

Appointment of a Process Server

Mr Wolfe, solicitor, said he did not know would that be the proper time to make an application to His Honor on behalf of the son of the late process server and interpreter at Bantry.

His Honor – I cannot do anything until after the Sessions. I would be greatly inclined to appoint a person to replace the former, who could act as process server and interpreter.

Continuing, His Honor said that he had received an application from Macroom. If they (the solicitors) considered amongst themselves that there was a good person available who could act as interpreter also – a good sober man – he would appoint him. But he wished it to be distinctly understood that in future he would be very strict with process servers and Court officials generally. He had remarked people coming into Court under the influence of drink frequently, and he would not tolerate it in future.

He did not want to get a process server who would drink.

Mr Wolfe – Of course the man whom I appear for has the entire support of the profession of Bantry solicitors – except one. The old man had the support of a family thrown on him, and that is now thrown on the son. The son was a fairly intelligent man.

His Honor – Can he speak Irish?

Mr Wolfe – No; he cannot. Would not that be met by some of the existing process servers?

His Honor – I will have to make inquiries as I want to get a man who can speak Irish, and who will not have a sign of drink on him, or he will be immediately dismissed.

Mr Flynn, solicitor, Bantry, said he did not sign the application of Mr Wolfe's client because there were two process servers already in Bantry, where the applicant lived, and the difficulty was to get processes served in the district in which the other man applying for the position (Power) was living. That was in Glengariffe. He (Power) could speak Irish well and he thought he would be a more suitable man.

Mr Wolfe – Bantry is one of those districts in which I never have any trouble having processes served.

Mr Flynn – That is so, but it is different with Glengariffe, and this man is living quite convenient to it.

His Honor – Mr Long has just suggested to me that they must be different people because the interpreter must be away in Macroom at the time of the services of the processes.

Mr Flynn – Yes, that is the reason the deceased used rarely serve any processes.

Mr A.M. Sullivan, B.L. – That would not apply to a Macroom man.

His Honor – But what happens to a Macroom man is that he drinks (laughter)

Mr Wolfe – I would ask you to appoint Kelleher

His Honor – Will he undertake to serve processes round Glengariffe.

Mr Wolfe – he will.

His Honor – Recollect that you are appointed particularly for the Glengariffe district.

His Honor then appointed Kelleher, and said that applications might be sent to him for the position of Court interpreter.

Killarney Echo and South Kerry Chronicle 8 November 1902 page 4 The Irish Witness

A dramatic scene was witnessed in Tralee Courthouse on Saturday. His Honor Judge Shaw was hearing a case in which a man was charged with burglarious entry into a house at Glenbeigh. Among the witnesses was an Irish-speaking woman whose daughter was the principal Crown witness. When the Irish-speaking witness was called it was found that the **official interpreter** was absent, as the rule in Tralee is that notice should be given if his services were required. The Court was therefore confronted with a new phase of the Irish difficulty. The Crown Solicitor appealed to several gentlemen present, the Judge called on a solicitor who is known to speak Irish fluently; some of the jurymen were suggested as capable, and the Judge agreed to accept one of them as interpreter if the Crown Solicitor and Counsel for the defence were satisfied, but ultimately the only available interpreter who did not shirk the responsibility was the prosecutrix, Norah Riordan. The unexpected scene of the principal Crown witness being unanimously requested to interpret the evidence of another Crown witness was then enacted. To her credit, be it said, she acted with perfect honesty, but those who speak of the inutility of knowing Irish should have seen how Judge, Jury, Counsel and Crown Solicitor had for the time to confide the majesty of British justice to the keeping of an Irish girl capable of speaking her native tongue. If the County Court Judge could have read a lecture on the occasion he might have suggested that members of the legal profession would do well to become members of the Gaelic League or otherwise endeavour to acquire a knowledge of Irish. It was a novel, but none the less forcible, justification of the necessity for a Gaelic League in Kerry.

Western People 13 December 1902 page 2 Ballina Petty Sessions

[Before RD Crotty Esq RM] Assault

Bridget Jordan summoned William Sarsfield for assault.

Mr Bourke appeared for defendant.

Complainant said she could not understand English.

Chairman – Can you speak English?

Witness – I have no English, sir (laughter)

A man named John Hughes was called from the body of the court to interpret complainant's evidence.

Complainant deposed that on the occasion in question she went to defendant's house for a tin can when defendant threw her outside the door into a pool of sink on the broad of her back.

Mary Jordan deposed that this old woman was always annoying them.

The case was dismissed.

1903

Killarney Echo and South Kerry Chronicle 14 March 1903 page 3 Record Court

His Lordship, Mr Justice Kenny, entered the Record Court at 11 o'clock on Thursday morning and took up the hearing of appeal cases.

Currane v Currane

This was an appeal against a decision of the County Court Judge dismissing an action for damages for trespass.

Bridget Currane, respondent, gave her evidence in Irish through the medium of the court interpreter.

Wicklow People 3 October 1903 page 6 Irish in the Revision Court Interesting Point NAME IN IRISH

On Tuesday Mr JM Day, revising barrister, resumed in the Rathmines Town Hall the revision of the voters' lists for the Rathmines Polling District.

... The Unionists objected to the claim of Patrick Purcell as a lodger in the house 6 MountHarold-terrace. In the claim form Mr Purcell signed his name in Irish as follows – Pdraig Ua Puirseal (Irish script). The witness, Daithi Ua Donnchadha, 22 South Circular Road, also signed his name in Irish, the date Lugnasa 1 1903, being also written in the National language. Mr Soddall said the signatures were very clearly not in the English language, and consequently the document was not a proper record for the court.

Revising Barrister – the Irish language is only used in court when the person cannot speak English.

Meath Chronicle 19 December 1903 'A Story of Baron Dowse', 8.

Baron Dowse was once on circuit, when the prisoner on trial could only understand Irish, and so an interpreter was sworn. The prisoner said something to the interpreter, and the interpreter replied to him. "What does he say?" demanded the judge. "Nothing my lord". "How dare you say that, when we all heard it. Come sir, what was it?" "My lord, it has nothing to do with the case." "If you don't answer I shall commit you, sir. Now, what did he say?" "Well, my lord, you'll excuse me, but he said I Irish "Who is that old woman with the red bed-curtain around her sitting up there?" "And what did you say" asked Baron Dowse? "I said to him 'Whisht, my boy, that is the old fellow as is going to hang you.'

1904

Irish Times 2 January 1904 'Irish Language Notes', 6.

There are court-houses too, in the South in which the **interpreter** is still heard at Petty Sessions and Quarter Sessions, but I fear he is a vanishing quantity, and not because the lawyers and magistrates are learning Irish, but because Irish itself is not so widely spoken as it was twenty years ago.

Sligo Champion 23 January 1904 page 5 Public boards and the Irish language

The Glenamaddy and Tuam Boards have just appointed Irish-speaking doctors to dispensaries in their unions. A preference was given to candidates with a knowledge of Irish, and it was interesting

and instructive to find the supporters of each candidate eloquently dilating on the unrivalled knowledge of the language possessed by their man. Before proceeding to the election, the Guardians satisfied themselves as to whether the candidates knew the language sufficiently well. This is an example which should be followed. In most parts of Connaught, Munster and Ulster there are still poor patients who cannot describe their symptoms in English, and unless a doctor can question them in Irish, and understand their answers, he cannot conscientiously do his duty to the poor. The knowledge obtained through an interpreter is valueless.

Sligo Champion 23 January 1904

Manorhamilton, held, for the purpose of forming a branch of the Gaelic League, will appear in next issue. Irish in Public Examinations. —* It is wonderful the way in which the Irish language, a few years ago and looked down upon and excluded from the schools of this country, now beginning to permeate every department of education in Ireland. A little while ago the Incorporated Law Society, which governs the solicitors' profession, added Irish to the subjects examination of those seeking to become solicitors. It was seen, the Society that solicitor who was ignorant of Irish would, in an Irish-speaking district, be at a disadvantage compared with one who could speak the language. The Lord Chancellor has also recognized this fact, as, in appointing a Commissioner of Oaths for the district of Dingle in Kerry, gave the preference a Mr. O'Connell owing to his being a fluent speaker of Irish. The next bodies to make a move were two of the leading banks—the Hibernian and the Munster and Leinster. As numbers of cheques are now drawn and signed Irish, the banks have made Irish a part of the examination for their clerkships. Then medical profession. The Royal College of Surgeons and the Royal College of Physicians, recognizing the great of a knowledge Irish to doctor practicing in the Western portion Ireland—an importance far greater than that of French, German, or any other foreign tongue—have also added Irish the curriculum their students. This one of the most important steps which have yet been taken, and must have far-reaching effects. Owing large volume of postal matter, addressed Irish, which now passes through the Post Office, those postal officials who are ignorant of Irish say that they are considerably hampered in the performance their duties. It is, therefore, believed that only very little pressure would be needed to induce the Postmaster-General add Irish to the subjects of the examination for postal officials. This is a matter which the Irish Party might usefully take up during the coming session. Public Boards and Irish Language Up to the present, the attitude of many public boards towards the Irish language left much to be desired. Lately two great steps forward have been taken towards giving the National language its (Due place in the public life of the nation. the 7th instant. Mr. Cotter moved, at the meeting of the Cork County Council, that on and after January 1st. 1905. no position in the gift of the Council be given to anyone who shall not possess a knowledge Irish. This was supported various members, several of whom spoke Irish, and, -there being opposition, it was unanimously carried. Some time ago the Board Guardians at Macroom. Co. Cork, made Irish the official language of the Board, and, since then, all the business has been transacted that language. Now another board has followed suit. the inst. the Dingle Board Guardians unanimously adopted a resolution making Irish the official language, at Macroom. understand that, as a matter fact, Irish has for some time been constantly used the Board's meetings to equal extent with English, but it has now been decided to make the speaking of Irish the rule. If anybody, in future, speaks English, the Chairman will call him to order, and draw his attention the rule. course, any member cannot express himself in Irish will allowed to so English. The Glenamaddy and Toam Boards have just appointed Irish-speaking di/memaries in unions. A preference was given the candidates with a knowledge Irish, and it is interesting and instructive to find the supporters of each candidate eloquently dilating the unrivalled knowledge of the language possessed by their man. Before proceeding to the election, the Guardians satisfied themselves as to whether the candidate* know the language sufficiently well. This is example which should be followed. In most parts of Connaught, Munster, and Ulster there are still poor patients who cannot describe their symptoms in English,* and unless a doctor can question them in Irish,

and understand their answers, he cannot conscientiously his duty tho poor. The knowledge obtained through an interpreter ifl valueless.

Munster Express 12 March 1904 page 8 Waterford spring assizes County Court Alleged attempt to poison near Dungarvan

Mary McGrath, a married woman, residing at Glenlickey, midway between Dungarvan and Youghal, was indicted on five counts, charged with having, on the 11th Janaury 1904, administered to her father, Michael Kiely, a poison called corrosive sublimate, with intent to kill.

Wm Frederick Russell, Clerk of the Petty Sessions at Clashmore, was swron as interpreter and interpreted the evidence of Michael Kiely, an Irish speaking witness.

Southern Star 21 May 1904 'Schull District', 2.

The tenant (an Irish-speaking witness, who was interpreted by **Mr P. Walsh, valuer**) gave evidence of improvements.

Donegal Independent 3 June 1904 ballyshannon quarter sessions

His Honour Judge Cooke: He thought that Mr D Boyce, who is 82 years of age, and Mr Condy Boyle, who is 86 years of age, had well earned their repose. They would, however, remain as interpreter and in order to make their duties as light as possible he trusted that the solicitors would give early notice when they intended examining Irish speaking witnesses, so that they could have Mr Boyle in attendance.

Sligo Champion 18 June 1904 page 5

Gaelic League Dromard Branch

The committee of the above branch met on Sunday last. Father Healy presided. There was a lively discussion among the members of the committee on matters of importance relative to the working of the branch. Mr Pat Boland moved a resolution commending the people of Dromard to take the advice of their Bishop and join the Language Movement and subscribe to the funds of the Gaelic League, as any person calling himself an Irishman and a Nationalist should support the mother tongue. Carried unanimously.

Killarney Echo and South Kerry Chronicle 25 June 1904 page 8

Dingle petty sessions

(Before JM Miles, M.D., JP)

Michael Lynch, Farranasteenig, sough to have Mrs Hanoria O'Connor, of the same place, bound to the peace.

Dr O'Connell appeared for the plaintiff.

The same families were before the court at the previous Petty Sessions, when there were cases for assault and cross-cases, all of which were dismissed with a caution that peace should prevail in future or they would all be sent to gaol.

Dr O'Connell said his client had been keeping quiet but he would not be allowed.

Plaintiff gave evidence in corroboration, and the defendant was bound to the peace for 12 months, or in case of her default to procure bail, to go to gaol for one month.

Defendant (Irish-speaking) - Will he (Lynch) be bound?

Mr Dowd (interpreter) – No.

Defendant – Well, I'll go to jail.

Defendant was taken into custody.

Dundalk Democrat 25 June 1904 page 9 Gaelic in the Witness-Box

At the Enniskillen Petty Sessions on Monday, Mr James Gray, R.M. presiding, a witness named William J. Nethercott was called by the police in an assault case, and after taking the oath he commenced to give his evidence in Irish. Sergeant John Tiernan, who was conducting the case, asked him did he remember Monday night, the 30th May, and he replied in the affirmative in Irish.

Chairman – Speak in a way that we can hear you.

Sergeant Tiernan – He wants to give his evidence in Irish.

Mr Humphreys JP – I am afraid we would need an interpreter.

Mr Lindsay JP – It's nearly time that we had one in the court.

Mr Trimble JP (to witness) - Do not be guilty of contempt of court.

Mr Lindsay, JP – Is it contempt of court to speak Irish? – What an absurd idea.

Chairman (to witness) – Can you not speak English?

Sergeant – Do you remember Monday night, the 30th May?

Witness - I do.

Chairman – This is not a laughing matter. It's a serious assault case, and you should give your evidence in a way that all the magistrates can hear it.

Mr Crumley, JP – He was not making it a laughing matter. He was giving his evidence in our native language.

Mr Lindsay – Some day the magistrates will get sufficiently educated to understand the Irish language.

Mr Trimble – It is a matter of law that the evidence should be given in English if the witness understands English.

Mr Crumley – In some places the authorities provide interpreters.

The witness, who is a member of the Lough Erne Branch of the Gaelic League, then gave his evidence in English.

Tuam Herald 20 August 1904 page 4 Milltown (Galway) Petty sessions

Mr JD McDonagh had some persons summoned for poor rate when decrees were granted.

A good deal of amusement was caused by one of these defendants, a very old man, who could speak nothing but Irish, coming up to defend his case, and **Mr McDonagh himself had to act as interpreter**. Eventually he was decreed for 1s 11³/₄ with costs.

Mayo News 15 October 1904 page 8 Ballinrobe petty sessions Mon Injury to a sheep

Mary Lydon, Tourmakeady, summoned Bridget Lydon for injury to a sheep.

The plaintiff sworn deposed that she saw the defendant's dog follow her sheep and drive one of them into a river. The dog tore the sheep in the back. The sheep was value for 14s or 15s.

John Lydon, a young boy of about twelve years of age, was next called and was unable to speak English so the services of an **interpreter** were requisitioned. The witness said he saw the defendant drive the sheep into the river with a dog. The sheep was torn.

Martin Lydon, an Irish speaker, corroborated the evidence of last witness.

A decree for two shillings was granted with costs.

Donegal Independent 25 November 1904 page 5

On the motion of Mr Hanna, seconded by Mr McArthur, John Boyce, Drumany, was unanimously appointed to the position of Irish interpreter at the Assizes at a salary of £10 a year.

Southern Star 17 December 1904 'Skibbereen Petty Sessions', 8.

John Cadogan, tenant, same landlord.

Area, 32 acres 1 rood 14 perches; old rent, £5 9s; Poor Law Valuation £5; second term application.

Mr Healy for the tenant.

Mr Wolfe for the landlord.

Mr Healy said the tenant was living in Cape Clear Island, and it was very difficult to get in or out. A person may be a fortnight waiting before he could get in or come out of the island.

It was stated that the applicant could give evidence only in Irish.

Mr Wolfe said he could give evidence in English, as he had some words of English.

The Chairman said to let him give evidence in whichever language he could speak best.

Mr Donovan, valuer, was appointed to interpret for the Court.

Applicant was examined in Irish and gave evidence of having made improvements. He has three little cows, and no horse or sheep. He has to buy handfeeding.

Mr Healy – Ask him does he buy bran.

Mr Donovan put the question.

Mr Healy – Have you got no Irish for “bran”?

Mr Donovan – There is no Irish for bran.

Mr Healy – I suppose it did not exist then.

1905

Clare Journal 6 March 1905 The Crusheen Relieving Officership (The Gaelic League in County Clare - Clare Local Studies)

At the meeting of the Ennis Board of Guardians on Wed the Clerk submitted for the Guardians' approval the advertisements to be issued inviting applications to fill the post of Relieving Officer for the Crusheen and Killaniv districts.

On the suggestion of Mr Moloney, it was decided to insert in the advertisement that preference would be given to candidates possessing a knowledge of the Irish language.

The suggestion was agreed to. Mr Moloney also suggested that the Clerk in all future communications to the Guardians address their names in Irish. Mr Harding disagreed with the idea, and said it was making very little of the Gaelic League.

Kerry Evening Post 8 March 1905 page 3 Waterville petty sessions

Augustine Brennan, Beenbane, was charged with stealing £79 from Hanora Brennan.

Mr Hobbins stated that her Laura Brennan had refused to sign her deposition made in the case. (District inspector Hobbins)

She was the first witness, and gave her evidence in Irish, through an **interpreter**.

Examined by Mr Hobbins (through interpreter) – had you £79 in gold? No.

Had you any money, and, if so, how much?

I had 10 half sovereigns and five sovereigns in a canister.

Mr Hopkins – when did you miss the money?

Witness (who appeared to be very nervous and excited) – I do not know.

Do you know what became of this? My son Augustine said he took it.

To Captain Crane – I did not lose any money. My son said he took the money. I told the police.

Kerry Sentinel 11 March 1905 page 4 Waterville Petty Sessions

District-Inspector Hobbins, Cahirciveen, charged Augustine Brennan, Beenbane, for that he (the defendant) did, between the 4th and 6th of February 1905, steal, take and carry away a sum in gold, believed to be £79, from the hosue of James Brennan, the property of Hanora Brennan.

Mr Hobbins stated that Hanora Brennan had refused to sign her deposition made in the case.

She was the first witness, and gave her evidence in Irish, through an **interpreter**.

The Kerryman 11 March 1905 'Waterville Petty Sessions' Also Cork Examiner 8th March 1905 page 12

Evidence in Irish

Before Captain CP Crane, RM, presiding; Messrs D O'Connell DL, JE Butler, and M Fitzgerald District Inspector Hobbins, Cahirciveen, charged Augustine Brennan, Beenbane, for that he (defendant) did, between the 4th and 6th of February, 1905, steal, take and carry away a sum in gold, believed to be £79, from the house of James Brennan, the property of Hanora Brennan.

Mr Hobbins stated that Hanora Brennan had refused to sign her deposition made in the case.

She was the first witness, and gave her evidence in Irish, through an interpreter.

Examined by Mr Hobbins – (through an **interpreter**) – Had you £79 in gold?

No.

Had you any money, and if so, how much?

I had ten half sovereigns and five sovereigns in a cannister.

Mr Hobbins – when did you miss the money?

Witness (who appeared to be very nervous and excited) – I do not know,

Do you know what became of it?

My son, Augustine, said he took it.

To Captain Crane – I did not lose any money. My son said he took the money. I told the police.

The deposition of James Brennan (father of the accused) in the case was then read.

[sum altered to ten pounds]

Western People 15 April 1905 page 3 Tuam Quarter Sessions (from our reporter)

His Honor Co Court Judge Anderson opened the business of the above Sessions on Monday, at 11.30 a.m. his Honor was accompanied into court by Mr Gerald Cloherty, Clerk of the Crown and Peace; Mr RJ Carter, Registrar, and Mr J O'Donnell, Court **Interpreter**. (no mention of any interpreting after that)

Clare Journal 1 May 1905 Gaelic League and the Post Office Resolution of the Ennis Board of Guardians (Clare Local Studies)

On the termination of the business of the Ennis Board of Guardians on Wednesday, the question of the refusal of the Ennis Post Office to deliver communications addressed in Irish, was referred to by Mr Moloney, who said that the Secretary of the Gaelic League had forwarded to the Ennis Post Office communications to branches of the Gaelic League throughout Clare, with a view to getting their co-operation for the feis movement. But the new postmaster who had been appointed, declined to deliver the letters because they had been addressed in the Gaelic League movement. He would ask them as representatives of the people to take the matter in hand, and to see that those communications would be delivered within the proper time to the persons to whom they were addressed, every other communication from the Gaelic League... London for instance, had been delivered without any delay in Ennis, and was it not very strange, and did it not show that the ? of the postmaster in Ennis was very high-handed in not discharging his duty to the Ennis addresses of Gaelic communications in not having these documents delivered in their proper quarters and within due time. He would ask the board to pass a resolution to have those communications forthwith delivered to their respective ? and to give an explanation why he delayed them for so long.

Culligan – Is he able to read them?

Garvey – If he was he would read them. Mr Moloney – That is not the question. How is it he sent communications to other places?

Mr Brennan – If he gets letters from Russia he would read them and have them delivered. Mr Frost suggested – Instead of passing a resolution calling upon the Ennis postmaster for an explanation, to have a resolution forwarded to his superior, and that the latter should call upon the postmaster at Ennis to have the letters delivered. The following resolution was then proposed by Mr Moloney, and seconded by Mr Brennan –

“That we, as members of the Ennis Board of Guardians, beg to draw the attention of the postmaster in charge of the post office in Ennis in failing to deliver communications addressed in Gaelic to the

branches of the Gaelic League in Clare in connection with the annual Feis and we call upon him forthwith to instruct said postmaster to have all such communications promptly delivered in future.”

Irish Independent 22 May 1905 ‘R.M. and Gaelic Leaguer’. 2.

The magistrates sitting at Youghal Petty Sessions on Friday (Mr A.E. Horne, R.M., presiding) dealt with a number of assault cases from Clonpriest, an eminently Irish-speaking district.

One witness having announced in the vernacular that he could not give his evidence in English, Mr Horne, R.M., met a solicitor’s remark that the man “spoke perfectly well in English” with the declaration – “The witness can select to give his evidence in the language in which he can express himself best.”

The witness was interpreted by Mr Michael Fitzgerald, hon. Secretary of the Youghal Branch of the Gaelic League.

In thanking Mr Fitzgerald, on behalf of the Bench, for his invaluable aid, Mr Horne said the Court regretted that they could not understand the evidence themselves. He would have much pleasure in reporting Mr Fitzgerald to the proper quarter, with the object of his being paid a fee.

Donegal Independent 9 June 1905 Donegal crown sessions

Neil Sweeney, Meenacross, Dungloe, was indicted for beating Daniel Gillespie, occasioning him actual bodily harm.....

Daniel Gillespie, an old man, **who gave his evidence through an interpreter**, deposed to the defendant entering his field, driving off the cattle, and beating him badly, eventually putting him out of the field.

Irish Independent 10 July 1905 ‘The Irish Language’, 4.

Mr Boland having asked the Attorney-General for Ireland whether he could state under what statute proceedings could be taken against the owner of a cart in Ireland who affixes his name in Irish to the cart, has been informed that the statute is 14 and 15 Vic. Cap. 92, section 12(I). The offence is not for having the name in Irish on the cart, but for using the vehicle without having the owner’s name and address legibly painted thereon. This has been interpreted by the High Court to mean that the name and address must be in English characters. (House of Commons)

Limerick Leader 14 July 1905 ‘The Assizes’, 3

At half past ten this morning, the Right Hon Mr Justice Wright entered the County Crown Court and resumed the business of the Connaught Winter Assizes.

Alleged Discharging of Firearms

John Kavanagh, Kinvara, Co. Galway, was indicted for discharging firearms on the 20th November, to the terror of his Majesty’s subjects with the object of compelling Patrick J Flatley to quit a certain farm of land. A jury, of which Mr Alex Jordan was foreman, was sworn to try the case.

One of the witnesses gave his evidence in Irish, another witness acting as interpreter.

Limerick Leader, 14 July 1905 Bathers’ Victory, page 3

It will be remembered by readers that in a recent issue of the Leader we made reference to the fact that certain officious policemen from Mary-street Police Barracks one day lately pounced on the youthful swimmers at the Metal Bridge near the Longpavement railway station. The names of twenty-five youths were taken for the purpose, as we anticipated, of prosecution, and the tantalizing thing about the taking of the names was that most of the boys concerned gave their ? in Irish. An **interpreter** was brought to the rescue, and the summonses were duly issued in the British language. Today the twenty five summonses were heard at the Petty Sessions, much to the amusement of the public. The crime with which each individual was charged was that of alleged indecency. Magistrates, policemen, clergymen, well-known citizens, boys innumerable have been swimming at

that very spot for many years. In fact it was there that most of the youth of Limerick learned the very essential art of swimming.

Connaught Telegraph 28 October 1905 'The Irishtown Stabbing Case', 7.

His Honour who was reading over the depositions, said that he observed the phrase 'cuisde bower' in one of the depositions, which he didn't understand.

Mr Robertson – That means a "fairy coach".

Mr O'Toole, the court interpreter, said that the literal meaning of the phrase was "a silent coach" which meant, in other words, "a coach without horses".

Sligo Champion 9 December 1905 Connaught Assizes Sheep stealing

Patrick Ridge and Bridget Ridge, from Connemara, were put forward on the indictment that they did on the 21st October last unlawfully and feloniously did take steal and carry away three ewes the property of Bridget Ridge; two wether sheep....

Mr Hynes BL who prosecuted, said the female prisoner did not speak English, and an interpreter in Irish would have to be sworn.

Mr Anthony O'Donnell was then sworn as interpreter.

The male prisoner pleaded guilty on all the charges, as did the female prisoner speaking in Irish, which was translated by the interpreter.

Nine months in jail with hard labour and three with hard labour for her

1906

Dundalk Democrat 13 January 1906 page 3 Dundalk Petty Sessions Fishery Prosecution

Hugh Craig, inspector of fisheries, summoned James Lennon and Owen Lennon, jun., both of Lurgankeen, for using a light and gaff in or on the bank of the Forkhill River on the night of the 13th December with intent to take salmon or other fish, contrary to Section 78 of 5 and 6 Vic, cap 106. [.....]

Mr Sheridan asked the witness some further questions and his reply not being very clear, Mr Sheridan remarked that the Fishery Board should have an **interpreter** in these cases.

Irish Times 29 June 1906, 'Work of the Congested Districts Board' 6

Blasket Island: There the population spoke nothing but Irish, and the **interpreter** was a young lady who lived for some time in Boston (laughter).

The Kerryman 21 July 1906 'Gaelic League Tralee Branch', 5 Also Kerry Sentinel same date

A meeting of the Committee of the above was held at the Courthouse, on Tuesday night the 17th inst. Dr O'Connell, Chairman, presiding. [...]

Amongst others, the following reply was read to the resolution of the Committee in reference to the appointment of Magistrates having a knowledge of Irish for each Petty Sessions District of the County: -

Castledrum, Castlemaine,

9th July, 1906

Dear Sir – In reply to your circular of the 5th inst., there is no Branch of the Gaelic League here. Your resolution is a good one, and I hope your Committee will proceed with it, for the object is much needed on occasions even yet.

I had myself to act as interpreter a few times in Milltown Court, and I witnessed a miscarriage of justice at an Assizes in Tralee through a wrong interpretation some years ago.

Yours truly,

Eugene O'Sullivan (national teacher in 1901 census. Castledrum, Boolteens, Kerry)

Seaghan O Duilleain. [This letter also appeared in Killarney Echo and South Kerry Chronicle, and Kerry Weekly Reporter 21 July 1906, page 6]

The resolution of the Committee referred to above is as follows: -

Proposed by Mr P Gallagher, seconded by Mr T Slattery and Resolved – “That this Committee is of opinion that the time has come when **one or two Magistrates having a knowledge of the Irish language should be appointed for each Petty Sessions district in this Irish-speaking County**, and that our Secretary be directed to communicate with each Branch of the Gaelic Lemilltoague in the County with a view to getting an expression of their opinion in the matter.

It is hoped that the Gaelic League Committees who have not yet sent a reply to the above resolution will do so as soon as possible.

1907

Irish Independent 4 January 1907 ‘Judge and Irish signatures’, 7.

At Carrickmacross Quarter Sessions yesterday during the hearing of an undefended ejectment case, before Judge Craig, in the case of a family named Duffy, residing at Ballynagearn, Carrickmacross, Mr Grant, solicitor, handed in an agreement which was drawn up between the parties after their father’s death. It was signed by Mr Eudhmonn O’Toole, travelling Gaelic teacher, for South Monaghan, as witness in Irish.

His Honor – Who is the gentleman signed his name in Gaelic? You know the result of this sort of thing will be that there will have to be an **interpreter** appointed in every County Court.

Mr Grant, solicitor – Last night I endeavoured to get this man to sign it in English, and he is out in the country, but I expect him in to-day.

His Honor – I have no objection to anyone speaking or writing Irish – it is no business of mine – but in a legal document like this it should be signed in English. “I don’t think”, concluded His Honor – “there is any Court in Ireland would recognize a signature in Irish.”

Skibbereen Eagle Sullivan v Sullivan 2 February 1907 page 1

This was an ejectment on title brought by Daniel Sullivan (Soonish) of Gurtahig, against Michael Sullivan (Comba) and Jas. Sullivan (Comba), also of Gurtahig, for possession of all that and this part of the lands of Gurtahig aforesaid, containing in all 1 acre 1 rood and 7 perches, statute measure, or thereabouts, in the parish of Kilnamanagh.

Mr JM Burke BL (Instructed by Mr GJ Hegarty, solr, Castletownbere), for the plaintiff.

Mr C Lehane BL (Instructed by Mr Flynn solr, Bantry) for the defendant.

Mr Burke said there were actions for assault, as well as the ejectment, and they were all mixed up.

Mr Lehane – I say the service is bad. They served us with the original, and that is bad.

His Honour – Show it.

Mr Burke BL – We have the original

His Honour – Are they both stamped?

Mr Long (registrar) – They are. In fact, they have only paid too much stamp duty on the copy.

Mr Burke – All the difference is that the word “copy” was not written on the one served.

His Honour – Go on with the case.

Daniel Sullivan, plaintiff, was examined in Irish, **Mr [Edward] Collins, Civil Bill Officer, acting as interpreter**. The witness gave evidence as to buying a farm from a woman named Mrs Hanley, who had been using it for 38 years as her own. The farm included the bit of land in dispute. There was a dispute last summer about the place, and a row.

Mr Lyne, mapper, produced a map of the place.

Mrs Hanora Hanley, another Irish-speaking witness, deposed that she sold her farm to Sullivan (Soonish). There was a bit between the farm and Sullivan (Comba's) field. She was using it for 38 years. She used to cut hay off it, and dig it, and preserve it for hay. She knew the bit near the strand. There was a fight last July about the former bit. She used to set potatoes in the bit near the land. She could not tell how often, it was so long since she sat them. She had potatoes there about 14 years ago. She used keep Comba's cattle away from it. Comba used to herd his cows in the next field. She had nothing to say to a certain field which was divided into three parts, but she owned one-third of it. For fear she would tell a lie, she could not say whether it was six or seven years ago.

His Honour – Ask her was she pointed out the place where her part was.

Mr Collins – She says she was present when it was divided.

Cross-examined by Mr C Lehane – She never saw Comba using the disputed field. Neither Sullivan Comba nor Sullivan Soonish made a fence there since she sold it, as the fence was there also.

Patrick Hurley deposed that he was one of the men who divided the field held in common. One part was for Hanora Hanley. The boundary was marked out by rocks.

.. His Honour gave a decree for possession of the three plots in dispute.

Derry Journal 20 March 1907 County Donegal Appeals Lifford

The evidence was given in Irish, and Mr John Boyce, Court Interpreter, did the necessary interpretation in an accurate manner.

Western People 16 March 1907 page 5 Mayo Spring Assizes

Right Hon Lord Justice Holmes

His Lordship, addressing the Grand Jury, said [...]

The other two cases are very small. One of them is a case of robbery or larceny from an Irish-speaking man, whose evidence, I presume, you will be obliged to take through an **interpreter**.

Loughrea Irish Interpreter.

HC Deb 27 March 1907 vol 171 cc1776-71776

§MR. GWYNN (Galway)

To ask the Chief Secretary to the Lord-Lieutenant of Ireland if his attention has been called to the fact that the post of Irish interpreter for the Loughrea division of county Galway has been vacant since October last, owing to the fact that the salary of £10 offered is insufficient even to defray the necessary expenses of attendance at the quarter sessions in four towns, and that, under the Local Government Act, no allowance for expenses can be made by the sheriff or county council; and if he will take steps to remove this difficulty, which hampers the administration of justice for native Irish speakers of the district.

§(Answered by Mr. Birrell.) My attention has been called to this matter. Under the existing law the annual amount which the county council may provide for the payment of an interpreter at quarter sessions is limited to £30. In the case of county Galway this amount is divisible into three sums of £10, payable in respect of different divisions of the county, and I am informed that some difficulty exists in obtaining an1777interpreter at this rate in one part of the county. I cannot undertake to introduce special legislation with the object of enabling the county council to increase the payments to interpreters, but the matter will receive consideration in the event of legislation being introduced to amend the Local Government Acts.

Connaught Telegraph 23 March 1907 'Larceny of £6', 9.

At the **Mayo Criminal Assizes** on Friday last, before the Right Hon Lord Justice Holmes, a middle-aged man named Michael Hamilton, of Ballinrobe, was put forward in custody charged with stealing a sum of £6 from John Finn, an Irish-speaking countryman from the Partry district, on the 6th January last....

John Finn, an old man, was examined, and gave his evidence through the Court interpreter. ... From other evidence given it appeared that the police heard of the occurrence, but were unable to know the old man's complaint until they procured an Irish-speaking constable, who acted as interpreter.

Gaelic Interpreter at Galway County Court.

HC Deb 23 March 1907 vol 171 c13671367

§MR. DUFFY (Galway, S.)

To ask Mr. Attorney-General for Ireland if he is aware that it was always the practice to attach a Gaelic interpreter to the Court of the County Court Judge in Galway; is the office at present vacant; and, having regard to the fact that Galway county is largely an Irish-speaking county, will he take steps to have a competent person appointed.

§(Answered by Mr. Cherry.) I have referred this Question to the Recorder of Galway, with whom the appointment of interpreter rests. The Recorder informs me that there are interpreters in the Clifden and Galway divisions of the county, but that a vacancy exists in the Loughrea division. He has endeavoured, by means of advertisement and otherwise, to obtain a suitable person, but has not so far succeeded in doing so. The matter is not one in which I have any power.

Cork County Eagle Bantry Quarter Sessions Murphy v O'Brien 22 June 1907 page 1

John Murphy, of Breenymore, sued Cors Brien, of same place, for £10 damages; £5 thereof being for that in the present year the defendant hindered and prevented the plaintiff from building a fence on this landas, part of the lands of Breenymore, and the remaining £5 for the a plaintiff and defendant, and one Michael Lucey being jointly entitled to the use and possession of a certain mountain part of said lands, and the defendant let the bog to several parties who cut turf thereon....

Wm Connell, who spoke in Irish, was examined, and through the **interpreter** said he knew the mountain: Murphy got some of it from his sister's husband for grazing. He knew it for 50 years, and never saw Brien grazing it.

Cork Examiner 9 July 1907 page 8

Castletownbere petty sessions

Mary Harrington, of Kiltrasna, summoned her son, John, for trespass of cattle on various dates.

Mr GJ Hogarty, solr, appeared for defendant, and Mr MJ O'Sullivan solr for complainant.

The land appeared to be in dispute between the parties. Complainant by a deed of assignment held the land during her lifetime, after her death the whole farm to belong to her son John. The old woman, Mary Harrington, could neither speak nor understand English, **and James Murphy (civil bill officer) being sworn to interpret.**

Mr Hegarty – Ask her does she understand English?

Interpreter – Do you understand English, ma'am? No reply, and laughter.

After hearing the case a decree for 6s 6d and costs was granted.

Skibbereen Eagle Castletown-Bere Petty Sessions page 7, 13 July 1907

John Harrington, of Kiltrasna, summoned her son John, for trespass of cattle on various dates.

Mr GJ Hegarty, solr, appeared for defendant, and Mr M O'Sullivan solr for complainant.

The land appeared to be in dispute between the parties. Complainant by a deed of assignment held the land during his lifetime, after her death the whole farm to belong to her son, John. The old woman, Mary Harrington, could neither speak nor understand English and **James Murphy (civil bill officer) was sworn to interpret.**

Mr Hegarty – Ask her does she know English.

Interpreter – Do you understand English, madam? No reply, and laughter.

After hearing the case, a decree for 6s 6d and costs was granted.

Nenagh Guardian 21 August 1907 Untitled, 2.

During an inquiry on Tory Island by Mr Greene, Fishery Inspector, some confusion arose over interested parties conversing in Gaelic, and for the purposes of the inquiry Rev Father Cunningham was appointed neutral interpreter, at the suggestion of both sides.

Kerry Sentinel 23 October 1907 page 4 Magistrates and Irish also Kerry Evening Post

At the meeting of the Tralee Urban Council held on Thursday, Mr J O'Keefe in the chair, and the other members present were – Messrs T Slattery JP, Isaac Bernard, F McDonnell, T Slattery (R), M Crowley, T Healy, T Kelliher, John O'Donnell.

Mr Crowley and Mr Bernard raised the question about the signing of a pledge (in Irish) presented before the Tralee Bench. It appeared that a party was summoned for drunkenness, and the case was adjourned in order to give the opportunity to the defendant to produce a pledge. **Father Brennan signed the pledge (which was written in English) in the Irish language. It was presented to the Bench in due course, but the magistrate adjudicating refused to recognize it as it was not signed in the English language** – this was Mr Foley, JP.

Mr Crowley said he had a resolution to propose on the matter. Would Mr Slattery, as a member of the Bench, second?

Mr Slattery, JP – I will not.

Mr Bernard – He is a poor man, who, because the signature was in Irish, it is refused by the Chairman of the Bench on the day he presented it. It is well known that Father Brennan is a great temperance advocate and the pledge he gave the man should not be refused. Why was it done?

Mr Slattery – Because I suppose the magistrate did not know Irish.

Mr Bernard – Would you do it?

Mr Slattery JP – I say I don't know what signature it may be when I was not able to read it.

Mr Bernard – There were plenty men in the courthouse who could translate it for him.

Mr Slattery JP – That might not do, when it could be just as simply written. It would not act on it until it was signed in English.

Mr Crowley – If the body of it was in English it would be simple enough for you, and you would get plenty help. Everyone must know Irish now.

Mr Slattery JP – All I will say is that I could not make it out.

Mr Crowley – It was a nice thing to turn away a poor man because the signature to the document was in the language of his country.

Mr Bernard – It is well you or any other magistrate could easily get over the difficulty, and when a thing like that is done I don't know what we have come to.

The Chairman – was not the name supplied in duplicate?

Mr Slattery- I don't think so.

Mr Crowley – Now is the time to show our sincerity as Irishmen if we want to save the language of the Gael.

Mr Bernard – Father Brennan is well known as a temperance advocate, and anything coming from him should be respected.

Mr Slattery JP – I tell you I could not accept a pledge under such circumstances as it was not signed in English.

The Chairman – What I know is this- that the magistrates of the last generation – prominent country gentlemen – spoke Irish upon the Bench. They used to cross-examine, if necessary, the witnesses in Irish, and they were not then in a position to be fooled by any attorney or anyone else. It is well known that witnesses from Dingle and other places are not able to understand cross-examination in English, whereas if they were allowed speak in Irish they could speak just as we could in English, and better, and explain their cases all right.

Mr Slattery (R) – Just so.

The Chairman – Irish is now recognised in the schools of the country – the International Schools and Colleges. Even in Trinity College, Dublin, it is one of the subjects.

Mr Bernard – it is queer state of affairs with the Kerry Branch that because a man signs his name in Irish it is rejected.

The Chairman – Is there an **interpreter** in court?

Mr Slattery – I don't think so.

The Chairman – Irish has now been made an educational subject.

Mr Slattery (R) – It is a small thing for magistrates to say they could not recognize it. It is a movement which is progressing, and no one should despise it.

Mr Healy – Even the Post Office authorities, who were hitherto objecting to it, are now sending letters addressed in Irish to Tralee for translation. If we all addressed letters in Irish we should have staffs in every Post Office able to deal with them.

Mr Slattery (R) – Cheques have been signed in Irish, and honoured, and it shows that there is something at the back of the movement. There have been more forged cheques in English than in Irish.

The Chairman said that in the towns in Wales there was nothing spoken but the Welsh tongue. We should all commence to learn Irish.

Mr Slattery JP – Next business; this is pure waste of time.

Mr Crowley proposed, and Mr Healy seconded the following resolution, which was passed – “That we protest against the action of the Bench at the Tralee Court on Monday 14th inst, in refusing to accept a pledge because it was signed in Irish, and that we request those members of our Council who are justices to accept such pledges in future.”

The Chairman – You will commence and learn Irish, Mr Slattery.

Mr Slattery JP – Indeed I won't.

Cork Examiner 2 November 1907 page 7

Cahirciveen quarter sessions

(Before his Honor County Court Judge Shaw)

A young man named Patrick Sullivan appealed from the decision of the magistrates presiding at the Waterville Petty Sessions on the 3rd October who fined him £4, or in default two months' imprisonment, for salmon poaching on the river Inny, in the Waterville district, on the morning of the 8th September last.

[...] John Sullivan, who gave his evidence in Irish, deposed that he remembered the 7th September. James Sullivan went to call him and his son to finish a cock of hay; the cock was not finished until after nightfall; it was Saturday. He remained in Sullivan's house that night playing cards; he left the house next morning; it was clear day before he left; James Sullivan did not leave the house that night nor did he put his foot in any river in Ireland.

Cross-examined by Mr Shuel – My son, Patrick Sullivan, was not in the house that night. He was in service. I was at the Waterville Petty Sessions, and heard the case against Jas. Sullivan.

Mr Shuel – Why did not you give evidence in his behalf then?

Witness – why did not they call me? (laughter). I heard no evidence called for him. Four of us, James Sullivan, Daniel Sullivan, Michael Sullivan, and myself, were playing the cards on the night of the 7th September in James Sullivan's house. I left James Sullivan's house the following morning. The day was well there. I think there is no clock in the house.

His Honor – Ask him how he knows it was the night of the 7th of September.

Witness (**to the interpreter**) – Because you told me it was the 7th September (great laughter)

To Mr Shuel – James Sullivan did not ask me to be a witness at petty sessions for him. I went there to free my own son; I did not try to free my own son and I thought more of him than of James Sullivan (renewed laughter).

Kerry Sentinel 6 November 1907 page 4 Cahirciveen Quarter Sessions

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imprisonment, for salmon poaching on the river Inny, in the Waterville district, on the morning of the 8th September last. [...]

John Sullivan, who gave his evidence in Irish deposed that he remembered the 7th September; James Sullivan went to call him and his son to finish a cock of hay; the cock was not finished until after nightfall; it was Saturday; he remained in Sullivan's house that night playing cards; he left the house next morning; it was clear day before he left; James Sullivan did not leave the house that night, nor did he put his foot in any river in Ireland.

Cross-examined by Mr Shuel – my son, Patrick Sullivan, was not in the house that night; he was in service. I was at the Waterville Petty Sessions and heard the case against James Sullivan.

Mr Shuel – Why did you not give evidence in his behalf then?

Witness – Why did not they call me? (laughter); I heard no evidence called for him; four of us – James Sullivan, Daniel Sullivan, Michael Sullivan and myself were playing the cards on the night of the 7th September in James Sullivan's house; I left James Sullivan's house the following morning; the day was well there; I think there is no clock in the house.

His Honor – As him how he knows it was the night of the 7th September.

Witness (to the **interpreter**) – Because you told me it was the 7th September (great laughter).

To Mr Shuel - James Sullivan did not ask me to be a witness at Petty Sessions for him; I went there to free my own son; I did not try to free my own son, and I thought more of him than of James Sullivan (renewed laughter). [...] His Honor confirmed the conviction of the court below, and gave a month's time to the appellant to pay the £4.

Nenagh News 23 November 1907, 3

It is gratifying to note that the Gaelic League classes at Killaloe and Ballina are making satisfactory progress. Numbers of pupils attend nightly, and take great interest in the pursuit of their studies, and great credit is due to Mr O'Connor, the Irish teacher for these districts.

And will it not be a grand thing in the near future to hear the old language spoken in our midst at fairs, races, markets and meeting, wakes and weddings, and to see all the newspapers printed in Irish. ...

It is possible also that on the advent of Home Rule, our law books will be printed in Irish, and that processes, writs and summons for Petty Sessions Courts will be issued in the same language and no Gaelic interpreters will be wanted in the future. It has been stated that a Mayo prisoner in the dock once said to an **interpreter**: "Oh" mavrone, will you tell me who is the ould woman above rolled up in the ould blankets?" "Hould your whist", said the interpreter, "That's the judge, and the same chap would hang you while you'd be saying Jack Robinson." Judging by the progress that the language is making here, there will be no English spoken at all in the next century.

The Kerryman 30 November 1907 'The pulse of the people' 1

Dingle, Nov. 24th, 1907

Dear Sir – On reading in the "Kerryman" an account of the County Council meeting I was surprised to see a statement made by our respected C.C. from this division, ?? Thomas Baker, in which he is reported to have said that "back in this district recently a case came before the Court when a man that could not speak Irish was fined. When it was explained to him by some one that he was fined, he began to speak up in the court and protest against the fine in his native tongue. The result was that he got seven days in gaol for it, as contempt of court.

As a magistrate attending the Petty Sessions regularly, I assure him most positively that nothing of the sort ever took place. The interpreter of the Court is Mr Ml. Dowd, who also interprets for the County Court Judge, and if any one who has a case in Court cannot speak English, or cannot explain his case properly in the Celtic language, he takes the oath in Irish, and gives his evidence in Irish, which is interpreted to the bench. I am sure Mr Baker thought when he made the statement that he was stating a fact, but someone must have misinformed him. I am, yours faithfully,

A DINGLE MAGISTRATE

1908

Connaught Telegraph 7 March 1908 'The Returning Officership: Minutes not signed Letters from the L.G. Board A Long Discussion A Co C's Letter', 5. (Mayo County Council)

At this stage, the acting secretary read the following letter from Mr Patk. O'Donnell, C.C., Newport, dated the 3rd March: - "I have seen by the 'Mayo News' of 28th ult. A copy of 'minutes' purporting to have been written by Mr Michael Delany at the meeting called by himself after the adjournment of the meeting of the Mayo County Council held in the Courthouse, Castlebar, on Saturday 22nd ult. Portion of those 'minutes' so far as they refer to me, are both misleading and inaccurate, where they say: 'Mr Conor O'Kelly, at request of Mr P. O'Donel, read out the applications.' I may say that I made no such request to Mr Conor O'Kelly. In addressing the chair, I requested him ask the acting secretary, Mr Virtue, to first read out the terms of the advertisement, the applications from the several candidates, and their testimonials, if there were any. From the way in which my name has been written, I believe those 'minutes' were penned from Mr Robertson's dictation, who was solicitor acting on behalf of Mr Moclair. In his letter to the Local Government Board on behalf of his client, he states: 'Neither of the applicants was subjected to any form of examination as to his knowledge of Irish.' With regard to Mr Doris, one of the applicants, he had his proofs that he possessed a good knowledge of Irish, and was, and is still prepared to submit to examination in this or any other subject required. It is well known that Mr Moclair very wisely shirked any question dealing with this important subject, particularly to a county like Mayo, where over 50 per cent of the population are Irish speakers. At a former meeting of the Mayo County Council dealing with the coming elections, I called the attention of the Council to the importance of having Irish-speaking presiding officers appointed to Irish-speaking districts who could also discharge the duties and save the expenses of engaging interpreters. Since then, I have received seven letters from various parts of Mayo from young men, all written in the Irish language, offering to carry out the duties of presiding officers and interpreters at the same time. I am forwarding those letters; and I venture to say that neither Mr Moclair nor his able solicitor, Mr J C Robertson, is competent or capable of dealing with the simplest correspondence written in the Irish language. Too long the language question has been relegated to a back seat; and what was done in the election of returning officer for Mayo should also have been done in the election of assistant surveyor for Ballinrobe. The man who was then elected by a majority of the members of the Council was not qualified for the position, with the result that he has been studying in Dublin under a grinder to prepare for examination; and the fully qualified candidate, Mr P Conway of Westport, in a competition open to all Ireland, obtained first place in Ireland among 35 candidates at an examination for the position of assistant surveyor under the Cork County Council. This is one solid proof that the voice of mute majorities is very often wrong."

Mr Killeen said that the letter should have been read with the general correspondence.

Killarney Echo and South Kerry Chronicle 24 October 1908 page 6

Candidates and Irish

Pension Officer's Views

Sub-Committee appointed for Cahirciveen, in the County Electoral Division Cahirciveen, under the Old Age Pension Act, held its first meeting in the Cahirciveen Courthouse on Saturday. [...]

The Irish Language

Mr Jeremiah O'Connell proposed that the person elected as Clerk have a knowledge of the Irish language, and was seconded by Mr O'Shea.

Mr O'Connell, in proposing his resolution, said the old people of the district were mainly Irish-speaking persons, and therefore the Clerk should be able to speak Irish, so as to be able to understand them and converse with them.

Mr Fitzgerald – I have no objection to Irish, but there is nothing about it in the advertisement.

Mr Shuel – It is ultra vires to bring this matter forward. What the Clerk has to do is to call meetings, and I think that requires no knowledge of Irish. I am saying nothing against the Irish language. I am not able to speak it, and regret very much that I am not.

The Very Rev Chairman (Very Rev Canon O’Riordan) – Why do you not learn it?

Mr Shuel – It would take me too long to learn it now. You may as well exclude a man from this meeting for not being able to speak French or Greek as to exclude a person from the appointment for not knowing Irish. If those people who are not able to speak English are to explain their cases to the Clerk they will make their cases known to him, even if he had no Irish. I have no difficulty to find out the business of those who come to me about cases and who are not able to speak English, because they bring five or six interpreters with them. I propose that the person elected as Clerk to this Committee be not required to have Irish.

Mr John Mannix – I second it.

Mr Fitzgerald – It is not before us at all. I will ask the Chairman about it.

The Very Rev Chairman – It is not in the advertisement.

Mr Shuel – It is not necessary.

Mr Jeremiah O’Connell – It is not in the advertisement.

Mr Shuel – It is not necessary.

Mr Jeremiah O’Connell – We may as well appoint a deaf mute so.

Mr Fitzgerald – That is not very complimentary.

The Very Rev Chairman said that this was an Irish-speaking district, and all the old people were in the habit of speaking Irish.

A division was then taken as to whether the person appointed as Clerk should know Irish or not, when there voted: -

For Mr Jeremiah O’Connell’s resolution – Messrs Jeremiah O’Connell, James J O’Shea, and Denis J O’Connell – 3

For Mr Shuel’s amendment – Messrs Fitzgerald, Joseph F Mannix, John Mannix and Shuel – 4

The Very Rev Chairman did not vote, and Mr Daniel O’Sullivan had not arrived at the time.

The amendment was carried.

Mr John Mannix proposed that Mr Thomas C Fitzgerald, Clerk of the Cahirciveen Union, be elected as Clerk to the Committee.

Mr Shuel seconded the proposition, and said that Mr Fitzgerald was one of the most efficient officers in Ireland. He is Clerk of the Union and Rural District Council since April, 1902, and has since done his business with the greatest efficiency, and to the satisfaction of the ratepayers of the Union.

Mr Jeremiah O’Connell proposed that Mr Jeremiah O’Sullivan, Laharan, South Cahirciveen, be elected, he being well versed in the Irish language.

The Very Rev Chairman – Can you speak Irish, Mr O’Sullivan?

Mr Jeremiah O’Sullivan - I can, sir, and write it, too.

The Very Rev Chairman – I know you are a very respectable young man. Do you, Mr Fitzgerald, speak Irish?

Mr Thomas C Fitzgerald – No, sir.

Mr Jeremiah O’Sullivan produced excellent testimonials from the Rev Father Kennedy, Fedamore, County Limerick; Mr Clifford, JP, do., and the Royal Irish Constabulary authorities.

Mr O’Shea seconded Mr Jeremiah O’Connell’s motion.

A division was taken, with the following result: -

For Mr Fitzgerald – Messrs Joseph F Mannix, Shuel, Edward Fitzgerald, and Mannix – 4

For Mr O’Sullivan – Messrs Jeremiah O’Connell and James J O’Shea -2

Did not vote – the Very Rev Chairman and Messrs Daniel O’Sullivan and Denis O’Connell.

Mr Fitzgerald was declared elected, and suitably returned thanks.

Mr SR Roche, Pension Officer, expressed his sympathy with the Irish language, and gave a full explanation of the Old Age Pension Act, as he did to the Valentia Sub-Committee on Wednesday,

Irish Independent 3 December 1908 'Pithy Provincial News', 6

Pithy Provincial News

Deep regret is felt in Gaelic circles in the South at the death of Mr Patrick Stanton, who was a prominent worker in the Irish language revival, and for some years acted as official interpreter in the courts at Cork. The deceased belonged to a respected family at Ballyamacoda.

1909

Connaught Telegraph 16 January 1909 'Castlebar Equity Sessions: Early v Early', 8. Also Western Observer 23 January 1909 page 16 Early v Early

Mother and son over farm

Mary Early, a very old woman, who it was stated was getting an old age pension of 5s a week, was then called, and when questioned by Mr Verdon she answered in Irish.

Defendant (from the back of the Court): She has as good English as myself (laughter).

His Honor: Was it she taught you English?

Defendant: It was (laughter).

His Honor: Look here, Mrs Early, talk to me.

Mr Verdon: She must know English when she taught it to her son.

The witness said her husband died on the 16th August 1905. She then made a statement in Irish.

Mr McGonigal (who appeared for the defendant): If you don't speak English you will lose the pension (laughter).

His Honor: Has she a pension?

Mr McGonigal: She is getting 5s a week.

His Honor: That is good.

Mr McGonigal: Now, Mary, unless you speak English you will lose the pension (laughter).

His Honor: Indeed she won't (laughter)

The witness then turned to Mr McGonigal and told him that she would not lose the pension when she could not speak English.

The witness was then questioned about her husband's assets, and as she insisted on answering in Irish, the services of **Mr O'Toole, the Court interpreter, were requisitioned**, and he and Mary had it all their own way for half an hour.

Irish Independent 22 January 1909 'Items of Interest (By Wire and Despatch), 7.

Court Crier for 75 Years

A notable personality in Mr Condy Boyle, Dungloe (Donegal) has just passed away. He was close on 100 years old, and had been Court crier at Donegal Quarter Sessions for over 75 years, and an interpreter of Irish-speaking witnesses for a like period. He was also bailiff to the Marquis of Conyngham.

Kerry Weekly Reporter 20 March 1909 page 8 Kerry Spring Assizes Appeal

Galvin versus Callaghan

This was an appeal from the county court judges decision at Dingle, brought by Michael Callahan (defendant) appellant, against Timothy Galvin (Plaintiff), respondent, for £6.08.06. ...

Michael Callahan, whose case was heard by means of an **interpreter**, said he remembered when he was married. He paid £240 to his father in law. He remembered the father-in-law and his wife and her two brothers ordering goods in his name. He remembered the family to take £4.02 shillings and 6p, and he paid it and told Galvin to give no more in his name. He did not give wife money to bury her mother.

Munster Express 24 April 1909 page 6 Trespass Dungarvan petty sessions

Anne Dee summoned Roger Ryan for trespass (six sheep and eight sheep another day). Roger Ryan, defendant, was an Irish speaking witness and Mr PE Curran RDC consented to act as interpreter.

Mayo News 15 May 1909 page 4

During the hearing of an assault case from the F?? direction on Monday at the Ballinrobe Petty Sessions a number of Irish-speaking witnesses were examined. The first of the Gaelic witnesses was a Mrs Casey, whose evidence was interpreted by a **summons-server, Connor**. The evidence of the complainant having closed, Mr Kirwan, for the defendants, was about examining an Irish-speaking witness and **Mr O'Toole, interpreter of the County Court**, was called by Mr Kirwan to interpret. Mr Bell interposed, and asked why not have Connor to continue interpreting all the evidence in the case. Mr Kirwan said his clients had engaged Mr O'Toole and that he was also the interpreter of the County Court. Mr Bell?? said Connor was an official of the Petty Sessions Court, and he had not been employed by either side; therefore the court considered him the proper person to interpret the evidence. Connor then confirmed the interpreting of the evidence.

Connacht Tribune 5 June 1909 'Notes & News', 4.

The appointment of travelling teacher of the "right stamp" should give a much needed stimulus to the growth of our Gaelic sentiment. In Headford the language still lives – not of course with much life – and judging by what I have heard enthusiastic collectors say, the majority of the people are not at all sympathetic to the objects of the Gaelic League. I wonder if it would come within the province of the Gaelic League to see that a competent interpreter be appointed in the local Petty Sessions Court. A district practically entirely Irish-speaking is included in the jurisdiction of the court, and yet Irish-speaking witnesses are at a disadvantage in having no permanent official to interpret their evidence. In making any future appointments of summons servers could not a knowledge of Irish be made essential in consideration of applications for the position.

The present system of depending on the voluntary services of interpreters whose competency and impartiality cannot always be assured, requires to be remedied.

Connaught Telegraph 9 June 1909 'Cassidy v Carrabine', 5.

Mr Robertson said that one of the parties to this suit was a dummy and he did not know how they would take her evidence.

His Honor – Isn't O'Toole, the court interpreter here? (laughter)

Mr Robertson – O'Toole, will you be able to interpret her evidence?

O'Toole – I will, sir (laughter)

Mr Robertson – But she is a deaf and dumb witness (laughter)

O'Toole – I could not do it in that case.

His Honor – O'Toole is the Court Interpreter, and he thinks he is supposed to interpret only Irish but he is supposed to interpret all languages (laughter).

Mr Verdon – Even Chinese (laughter).

His Honor – Now, O'Toole, you had better make yourself up in all these languages before the next Sessions, and if you don't you must take serious notice of it (laughter). You will require French, German, Italian, Greek, Latin, and, of course, Arabic (laughter).

Mr Verdon – Also Esperanto and Marconigrams (laughter).

The case was then disposed of (the dummy not being examined) and John Carabine was appointed trustee for Mary Cassidy. This concluded the business.

Kerry Sentinel 23 June 1909 page 3

The Land Commission in Dingle – the Ventry Estate

A Court of the Land Sub-Commission,Dingle....to hear and dispose of nearly a hundred cases for fair rent fixings, chiefly on the Ventry estate. Most of the cases were first term applications and the

tenants were never in court before. Nearly all the tenantry have now applied, the reason being that it is expected the Congested Districts Board will purchase the estate as a typically congested property, and that it is on the basis of the valuation now being made the purchase will be effected ultimately. The lands are most of them in small and scattered divisions, but the difficulty will apparently be to find sufficient land near the present holdings suitable for their extension. The tenants were represented by Mr O'Connell, LL.D., solicitor, Tralee, and evidence of value given on their part by Mr Foley and Mr O'Connell, and for the landlord by Major Crosdale. Three-fourths of them were Irish-speaking witnesses, and Mr **Maurice Ferriter acted as interpreter**. Mr Kennedy, solicitor, Dingle, and Mr Maclure, agent, represented the landlord.

Cork Examiner 12 July 1909 page 13 [Also in Killarney Echo and South Kerry Chronicle 17 July 1909, page 8] Murphy v Houlihan

Thomas Murphy, Murragh, Dingle, sued Patrick Houlihan and Teresa Houlihan for £250 damages for negligence by reason of which defendant's horse killed the plaintiff's child.

[...] Mr Lynch explained that the defendants were father and daughter, and were carrying on business at a place called Ballydavid. It would appear that in August, a horse which was about the business of defendant returned from Dingle, having brought some goods that were required by Mr O'Houlihan and his daughter. The horse was stopped in the street opposite their place of business for the purpose of having the load taken off. The horse was about three years old, and had run away about three weeks before, when in charge of a man who was in charge of it on the day the child met its death. Counsel further explained that the cart was unloaded at the door of the shop, and the accident occurred in the following manner. The boy proceeded to unloose the chains. He had unloosed one chain and the other apparently was still hooked, and Mr Houlihan went to the head of the horse and put some hay in front of him. To enable the horse to eat the hay he took off the blinkers, but he took it off in such a way that it fell on the ground and frightened the horse, which bolted. The child was standing near her father's house, and the horse in the course of its journey passed over it and killed it on the spot.

Mrs Murphy, mother of the deceased child, who spoke in Irish, in reply to an **interpreter**, said she had a daughter named Margaret. She was nine years next month.

Mr Fleming said according to the certificate of birth (produced) she was 7 years 10 months.

Continuing, the witness said her husband is a fisherman whenever he gets anything to do. When not fishing he goes every place that he would get a shilling. She has five children; the eldest 18 years of age. She (witness) does no work since the little girl was killed. Previous to that she used to work cleaning fish, and used to sell fish. While she used to pick periwinkles the little girl used to mind the horse. It was herself took the little girl with her for a bucket of water when she was killed. Witness was on the door at the time and the little girl was dead opposite the door. Witness saw a horse outside Houlihan's door. Houlihan took the blinkers off the horse's head, and threw it down on the ground. They were taking some boxes into a store. The horse started after taking the blinkers off. He ran down through witness's yard. The child was on the road, not very far from the door. [...]

Mr Griffin, who also spoke in Irish, said he knew Houlihan's horse; he was a young horse; he could not say whether the horse was cross or quiet. [...]

Maurice Connor was called.

His Lordship – Do you know English? No, sir (laughter)

In reply to the **interpreter**, he said he was following the horse one year. The horse was four years of age. [...]

Thomas Murphy, father of the deceased child, in reply to the **interpreter**, gave evidence somewhat similar to that given by his wife.

[nothing allowed to the family because they could not claim for funeral expenses]

Southern Star 31 July 1909 'Bantry Petty Sessions: Alleged Assault', 2.

Kate Sullivan appeared on the witness box.

Mr Flynn, solr, said he was afraid he would want an **interpreter**.
One man in the court offered his services for 5s, which was refused.

Cork Examiner 28 September 1909 page 8

A Blue Book just issued contains some interesting details of the working of the Old Age Pensions Act. The act received the royal assent on 1st August 1908; but the duty devolving upon the pensions officers could not be undertaken until the Departmental Committees on the Statutory Regulations and the method of paying the pensions had completed their work. In addition to supervisors and assistant supervisors 1,232 pension officers were engaged in England, 100 in Wales, 199 in Scotland, and 306 in Ireland. It was anticipated that the greatest difficulty would be found in Ireland, but there was nothing to indicate that the number of claims would be anything like the number received. It was found necessary to send to Ireland from England and Scotland, as the occasion arose, nearly 200 additional officers to act as pension officers, together with 13 clerks and about 100 assistants, to help in the clerical work. The whole staff worked under the greatest pressure, but everything went on excellently, and the whole work was practically finished by the end of the year.

The report mentions also: "In Ireland we had some officers well acquainted with Erse who were very useful in the West, and ministers, priests, schoolmasters, and others very willingly assisted as **interpreters** when necessary. So far as is known, no claimant in any district in the three countries was prejudiced by a want of knowledge of the vernacular by the Pension Officer." One of the most difficult problems in connection with the investigation of claims was the question of age. Many claimants had only a hazy idea as to the exact dates or places of their birth, and this added to the difficulty of tracing them in the registers of birth or baptism. The following shows the number of claims dealt with – England 459,087; Wales 31,668; Scotland 85,403; Ireland 261,668. The following shows the claims rejected – England 47,705; Wales 4,135; Scotland 6,871; Ireland 43,299. Total received: 837,831; total rejected 102,100. The number of claims rejected "as being obviously invalid" totaled 11,056, whilst 29,092 were disallowed because of false declarations as to age.

Freeman's Journal 15 October 1909 'Judge and Irish Interpreter: A Fine and an Explanation', 5.

Castlebar, Wednesday

At the Castlebar Quarter Sessions to-day his Honor Judge Murphy said he would have to fine Mr O'Toole, the Irish interpreter to the Court, the sum of £5 for not being in attendance at the Belmullet Quarter Sessions.

Mr O'Toole said he went to Ballina with the intention of proceeding to Belmullet, but he was not awakened in time, and the mail car had gone.

Replying to his Honor, Mr O'Toole said the car to Belmullet left Ballina at 4 o'clock in the morning.

Mr H.R. Sheridan (Registrar) said that Mr O'Toole informed him he went to sleep in a chair, telling the people of the house to call him but they failed to do so.

Mr Mannion, solicitor, said the car left by English time, but Mr O'Toole, as became his position, awakened at Irish time, when he found he was late (laughter).

Freeman's Journal 22 October 1909 'Land Commission – Dingle, Thursday', 5.

In a large number of the cases the witnesses were Irish-speaking, and **Mr Ferriter, the Interpreter of the Court**, interpreted their evidence.

Mr Kelly remarked that in every case where a witness, whether imperfectly or not, could speak English or not, still preferred to give his evidence in Irish, he should be facilitated in doing so in order that he should feel himself under no disability or disadvantage.

Cork Examiner 25 October 1909 page 4 [also in Killarney Echo and South Kerry Chronicle 30 October 1909 page 6] Also Kerry Sentinel 27 October 1909

The Land Commission
Meeting at Dingle

A sitting of the Land Sub-Commission (No. 2). Mr RJ Kelly, BL, Legal Assistant Land Commissioner, presiding with Mr Dermot O'Connor Donelan, Lay Commissioner, and Mr RH Ingham, BL, Registrar, sat in the Dingle Court House, and heard a large number of cases from the estates of the Earl of Cork, Lord Ventry, the Hickson and Mundy properties. [...]

Over fifty cases were fully heard and disposed of during Tuesday's and Wednesday's sittings.

In a large number of the cases the witnesses were Irish speaking, and **Mr Ferriter, the interpreter of the court, interpreted their evidence.**

Mr Kelly remarked that in every case where a witness, whether imperfectly or not, he could speak English or not preferred to give his evidence in Irish, that he should be facilitated in doing so, in order that he should feel himself under no disability or disadvantage.

[Starkie was the R.M.]

The Kerryman 30 October 1909 'The Land Commission Meeting at Dingle' 4

A sitting of the Land Sub-Commission ..Mr RJ Kelly, BL, Legal Assistant Land Commissioner, presiding, with Mr D O'Connor Donelan, Lay Commissioner, and Mr RB Ingham, BL, Registrar, sat in the Dingle Courthouse, and heard a large number of cases from the estates of the ? Cork Lord Ventry, the Hickson and ??properties.

[...] In a large number of the cases the witnesses were Irish speaking and Mr ?? the interpreter of the court, interpreted the evidence.

Mr Kelly remarked that in ??? where a witness, whether ??he could speak English, or who preferred to give his evidence in Irish, that he would be facilitated in doing so, in order that ... feel himself under no disability or disadvantage.

(article is hard to read)

Kerry Weekly Reporter 30 October 1909; Page 8 The Land Commission

MEETING AT DINGLE.

A sitting of the Land Sub-Commission (No 2), Mr. R. J. Kelly, B.L., Legal Assistant Land Commissioner, presiding, with Mr. Dermot O'Connor Donelan, Lay Commissioner, and Mr. H. Ingham, B.L, Registrar, sat in the Dingle Courthouse, and heard a large number of cases from the estates of the Earl of Cork, Lord Ventry, the Hickson and Mundy properties! Messrs. Downing, Kennedy, O'Connell, and Murphy, solicitors, represented the parties. Nearly all the cases were first term cases, coming into court for the first time. This was particularly' tho case on the Cork estate, and largely on the Ventry estate. A particular grievance, dwelt upon in a large number of the cases, was the disappearance from the holdings of the turbary, it having been exhausted where once it was plentiful. In some cases the tenants swore that they had to go twelve miles for turf. Over fifty cases were fully heard and disposed of during Tuesday's and Wednesday's sittings. In a large number of cases the witnesses were Irish-speaking, and Mr. Ferriter, the interpreter of the court, interpreted their evidence.

Mr. Kelly remarked that in every case where a witness, whether imperfectly or not, he could speak English or preferred to give his evidence in Irish, that he should be facilitated in doing so, in order that he should feel himself under no disability or disadvantage.

Kerry Weekly Reporter 1883-1920, Saturday, 30 October 1909; Page: 7

The Land Sub-Commission sat in Dingle last week, presided over by Mr.R. J. Kelly, B.L., Legal Assistant Land Commissioner, and heard applications from tenants on the estates of the Earl of Cork, Lord Ventry, and the Hickson and Mundy properties. In a large number of cases the witnesses were Irish-speaking, and the **court interpreter, Mr. Ferriter**, had a busy time interpreting their evidence. Mr. Kelly stated that in every case where a witness preferred giving his evidence in Irish he should be facilitated in doing so.

This announcement gave general satisfaction; Dingle is an Irish speaking district, and a native of Dingle can tell his story with more ease and fluency in the vernacular than in the English language.

1910

Freeman's Journal 18 January 1910 'North Louth – Gaelic Nomination Disallowed' Page 5

Mr J. J. Russell, Sub-Sheriff, sat in the Courthouse, Dundalk, at 11 o'clock to-day to receive nominations for the Parliamentary representation of North Louth. He was assisted by Mr Robert Espinasse, as Legal Assessor.

Mr Hazleton, accompanied by Mr C.J. McGahon, his conducting agent, and a number of friends, handed in 23 nomination papers representing members of the Louth Co. Council, the clergy, the Dundalk Urban Council, the cattle traders, the Total Abstinence Society, the Gaelic League (signed entirely in Irish), the Young Ireland Society, the Catholic Young Men's Society, the Irish National Foresters, the Labourers' Society, Dundalk, the agricultural labourers of the town of Louth, the Byrnes of Louth, the Ancient Order of Hibernians (Board of Erin), and Louth, Corerugh, Knockbridge, Blackrock, Omeath, Carlingford, Pollurgan, and other districts.

Mr TM Healy was accompanied by the Rev Father Lyons CC; Rev P Finnegan PP Togher (South Louth); Mr B Hamill, JP; Mr Maurice Moloney, solicitor, etc. Mr Healy said he appointed himself his own election agent, and he handed in forty-three nomination papers. Both candidates lodged the necessary amount of returning officer's expenses.

There was some comment on Mr Hazleton's paper filled up in Irish.

The Assessor said he was afraid they could not accept it, and the Sub-Sheriff said they would require an interpreter.

Mr McGahon – Will you pass the Irish paper?

The Sub-Sheriff – I am afraid not (laughter).

The proceedings were purely formal, Mr Helay's party and Mr Hazleton's party being present at different times. As Mr Hazleton left the Courthouse, he was loudly cheered by a group of his supporters.

Killarney Echo and South Kerry Chronicle 30 April 1910 page 9 Also Kerry Sentinel 23 April 1910 page 3

Kenmare Petty Sessions

At the fortnightly Petty Sessions Court on Wednesday, before Capt Crane RM presiding, and Messrs A McCarthy, TJ O'Sullivan, and HP Maxwell.

Hanora McCarthy summoned her son, Felix McCarthy, Cummers, and his wife, Mary McCarthy, the former for throwing a stick at her, and the latter for striking her with a stick.

Mr EJ Downing, solr, appeared for the complainant, who gave her evidence in Irish, **Mr Sean Hurley, Irish Teacher, acting as interpreter.** [...]

Skibbereen Eagle 14 May 1910 page 10 'Ladies eligible for the position Mr Jennings champions the fair sex' (From our Reporter)

The usual fortnightly meeting of the Clonakilty Board of Guardians was held on Friday last. Mr John Donovan, JP (Chairman) presided, and the other Guardians present were: - Messrs T Kearney JP; Jerome Sullivan, JW Bennett, RJ Jennings, John White, John O'Brien VC, RDC; J Unkles, D Coughlan, T Calnan, Thomas Shorten, G Wycherley, Chairman Rural District Council, D Fitzpatrick, JP; JF Bennett, MW Scully,

The Council then proceeded to make arrangements for filling up the vacant office of **Relieving Officer, Clonakilty District.**

The Chairman asked if the advertisement was yet issued.

The Clerk said not, that was what the instructions were wanted for

Mr J O'Brien – Must he reside in Clonakilty?

Clerk – That is for you to say.

Mr O'Brien said it was very inconsistent if they did not put a limit of age; they fixed a limit of age for the Master, and he thought the same should apply to this.

Several Members – Certainly.

Mr Dinneen – I propose that there be no limit?

Mr Jennings – Morning or evening (laughter)

Mr Dinneen – Morning or evening or noon

Mr Kearney – They must be over 21.

Mr Unkles – There is no use appointing a man of 70

Mr O'Brien – Leave it as it was before, 21 to 45.

Mr Unkles – There is room enough between the two.

Mr D McCarthy – **Must they have a knowledge of Irish.**

Mr Dinneen - I'll propose 21 up

Mr Shorten – Make it 20.

Mr Dinneen - No.

Chairman – Are you all agreeable to 21 to 45

Mr Dinneen – No. I don't agree. The last man was an old man and he did his business alright.

Mr D McCarthy – **Put in the advertisements a good knowledge of Irish, all the old people down there have a knowledge of Irish.**

Mr Dinneen proposed the age be from 21 to 50.

Mr Crowley – Seconded

Mr Jennings – I take it that ladies are eligible for this position? (laughter)

Clerk – Yes

Mr Jennings – I propose they be not required to give their ages (laughter)

Chairman – They can say under so much.

Mr O'Brien – Will you insert a knowledge of Irish?

Mr D McCarthy – I propose we do.

Mr O'Brien – I second that.

Mr Jennings – I propose ladies be exempt from that.

Mr Crowley said there were a number of old people who hadn't a knowledge of English.

Mr Wycherley – The late R.O. had a good knowledge of Irish.

Mr O'Brien said there was great necessity for having Irish. The Relieving Officer would be in communication with a great many old people who hadn't a knowledge of the English tongue. It was necessary, and he proposed it be inserted on the advertisement.

The Chairman asked what stage of proficiency in the language would be required?

Mr Shorten said that would disqualify them all, and they should also pay an Examiner.

Mr Unkles – Mr O'Brien will act as Inspector and if they pass him they are alright.

Mr Shorten said it was all nonsense, and would disqualify most of the candidates.

Mr O'Brien – Will we divide on it?

Mr Shorten – We will.

Chairman – I'd be anxious to have a knowledge of Irish on it, but you will have endless confusion if you do.

Mr Jennings said there were scores of people in the District who could not speak English.

A Member – Get an interpreter (laughter)

Mr O'Brien – Come, let's take a poll.

Mr JF Bennett – take a poll, it's the shortest way.

Mr O'Sullivan - It is rather late in the day to be raising the matter now.

Mr Collins said it was always an important factor in public appointments.

Mr O'Sullivan – Not in this Board.

Mr Jennings – What about the man that can't speak a word of English?

Mr Wycherley – He will know a cold when he gets it (laughter)

Mr McSwiney – Why is it not done in the last appointment?

Mr O'Sullivan – Or any appointment up to the present?

Mr McSweeney – Just so.

Mr O'Sullivan – There are new rules every day. I don't know whether they are for the good of the country or not.

Mr Wycherley – I am very much in favour of the study of the Irish language, but the haven't the facility here for learning it. (sic)

Mr JF Bennet – This has never been spoken of before, and I think it is very unfair to bring it on here now at the last moment.

Chairman – If you insert it on the advertisement, in my opinion you won't have an R.O. elected in six months. It will lead to endless confusion.

Mr D McCarthy – You insert in advertisements that goods are to be of Irish manufacture, and why not require the R.O. to have a knowledge of Irish?

Mr Coughlan proposed there be no Irish required.

Mr O'Brien proposed that a knowledge of Irish be essential and be inserted in the advertisements.....Vote...

The resolution was declared carried.

Mr O'Sullivan – I propose you adjourn the consideration of the matter for six months to give the candidates an opportunity of learning it.

Mr DP Calnan – I second that.

Mr McSweeney – Can we select an examiner from the Council.

Clerk – That would not be fair.

Mr D McCarthy – there is Miss Sheehy; she will do.

Mr Dinneen – This is a good way to keep down rates.

Mr Wycherley – I examined them at the County Council, and they were satisfied with it.

Mr Jennings proposed Messrs Wycherley and O'Brien examiners.

Mr O'Sullivan – I propose it be left to the Chairman (laughter)

Mr Unkles – I think Mr O'Brien ought to be the examiner.

The Clerk asked where the R.O. would be required to reside.

Several Guardians – Clonakilty

Mr Shorten thought that was not necessary.

Mr DP Calnan – adjourn it for six months.

Mr O'Brien – We won't adjourn it for six months or for one month.

Mr Unkles – Adjourn it for what?

Chairman – To let them learn Irish.

Mr Unkles – We will do no such thing.

The Chairman read from an advertisement of the Urban Council for an Officer stating that the person appointed should pass a qualifying examination in books 1 and 2 of Irish by Father O'Growney at the expiration of six months from their election.

Mr O'Brien – We won't do that.

Mr Shorten – Better appoint them, and examine them in six months time.

Mr D McCarthy – You'll have the same bother then.

Chairman – You'll have bother whatever end you commence at.

Mr Shorten – Will have to leave it to the Chairman to examine them and he won't be hard on them.

Replying to a member the Clerk said the advertisement would be for a Relieving Officer at £14 a year, candidates to be aged between 21 and 45, applications to be lodged on the 20th by which date appointment would be made; **knowledge of Irish essential**, and the officer appointed to reside in Clonakilty.

Mr McSweeney – If he has too much Irish he will make a fool of the Council (laughter)

Southern Star 2 July 1910 'Bantry Criminal and Licensing Business', 6.

Jeremiah Dennis, an old Irish-speaking man, whose evidence had to be interpreted by the **Court Interpreter (Mr Collins) swore that he was a labourer. [Edward Collins]**

**Kerry Sentinel 20 August 1910 page 4 A lively discussion
Dingle Board of Guardians and District Council**

The usual weekly meeting of the above meeting was held on Saturday.[...]

Order for Advertisement

The Chairman said no member regretted more than he did that they should be asked to draw up the resolution he was writing, but they had to pay to a substitute £5 14s a week.

Clerk – I think there should be a committee formed to draw up the form of advertisement.

Mr T O'Donnell – We do not want to pay that sum longer.

Chairman – under the circumstances I'll propose the following unless there is a better amendment.

Proposed by Mr D O'Connell, and seconded by Mr Hugh Curran, that the Clerk be directed to advertise for a medical officer for this day three weeks for Ventry dispensary district, at a salary of £130 and a remuneration of £5 for approved service as per regulations rising to a maximum of £180 and shall reside in the Ventry district.

Mr Long – I think you will permit me to say the resolution is very vague.

Chairman – Object so

Mr Long – It is a matter that should be considered fairly and appoint a committee to draw up a form of advertisement.

Mr Curran – what committee?

Mr Long - the Clerk, myself, the Master and Chairman.

Mr Curran – Will you leave all the members of the district out of the committee?

Mr Long – No, the Guardians of the district should take more interests than outside members.

Mr Curran – Could you have twelve of them.

Mr Long – Let them be admitted?

Mr Curran – Go on with the resolution.

Mr Long – You have not a word about Irish in it. I'll insist that whatever man is elected he'll be able to speak and understand the Irish language.

Mr Curran – Quite right.

Mr Long – At this hour of the day when the Irish Language is praised, it would be a shame for any doctor to apply for this position and a bigger shame for us to elect him. We should insist on he having it and have no humbug about it.

Mr Curran – Irish is required.

Chairman – It is added that no candidate who does not understand Irish need apply.

Mr Long – he may assume it.

Mr Sheehy – He need not apply at all.

Mr Long – It is a shame.

Mr P Moriarty – If he has the majority he need not care.

Mr Sheehy – We have an Irish College here.

Mr Curran – Will you make it compulsory.

Mr Long – It should be ; they should be able to speak and understand Irish.

Mr T O'Donnell – You have an Irish College here.

Mr Kavanagh – there is another official going to qualify there.

Mr TJ O'Connor – He might not be an Irishman altogether. When you go to Rome you must be a Roman.

Mr Long – I am a Roman in the sense of the language and you can be a West Briton.

Mr Sheehy – You are quite right.

Mr Houlihan – We want a Kerryman; not to go to Rome.

Mr Granville – Get one who can speak his language then.

Mr TJ O'Connor – They'll understand what to do well enough.

Mr Granville – We are Irishmen representing an Irish-speaking district.

Mr Long – Mr Houlihan has a lot of talk and is a poor advocate of Irish.

Mr Houlihan – I have not as much vibration as you, but I may know more Irish than you.

Mr Long – You look as if you had not.
 Chairman- It is all over.
 Mr Long – It is not over.
 Chairman – Give an amendment.
 Mr Granville – Insert that they be able to speak Irish in the resolution.
 Mr P Moriarty – It is all right.
 Mr Long – I would ask you to put it on.
 Mr Curran – He need not speak it at all.
 Chairman – Every one now admits it is the proudest language we could speak; but when a man understands it, it is sufficient.
 Mr T O’Donnell – While he can understand it-
 Mr Long – We will put it to a vote and let you go against Irish or not. We’ll see the West Briton, the anti-Irish Irishman. We talk about the English law, while the English law has acknowledged the language.
 Mr Curran – We are as good Irishmen as you. You want to boss the Board. You are shouting for the Press.
 Mr Long – I am not. I am going to disagree with you.
 Mr Curran – When he understands he can well arrange.
 Mr Long – Put it to a vote.
 Mr Curran – Will we be here the whole day over it?
 Mr Granville proposed and Mr Long seconded – “That the words ‘and speak Irish’ be inserted in the resolution.”
 Mr Curran – Let an Irish speaker tell him anything; if he understands it is all right.
 Mr Long – Provided he has an interpreter. It is right to put in these words.
 Chairman – Mr Curran would not allow me.
 Mr Curran – I would not.
 Mr Houllihan – Irish is essential according to the resolution.
 Mr Long – How many will be able to write and read and not understand it.
 Mr Curran – If he understood it, it would be all right.
 On a division there voted: -
 For the resolution – Messrs D O’Connell, MJ Houlihan, TJ O’Connor, P Moriarty, T O’Donnell, John Moriarty, Hugh Curran, James Prendeville – 8
 For the amendment – Messrs M Granville, M Long – 2
 The resolution was therefore passed with the following words added to it “No candidate need apply who cannot understand Irish”
 Mr MJ Houlihan – the amendment is vague.
 Mr Long – according to you it is.

Kerry Sentinel 21 September 1910 page 4 Killorglin Petty Sessions

(Before Capt Crane RM and Capt Leeson-Marshall, JP, DL) An Old Age Pensioner

Mr Andrew Mason, Old Age Pension Officer, charged Mrs Johanna Breen, of Drum, that she did on the 6th of May, 1919, for the purpose of continuing an old age pension for herself knowingly make a false representation, to wit, a representation that she was 72 years of age, and that she was born and reared at Cloghera, near Glencar, and that she was the eldest child of her father’s family, and that she did not know James Shea, of Coose, which representations were false.

Mr CJ Morphy, CS, Tralee, appeared for the complainant.

Mr DM Moriarty, solr, Killarney, was engaged for the defendant, and his clerk applied for an adjournment as Mr Moriarty could not attend.

Mr Morphy said the case was adjourned to this day on a former occasion to suit Mr Moriarty, and he was not present now.

The Chairman said he would let the case stand for some time if another solicitor could be had.

Mr Joseph Mangan having been consulted, declined to act as he had not sufficient time for instructions.

Ultimately the defendant agreed to let the case proceed.

Rev Father Scollard, PP Glenbeigh, in reply to Mr Morphy, said he was a member of the Old Age Pensions Committee. On the 6th of May last Mr Mason put some questions to the defendant through me as she only speaks Irish, **and I interpreted the replies** truthfully that she gave. I spell my name Scollard. The baptismal certificate (produced) is very like my handwriting. I will not swear I wrote my name on it.

Mr Andrew Mason said – I am pension officer in this district. On the 6th of May last I attended a meeting of the Pension Committee. Father Scollard was there, and I objected to this pension being continued. I put some questions to the defendant through Father Scollard and he interpreted them. I pointed out to her that according to the registry of baptisms in Glenbeigh she was only 65 years of age, while the certificate which she produced to the committee showed her to be 72. She said she was 72 years. She said she was not born at Coose. Her brother James admitted he was born at Coose. She said she was the eldest of the family and did not know James Shea. The parish clerk of Glenbeigh who wrote the certificate of her baptism which she produced on the 6th May last is dead. I searched the register and could find no date to correspond with the certificate showing the baptism of the defendant.

Mary Shea said she was an aunt of the late parish clerk and produced the register. “I see the certificate produced, but I would not swear to the writing, but I am certain that he could write better than that. I never had any reason to mistrust his veracity.”

James Shea, in answer to Mr Murphy, said his father’s name was Michael and mother’s Kate.

Mr Morphy – Is that your sister?

Witness – I am not sure (laughter), but, as the people say, I cannot tell if she lived ten years with me in the house. I am older than her. I know her now of course. My father and mother came to Coose and did not go back to Cloghers.

Mr Maurice Breen said – I live at Gortmaloon, adjoining Coose, and am over 70 years of age. I knew the father and mother of the defendant who is a sister of James Shea.

The census paper of 1841 was here produced in which there was no record of a family, but those of 1851(?) showed three children, of whom the defendant was the second oldest, and then six years old.

The Chairman asked Father Scollard if he had seen the certificate, but the latter said he had no recollection. The clerk died on the 10th of October last.

Defendant, asked if she had any defence, said that James Breen saw the clerk giving her the certificate. It turned out that Jer Breen was her husband.

Mr Morphy said he thought he was not a competent witness for his wife, although he did not object to his giving evidence. Ultimately the bench decided in refusing his evidence.

The defendant said she paid half a crown for the certificate to the parish clerk. He went into Father Scollard’s and she remained outside, and after some time he went out, handed her the paper and told her that would do.

Chairman – Have you any authority to show that the half-crown was paid?

Defendants said she had not.

Mrs Mary Shea said she had no recollection of ever having seen that woman (defendant) before to-day.

Captain Crane said the magistrates should do their duty, and they would sentence the defendant to 14 days with hard labour, but would put a stay on the warrant for a fortnight.

Kerry Sentinel 21 September 1910 page 4 Cahirciveen School Attendance Committee
The Rev H Kerin, PP, Prior (chairman) presided.

The other members present were – Rev John Moriarty PP Dromod; Rev P Scollard PP Glenbeigh; Miss Butler, Waterville; Messrs Edward Fitzgerald, JP MCC Cahirciveen and Denis J O’Connell, MCC, Cahirciveen.

Messrs Charles Walsh and John Curran, school attendance officers, were also present.

The Secretary (Mr Richard P Conway) read the minutes of the special meeting held on the 23rd ultimo, in which he inserted several subjects, which were discussed at previous meetings, including matters relative to the letter which he sent to Capt Crane RM, etc.

[...] A long discussion took place as to whether the Secretary should attend petty sessions to prosecute cases against defaulters.

Mr Curran, school attendance officer, said that at the last petty sessions at Portmagee the magistrates adjourned the cases which were at the prosecution of the committee against defaulters for failing to send their children to school, so as to make the prescribed attendances, as the Secretary was not present. It was the third time that the cases were adjourned.

Rev Father Moriarty – Were you there?

Mr Curran – I was, sir.

Mr O’Connell – It is quite clear that it is the Secretary who must prosecute.

The Secretary – Am I to be paid to attend petty sessions?

Mr O’Connell – You must ask the magistrates to put as much fine on the defendants as will cover your expenses.

The Secretary – They cannot fine in any case more than five shillings, and a third of the fine goes to the County Council.

Rev Father Moriarty – The magistrates will see that your expenses will be paid.

The Secretary – I would prefer they would not.

Rev Father Moriarty – You would prefer not to be paid?

The Secretary – No; but I would prefer to be left at home.

Rev Father Moriarty – I have the greatest hesitation to put unnecessary expenses of any kind on the people, but I am most anxious that parents be compelled to send their children to school.

Mr O’Connell – You have to ask the magistrates to divide your expenses among the defendants.

The Secretary – I got 5s a day from the Land Commissioners for acting as interpreter at their sittings in Cahirciveen.

Rev Father Moriarty – You will be paid for attending at petty sessions in Cahirciveen.

Rev Father Moriarty – You will be paid for attending at petty sessions in the prosecution of defaulters.

The Secretary – If I am not paid for attending petty sessions, I will not be long here.

Mr Fitzgerald – Be in attendance at petty sessions for the future when any cases for non-attendance at schools are to be disposed of, and you will be paid.

Rev Father Moriarty – what is the Secretary’s salary?

Chairman - £15 per annum.

Rev Father Moriarty – is Portmagee outside your district?

The Secretary – It is all in my district.

Rev Father Scollard – Did our Secretary ever attend at the Killorglin Petty Sessions?

Mr Curran – No, sir.

Rev Father Scollard – He should attend at Killorglin.

Miss A Butler – And at each petty sessions in the district when we have prosecutions against people thereat.

It was then decided that the Secretary attend at petty sessions when school attendance prosecutions are to be disposed of.

The Kerryman 24 September 1910 ‘Kerryisms’ 1

The appearance of Mr SB Roche, Pensions Officer, as Irish **interpreter** at an old age pension prosecution at Killorglin recalls the interesting scene at the initial meeting of the Caher Old Age

Pension Committee when at the very commencement of the proceedings he addressed the Committee in Irish, and recommended them as “the proper thing to do” to use no other language. His suggestion met with no response, and the crowded court – all Irish speakers – witnessed the curious spectacle of the representative of the English Treasury vainly commending their native tongue to a Cahirciveen Committee. No doubt his use of the Irish language, together with his intimate knowledge of land and farm values, and his undoubtedly kindly interest in the aged poor, accounted for much of his great success, and the all but universal approval of his administration of the Act in Iveragh. Even in Killorglin he was followed from the court by the blessings of the convicted prisoner, loudly expressed in the vernacular. Surely a high tribute to his kindness and high administrative ability. Pity we cannot have many more such public officials, especially in higher grades. Irish Government would stand in a different light under their influence.

Western People 1 October 1910 page 5 Ballinrobe Petty Sessions

The presiding magistrates at this court on Monday were Alan Bell Esq RM (in the chair) and PJ Costello Esq.

Grandfather and Grand-child

Michael Feerick, Knockglass, summoned his daughter Honor Henaghan, for assault alleged to have been committed on him on the 10th September. There were also cross cases.

Mr Kirwan appeared for Feerick; and Mr O’Flanagan for the defendants.

The complainant, an old man of about 74 years of age, an Irish-speaking witness, gave evidence through an **interpreter** as to the assault. His daughter, he alleged, struck him on the face, while her son Patrick, also assaulted him.

Mrs Menaghan (sic), who said she was 21 years married, gave evidence in a cross case as to what she alleged actually happened. Her father was putting down a big fire and when she remonstrated with him he struck her a blow of his stick on the nose. Her two sons, Michael and Patrick, then entered the house and the former took the stick from him, but Patrick, whom he had summoned, did not touch him at all, or say anything to him.

[...] All the cases were dismissed without prejudice.

Ulster Herald 15 October 1910 Irish in the Revision Court, 5 Tyrone

One of the most interesting cases of the present revision sessions – interesting not so much from the legal as from the National aspect – occurred at Trillick on Tuesday, when Mr Philip Waldron, Gaelic teacher for the Parish of Kilskeery, appeared to disprove a Unionist objection to his claim for a lodger’s vote. The Revising Barrister, Mr Whittaker, early recognised with Mr O’Connor that the Unionists had no case in law; but, with a sympathetic solicitude that will be appreciated, did not like to be too harsh with Mr S.C. Clarke, solicitor, who was making a brave but rather roundabout endeavour to flounder through a lot of pointless objections. When, however, he saw that there was no other way of closing him, **the Revising Barrister asked Mr Waldron to answer Mr Clarke’s questions in Irish** – remarking at the same time that while not, perhaps, able to act as **interpreter** on the occasion, he was himself trying to learn the language. Acting on his Honour’s suggestion, Mr Waldron answered all the questions in Gaelic. Mr Clarke was completely flabbergasted, and the Unionist objection was struck out. In view of the non-recognition even of Irish signatures in other revision courts, this action of Mr Whittaker marks at once a step in advance, and an appreciation of the status that the native language has attained as a spoken tongue in Kilskeery.

Freemans Journal 3 November 1910 ‘Judge Craig and Irish: What is a ‘Mehel’?’, 9.

Enniskillen, Wednesday

Mr John F Wray, L.L.B., solicitor, was cross-examining a witness at the Enniskillen Quarter Sessions on Wednesday, before County Court Judge Craig, and he asked her was it the custom for a “mehel” of men to come to the bog to cut turf.

His Honor – What do you mean by mehel?

Mr Wray – It is an Irish word, your Honor.

His Honor – I don't know what it means, indeed.

Mr Wray – The witness will soon explain its meaning.

His Honor – Couldn't you get an English word that would suit equally as well? We talk English in this Court, and we have no interpreter here except yourself. Call it something else.

Mr Wray explained that it was the custom amongst Irish farmers to contribute to their neighbours a day's work for the purpose of getting the turf cut quickly. The number of those contributing was called a mehel.

At a later stage, Mr Wray asked the witness what was the usual number of men in a mehel.

His Honor – I do not want your mehel. Talk some English. I do not know Irish. It is a very interesting language, but I have not learned it.

Freemans Journal 5 November 1910 'Judge Craig and "Meithiol" – To the Editor of the Freeman's Journal', 8.

In India, I understand, judges are rightly expected to know something of the native language, but this, of course, if only Ireland, and puisne judges, who are the servants, not the masters, of the public can sneeringly tell us that they want none of our "meithiol". His Honor Judge Craig called for an English word that would suit equally as well. But the "English word that would suit equally as well" was not forthcoming, for the very sufficient reason that there is in English no single equivalent for the Irish word "meithiol". There is in English no occasion for it. ...

In this connection the opinion of the Master of the Rolls ought to be of interest. In the Four Courts a case was recently heard in which a copy of "An Claidheamh Soluis" was put in as evidence. None of the counsel engaged appeared to be able to make out the name of the paper, whereupon the Master of the Rolls is reported to have remarked – "It is a disgrace to the Irish Bar to say that none of you can interpret the name of a paper printed in your native language and submitted in evidence in an important case like this." What has his Honor Judge Craig to say to that?

Letter from Patk O'Daly

Limerick Leader 5 December 1910 'The Assizes' page 3 The Assizes To-day's cases County crown court - Connaught winter assizes

Alleged Discharging Of Firearms

John Kavanagh, Kinvara, Co Galway, was indicted for discharging firearms on the 21th November, to the terror of his Majesty's subjects, with the object of compelling Patrick J Flatley to quit a certain farm of land. A jury, of which Mr Alex Jordan was foreman, was sworn to try the case.

One of the witnesses gave his evidence in Irish, another witness acting as interpreter.

After a lengthy hearing, the jury disagreed.

His Lordship asked if they would consider it further.

The jury again retired, and after a short absence returned again, when the foreman announced that they could not agree.

His Lordship discharged the jury, and the prisoner was put back.

1911

Cork Examiner 17 January 1911 page 7 Also 21st January 1911 Killarney Echo and South Kerry Chronicle Run down by a cart Kerry farmer's death Magisterial investigation Waterville, Monday James Shea, Rinneen, (an Irish-speaking witness) examined by Mr Irwin, deposed through an **interpreter** – I was at Cahirciveen fair on the 5th January [...]

Andy Pigott, of Rinneen, another Irish-speaking witness, deposed, in examination by Mr Irwin, through the court interpreter – I was at Cahirciveen fair on January 11th [...]

Munster Express 3 June 1911 'Dungarvan Petty Sessions: Charges and Counter Charges'

Civil case

Mr J. F. Williams for plaintiff, Mr E. Arthur Ryan for defendants.

There were quite a number of summonses arising out of the transaction – six cross-cases in all. All were heard together.....

Mr Williams said that Foley, husband of Mrs Foley, was an Irish witness.

Mr Ryan – I will make him speak English.

Mr Williams – It is well you have confidence in your powers.

Mr Williams – I must have an interpreter.

Here a man, Mr Treacy, came forward and volunteered to interpret.

He was accepted and sworn and interpreted the evidence, which was a corroboration of that of Mrs Foley.

In the process of the interpretation, Mr Williams to interpreter – Did he ask him to come out of the Witness – He did.

(This evidence of the knowledge of English on the part of the witness convulsed the court with laughter which lasted for a considerable time, the magistrates on the Bench heartily joining in).

Mr Ryan, cross-examining, endeavoured to have witness reply direct in English, but the witness appeared deaf to all questions in English.

Connacht Tribune 17 June 1911 'Oughterard Quarter Sessions: A Cow for a Fortune', 3.

Bridget Folan, wife of the plaintiff, who stated she could only understand Irish, was next called.

His Honor instructed the **interpreter** to ask her if she could speak English and she replied that she knew very little of it.

His Honor said he saw her in Court whilst her husband was giving evidence and she appeared to follow the case all right, and smiled at portion of the evidence.

She gave her evidence in Irish, which was practically a corroboration of her husband.

Cork Examiner 14 June 1911 page 5 Notes and Comments

The late Judge Bacon's opinion of interpreters was pithy, and founded on a long experience. He called them "people who translate a language they do not understand into one they know less".

Munster Express 15 July 1911 page 8 Waterford County Council (discussion re Irish language pros and cons)

Mr Thomas Power – It (Irish) never died out in this county. It is still a living language, used, almost entirely, in Ring and at Helvick.

... Mr T Power – It is necessary that some of the assistants in business houses here should know Irish.

Mr Greene – And at QS an **interpreter** is paid to attend the court, and without him some of the cases could not be heard.

Chairman – And in three-fourths of Sir John Keane's own property it is the only language used by the people in their homes.

Galway Quarter Sessions (Irish Interpreter).

HC Deb 31 July 1911 vol 29 c160W160W

§Mr. STEPHEN GWYNN

asked the Chief Secretary whether the gentleman who acts as interpreter in Irish at quarter sessions in Galway has been, since the Local Government Act of 1898, paid a much reduced salary for the same duties as he previously performed; and whether he will arrange that, after the retirement of the present Crown Solicitor, the incoming Crown Solicitor should pay to the interpreter employed by the Crown the same salary as he received up to 1898?

§Mr. BIRRELL

Mr. Anthony McDonnell, who holds the office of interpreter in Irish for Galway quarter sessions district, was appointed to that office in 1901, after the passing of the Local Government (Ireland) Act, 1898, on the same terms as he holds office at present. His salary has not been reduced, but his predecessor in office on the amalgamation of the City of Galway with the county under the provisions of the above-mentioned Act ceased to draw the allowance which he had for acting as interpreter in city cases at the Recorder's Court. The Crown Solicitor has nothing to do with the matter.

Western Leader 19 August 1911 page 6 Tuam Petty Sessions Irish Interpreter Needed

An old woman named Bridget O'Rorke summoned a man named Matthias Ryan for trespass of a donkey, his property, on her potatoes.

It was found that the old woman was unable to speak a word of English. Then the court found itself in a dilemma, as an interpreter was needed.

Mr Sheehy, CPS, said that he had to take the old woman up town to a person who could interpret for him when she came to have the summons filed for. It was the only case of the kind he had ever met. After some delay a man in court named Patrick Murray, Turloughmore, consented to act as interpreter. The court having heard the case through the interpreter fined defendant 6d? trespass and allowed 4s 6d damages and costs.

Complainant went away satisfied.

Donegal News 7 October 1911 interpreter for Irish patients

FINTOWN DISPENSARY CARETAKER ASKS INCREASE. At Glenties Guardians meeting, Mr. P. H, O'Donnell, J.P., presiding, Connell M'Cauley, caretaker of Fintown dispensary, wrote requesting an increase of salary, pointing out that in addition to his ordinary duties of cleaning the building and keeping fires on he acted as **interpreter for the doctor in cases where the patients spoke only Irish**. The Clerk said that the present salary was £3 10s a year. Mr. Kelly moved that an increase to £4 per annum be granted". — Mr. M. Gallagher moved, as an amendment, that no increase be granted. The advance was declined. -

1912

Kerry Evening Post 24 January 1912 page 3

Dingle petty sessions

Old age pension prosecution

Mary Shea was summoned under the old age pension act....

Mr CJ Morphy CS prosecuted and Dr O'Connell defended.

She had passed herself off as her sister Mary

Mr Walsh stated he was the pension officer stationed at Dingle. The defendant made a claim for a pension.

Thomas O'Connor (who acted as interpreter), stated he drove Walsh to defendant's house on 1 August. She appeared to be an Irish speaker. He had a knowledge of Irish, and acted as interpreter on that day.

Killarney Echo and South Kerry Chronicle 3 February 1912 page 11

Old age pensioner's case

Irish speaking in the West

(Before Mr EMP Wynne, RM; Dr G McGuide and Mr Austin O'Donoghue)

Mary Shea was summoned under the Old Age Pension Act.

Mr C Morphy prosecuted and Dr O'Connell, solr, defended

Mr C Morphy said the charge was brought under Section 9 of the Old Age Pension Act. The magistrates could impose a minimum fine of £25 instead of imprisonment. The defendant did make a certain false representation as to her brother and sister's age. She stated her brother John had been only two years older than her, and as a matter of fact John was 19 years elder than her, and she gave the pension officer to understand that she was seventy years of age. The father's name was Kevane and she had a sister named Mary who died in 1816 at the age of four years, and what she had done is that she has passed herself as that of Mary.

Mr Walsh stated he was the pension officer stationed at Dingle; the defendant made a claim for a pension.

Chairman: Who signed the claim?

Mr Morphy – Herself by her mark; it is signed by a witness.

Mr Walsh stated the claim is dated the 23rd May, 1911; he went to investigate the case and was driven by a man named John Curran. Defendant never spoke English to him. A certificate was produced by a younger woman as defendant's certificate of age. The certificate was of a Mary Kevane baptized in 1841. She said she got it from the priest and gave it to me. He was not satisfied as to her age. He produced the records from the census. He made inquiries at a later date and found that Mary Kevane was given as the mother and Mike Kevane the father, and John Kevane was the only child born in 1841.

Mr Morphy – I now produce the certificate of the census ten years later. John Kevane is given as 11 years, and Mary Kevane died in 1846 at 4 years.

Thomas O'Connor (who acted as interpreter) stated he drove Walsh to defendant's house on the 1st of August. She appeared to be an Irish speaker; he had a knowledge of Irish and acted as interpreter on that day.

Mr Walsh, continuing, stated that defendant gave her father's and mother's name as Mary and John Kevane. He asked her for the names of the family and she first gave the members of her own family; then when she understood him she gave John's name and said herself came next to him and there were only two years between them.

Mr Morphy – John was eleven years in 1851 and two years in 1841.

Dr O'Connell – the census is nice evidence.

Mr Morphy – It is a few years out; they are not deadly accurate, but there is a good many years in nineteen years.

Skibbereen Eagle Bantry Quarter Sessions 2 March 1912, page 2

O'Neill v Leigh White

Peter O'Neill of Skihill, sued E Leigh White, DL. For £5 damages, obstruction to a right of way on and for cattle from his farm along defendant's land.

Jerh Harrington was examined, and spoke in Irish, as to carrying pigs through the passage,

Mr Moriarty – I think you were speaking English to Mr Flynn this morning. (Laughter)

Witness replied in Irish.

Mr Moriarty – the whole Court are laughing at you. Sure they all know you can speak English (Laughter).

Also: L Galvin v F McCarthy and sons

This was an action for £2 17s 6d by James Galvin, against Timothy McCarthy, trading as T McCarthy and Son, of New Street, Bantry, being for the price of a pig sold by plaintiff to defendant....

Plaintiff was examined through the Irish **interpreter**, and said he sold the pig to defendant, and was not paid for it.

Killarney Echo and South Kerry Chronicle 16 March 1912 page 2 and Kerry Weekly Reporter Appeal Court (Before Mr Justice Ross) Kennedy v Stack

This was an appeal brought by Roger Kennedy, of no fixed residence, against Mary Stack, Dingle, for £4 7s 6d, money had belonging to plaintiff. [...]

Michael Griffin was then called, and when being asked to take the oath, made signs that he did not understand English, but afterwards took the oath in English. Finally an interpreter had to be called, and the following is the evidence: - I was with complainant. He had £4 7s 6d. Minnie Stack caught him by the coat and knocked him down. He got up, and was reddening his pipe, when she put her hand in his pocket. He saw her counting his money. He ordered no drink.

Derry Journal 20 March 1912 Damages for assault at a Donegal fair

Donegal assizes

James Fyfe, an Irish speaking witness, who gave his evidence through Mr John Boyce, court interpreter, said the first thing he saw was the parties choking one another.

Donegal News 23 March 1912 'Donegal Assizes, 7.

.. James Fyffe, an Irish-speaking witness, who gave his evidence through Mr John Boyce, Court **Interpreter**, said the first thing he saw was the parties choking one another. He separated them, and took McDevitt away. He was bleeding at the time. He saw no whip with McDevitt. McDevitt had some drink taken, but rode home afterwards.

The Irish Times 27 May 1912 'Galway Poteen Case: Charge against Excise Officer – Witness committed for Contempt of Court', 10.

Mr White, R.M., through the **interpreter**, warned the witness that he would be committed to jail if he refused to answer the question.

Donegal News 8 June 1912 page 2 Galway stilling case Excise man returned for trial Remarkable story told in court

A further stage was reached in the remarkable case in which Thomas T Townsend, an Englishman and an officer of the Customs and Excise, stands charged with shooting at and wounding Martin Keady when an attempt was being made to seize a still on the mountain of Knockladoo, Connemara, at 4 am on the 16th March last.

Mr Jasper Whyte RM sat to take further depositions, and Keady, still limping from the revolver wound, was conveyed from jail, where he had been committed for contempt last week for refusing to give the name of his companion on the night of the affray.

Keady, who had to be examined through an Irish interpreter, confirmed the deposition made at the last hearing in which he related that whilst making poteen on the mountain with another man, the two gaugers, Townsend and Flaherty, came....

Keady discharged and Accused returned for trial to the next assizes.

Donegal News 8 June 1912 'Galway stilling case' 2

Excise man returned for trial

Remarkable story told in court

Keady, who had to be examined through an Irish **interpreter**, confirmed the deposition made in the last hearing, in which he related that whilst making poteen on the mountain with another man,....

Ulster Herald 8 June 1912 'Galway Stilling Case: excise man returned for trial' 2.

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Limerick Leader 24 June 1912 The Abbeyfeale Case. 3

In a letter to the Press, Mr Peadar O'Hanrachain, Gaelic League Organiser, who was arrested at Abbeyfeale recently for not giving his **name** in English, says: - Mr Birrell, Chief Secretary for Ireland, has defended the actions of the policemen who arrested me recently in Abbeyfeale. In order to defend them he needed something besides the truth, so two falsehoods appear in his answer. I do not say the fertile brain of Mr Birrell conceived the falsehoods to which I refer, but I maintain they are prominent in his answer to Mr T O'Domhnaill, MP. No. 1 is that I refused to give my name, even in Irish, when the publican volunteered to act as **interpreter**. Now, whom did I refuse? No one asked me after the appearance of the publican on the scene to give my name, so how can it be said that I refused to do so. Head-Constable Walsh, who had a lot to say a few minutes previously, kept his mouth shut at this particular time. It is too flimsy even for police evidence to say that that was refusing to give the name. I had given it five times at least already. No 2 – Mr Birrell stated that I refused to write my name in Irish or in English. That is not true. The first person to mention the word "write" that night was a lady (whom I did not see) in the house of Mr Harnett, JP. She was at the head of the staircase and suggested, when she found the head-Constable and Mr Harnett in a bit of a fix, that I be asked to write my name. Mr Harnett then said that was just the thing, so I thereupon produced a postcard on which my name was written and laid it on the hall table for inspection and said ? the written form of my name, and that if they so desired I would write it similarly. Mr Harnett, JP, said it would not do, as he could not read Irish. It was at Mrs Leen's, in whose doorway I was found, the committee of the Aeridheacht, had lunch on that Sunday. I naturally looked on it as their headquarters, and had been in there earlier in the evening. I didn't even know it was a publichouse until the head-constable and his two assistants presented themselves at the door. Being a teetotaler, I was more or less indifferent as to whether there was a bar there or not.

Skibbereen Eagle 29 June 1912 Case at Abbeyfeale Charges Dismissed page 11 Peadar O hAnnrachain – name in Irish

At Abbeyfeale Petty Sessions on Wednesday, the prosecution of Peadar O'Hanrachain, Chief Gaelic League Organiser for Munster, attracted a very large crowd to the Courthouse, where the charges preferred by Head Constable Walsh, viz., being on the licensed premises of Mrs Leen, and refusing to give his name on Sunday night, 9th inst., were investigated by Messrs Wolfe Flanagan, RM, PL Liston, and BC Collins, JP's.

District Inspector Gallway Foley prosecuted, and Mr Dan Leahy, solr, appeared for Mrs Leen, and watched the proceedings on behalf of O'Hanrachain, who conducted his own defence.

...Mr Foley having explained the charges,

Mr Flanagan asked Mr O Hanrachain if he required advice before consenting to an alteration of the date in the summons.

Mr O Hanrachain having replied in Irish that it was not necessary.

Mr Flanagan said – Mr O Hanrachain, we have a great difficulty in understanding your remarks, not knowing Irish, so I will ask you to use the English language in the hearing of the case.

Mr O'Hanrachain – Is rooth liom go gcaifidh me an teanga ghallda do labhairt.

Mr Flanagan – Is Peter Hourihan your correct name.

Mr O'Hanrachain – Nil aon ainm orm ach Peadar O'Hannrachain.

Mr Flanagan- If it is not, well, make any alteration of it you wish in the order book.

Mr O'Hanrachain – The only name I have and am known by and that of my family is that I have given.

Mr Flanagan – Well, can you write your name down?

Mr O'Hanrachain did so as already given and the order book having been corrected, he explained he had already given that name many times, and even wrote it down when taken before Mr Harnett in

the first instance. He intended later on to call witnesses to prove it was his name and that he was known by not other.

Mr Hartnett JP at this stage retired from the Bench.

Mr Dalton CPS read over the charges, that referring to the name being brought under the 27th Section of the Licensing Act of 1874.

Head Constable Walsh, replying to Mr Foley, deposed that seeing the door of Margaret Leen's licensed premises open on the date mentioned, he directed the attention of Constables Shannon and Curley to them, and he entered without any interruption. This gentleman here (pointing to Mr O'Hanrachain) was talking to Miss Leen, and he asked why the premises were open. She replied Mr O'Hanrachain had come there to see Mr Corbett. He asked his name and address, and he replied in Irish. He thought he gave no address, and told him he didn't understand it. He requested his name in English, and he stated he had already given his name and address. Witness expressed regret for being ignorant of Irish, and, added witness, "I do the same here to-day". Miss Leen asked him to give his name in English, and witness asked for her mother to satisfy him as to where he came from. Mr Leen volunteered to interpret the name, but he said he knew his own business. After further remarks he took him into custody, and expressed regret at all the trouble there was about it. In the barrack defendant expressed a wish to see a magistrate, and he took him to Mr Hartnett's, a thing he would hardly do again at that hour. He again refused to give his name and address in English.

Mr Leahy – That's the whole thing. We submit he gave it.

Cross-examined – I suppose you have take to Father O'Growney since – you don't look on this as very important? I do not think it is a very small case.

In your long experience of the Licensing Acts have you often arrested a man for not giving his name and address? – Never before; I always got the name and address.

Do you say he refused to give it? He did.

How? He might as well have spoken Greek or Latin.

And suppose you came across a courteous Frenchman what would you do? I'd throw the onus on the publican.

You were a bit nettled at the time? No: just as I am now.

Was Peadar testy or impudent? No. I know first he told me I was too ignorant.

Replying to further questions he said he did not convey in any way that Mr O Hannrachain was under the influence of drink.

Mr Flanagan – I didn't understand that.

Mr Leahy – that he wanted to get the publican into trouble. Undoubtedly the remark was made, but that did not convey the other. Mrs Leen's is a well-conducted house.

After being cross-examined at length as to the position which the constable found the premises and parties, witness said he could not express any opinion as to whether Mr O Hannrachain was there in contravention of the Act.

Mr Leahy – Between the jigs and the reels anyway, I believe that was a Feis day you arrested him (laughter) and I believe if Mr Flanagan hadn't turned up you'd have kept him in since. (Laughter)

Mr Flanagan – I think the Head seemed to be very anxious to get rid of him (laughter).

Peadar O Hannrachain was cross-examined at length in his own defence and proceeded to explain, prefacing his remarks in Irish.

Mr Flanagan – You are making a speech.

Peadar – Excuse me, I am stating my case.

Mr Flanagan – You may ask the Head any questions.

Peadar – I have plenty. Did I refuse my name? You did.

Were you present when I gave my name to the Resident Magistrate when I was discharged from custody.

Mr Flanagan – You gave a name and I directed to summon you on it.

Peadar – I gave my name, and he swore twice I didn't. if you are too ignorant to understand my name, surely the fault is not mine.

Witness – You said I was too ignorant to understand it. I didn't know what you gave.

You ordered the constable to put me in a cell? I did.

Yes, with a drunken man. Did I offer my name in the barrack? No; next morning you showed me a motor licence.

I gave you my name five times and presented you with an envelope bearing my name.

Witness – You showed me no letters.

Mr Flanagan – If you refused to give it in the publichouse, it is immaterial whether you gave it next morning or not.

Constables Shannon and Curley having been examined.

Mr Leahy addressed the court, after which the charges against the publican and the first charge against O Hanrachain were dismissed.

For the defence in the others, Tomas Conba and Pdraig O'Siogthradha, who protested against giving evidence in English, deposed they knew no other name for the defendant than he gave.

After conclusion, Mr Flanagan said by a majority the bench dismissed the charge and Mr Foley intimated he would give notice to state a case.

Connacht Tribune 29 June 1912 'Galway Petty Sessions', 6. The invited guest question

Anthony Feeney publican was charged with a breach of the licensing act. Police case.

Mrs Feeney, who spoke in Irish, was examined through the Court **interpreter**, and stated that she invited Mannix, Folan and Connolly to the house.

Connaught Telegraph 20 July 1912 'Mayo Summer Assizes', 5.

On resuming an old man named Patk Murpy, an Irish-speaking witness was next examined, and he evidently being dissatisfied with the way Mr O'Toole, the interpreter was translating his story, he broke into English to the great amusement of the Bench, Bar and the entire Court.

He finished his story in English and his Lordship said he was a very fluent English speaker.

Western People 20 July 1912 page 6 Mayo Summer Assizes A Kilmaine Assault

John Burke, of Gortatoher, Kilmaine, surrendered to his bails and was put forward on a charge of having seriously assaulted Peter Lynch and his sister, Ellen Lynch. [...]

An old man named Pat Murphy, an Irish-speaking witness, was examined for the defence, and after giving portion of his evidence in the vernacular, he apparently became dissatisfied with the manner in which Mr O'Toole, the court interpreter, was translating his story, and to the great amusement of Bench, Bar, and the entire court, he broke into English, and continued his story in this language, his Lordship remarking that he was a very fluent English speaker.

Munster Express 27 July 1912 page 7 Civil case

Petty Sessions Court Pointed a gun at him – interesting case

Patrick O'Kiely summoned John Harty For abusive and threatening language, and while doing so for pointing a gun at him and sought to have him bound to the peace.....

Michael Morrissey, an old Irish speaker, who was unable to speak English, was sworn in Irish **by Constable Walsh, of Ring, who interpreted his evidence.**

Witness gave a vivid description in Irish of the occurrence, and while doing so emphasized words here and there by the action of his hands. This created much laughter../..

The Kerryman 7 September 1912 'A King as Chairman – Demonstration in the Blaskets' 8

An interesting and picturesque scene took place on Sunday, September 1st, when the entire population of the Blasket Island assembled on Innishmore to express their views upon the public affairs of the realm.

It should be understood that while the Islands maintain their independence to the extent that they possess their own laws, customs and titular Sovereign, they are associated for administrative purposes with the mainland. They have a population of about 250 who are exclusively Irish speakers, are remarkably prosperous, intelligent and industrious, and their hospitality is unbounded.

No publichouse is permitted within the realm and drunkenness is unknown.

The "King of the Blaskets" presided over Sunday's meeting, and the following resolutions in Irish were unanimously adopted:

1. That it is not right that the 250 Islanders should be left with no doctor nearer than fifteen miles from them and that it is not right that any public official should be appointed for the Island does not understand the language that is spoken there.
2. That since Irish is the only language understood in the Island, Irish should be the only language used in the Irish school, and that the children there should not be compelled to spend half their time listening to instruction in a foreign language which nobody in the Island either needs or desires.

In introducing the resolution, the King pointed out that they were there to claim no more than equal rights with their fellow countrymen on the mainland, and these rights they were determined to achieve. One of these rights was that public officials should at least be able to understand the language of the people with whom they were doing business and by whose money those officials were paid. (Applause).

This right was recognised in other parts of Ireland, and why was it not recognised in the Blaskets? The only language they spoke or intended to speak was their own language – Irish, and were they to be penalised for having resisted foreign influences and for having remained truer to their country's traditions than the majority of their countrymen? (Applause). He was confident that he expressed the feelings of the entire meeting when he said that Irish, the language which had been theirs for twenty centuries, would be the language of the Blaskets till the day of judgement. (Applause).

The resolutions were supported by Thomas O'Rahili and others who urged that it was neither right nor reasonable that when an Islander fell sick his friends had to travel about thirty miles, eight of which led across the wild Atlantic, to fetch a doctor, and when the doctor arrived he could not understand the patient's symptoms without the aid of an **interpreter**.

If a doctor did not understand the language of his patient, how was he to know whether he was suffering from the toothache or from colic? (Laughter).

The Islanders contributed their fair proportion of public money for rates and taxes. Why was not that money expended in accordance with their wishes and requirements.

Was there any Anglicised community of 250 souls in Ireland who had no doctor within fifteen miles of them? How would the people of Bray like it if the nearest doctor lived at Clontarf? Would the Dingle people be satisfied if their doctor lived at Caherciveen? With regard to the school, if anyone demanded a bi-lingual school in Belfast the answer would be that the Belfast children did not know enough Irish to derive profit from instruction in that language. It was a poor rule that didn't work both ways, and if this was true of Belfast it was equally true of the Blaskets, that the children did not know enough English to derive profit from instruction in that tongue.

It would be more honest and candid for the authorities to admit that the reason they had no bi-lingual school in Belfast was to prevent the spread of Irish, and that the reason they had a bi-lingual school in the Blaskets was to promote the spread of English.

The resolution was then put to the meeting and was greeted? by acclamation amid considerable enthusiasm.

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Ballymena Observer 10 January 1913 page 11 Employments excepted

The Insurance Commissioners have issued a further special order under Schedule 1, Part II (i) of the Act, exempting certain employments from its compulsory provisions on the ground that they are of

such a nature as to be adopted ordinarily as subsidiary employment only, and not as the principal means of livelihood.

Among those so excepted are certain employments involving a part-time service only in connection with life-saving apparatus for wrecks or signals of distress at sea; with the care or upkeep of minor lights, buoys, beacons, signals, and tide gauges, lighthouses, &c; in relief of gymnasium attendants, park constables, lamp-lighters, &c, in reading to the blind; in cleansing of drains, &c; about public elementary schools; in relief of school-keepers on Sundays; as supervisors of school meals for necessitous children; as occasional usher, crier, order officer, attendant or messenger at county Courts in England, Ireland, and Wales; as occasional **interpreter** at County Courts in Ireland and Wales; as messenger conveying Post Office mails on station or pier service (if the employment occupies not more than 18 hours in the week); as distributors of stamps by the Board of Inland Revenue; as civilian butt-marker or lookout man at Territorial rifles ranges; and (in certain circumstances) as onion-peeler.

Connacht Tribune 22 March 1913 'Galway Spring Assizes', 5.

Two sons of the last witness having been examined, his Lordship, in summing up, after the address of counsel on both sides, paid a tribute to Mr McDonnell, the Irish **interpreter**, who, he said, was a most charming man whom he had not seen for five years, and who seemed to be thoroughly acquainted with the witnesses, whose evidence he interpreted so well.

The Kerryman, 26 April 1913 'Dingle Quarter Sessions' 3 Also Kerry Sentinel same date page 4

The New County Court Judge sees an **interpreter** for the first time

At Dingle

Before his Honor Judge Dromgoole, K.C.

Bowler v O'Connor

Dr O'Connell appeared for plaintiff; Mr Murphy defended.

This was a civil bill for maintenance. There was also a civil bill for alleged assault by Mary O'Connor against her husband, Michael O'Connor.

Mary O'Connor was the first witness called.

Mr Murphy asked if the witness could speak English.

The answer being in the negative.

The Interpreter swore the witness.

His Honor asked what was that; it was new to him.

Mr Murphy – There are a number of Irish witnesses who will not speak English. The woman can speak English.

Dr O'Connell – I do not know. The English is an acquired language with different forms entirely different from Irish, and if one makes a mistake it will be a cant in the district for years.

Mr Murphy – Dr O'Connell has an advantage himself in knowing Irish.

His Honor – If she can let her give evidence in English.

Mr Murphy – And if she can't I'll raise no objection.

The witness, speaking in Irish, said she could not.

His Honor – Do you understand her?

Dr O'Connell – She cannot.

Mr Murphy – Dr O'Connell has an advantage on us.

His Honor – Have the interpreter then.

Connacht Tribune, 19 July 1913 'An Amazing Story: The Redoubtable Parker gets Nine Months', 3.

By Mr Fetherstonhaugh: Ask him who was it beat Dudley Nee? The **Interpreter**: He says Colman Molloy.

Cork Examiner 22 July 1913 page 7 Michael McNamara

CLARE SHOOTING CASE - ATTACK ON A BARRISTER Charge AGAINST THREE Men THE RESULT

In the City Court yesterday morning before Lord Justice Cherry, three men named Patrick Kelly, James Gavin and Michael Sheehan, all residing near Leamnaleha, near Kildysart, in the County of Clare, were put forward and pleaded not guilty to the charge that they did on the 9th January, in the present year, feloniously wound and maim one Michael A. McNamara, with intent to kill him, also residing near Kildysart. They were also charged with inflicting grievous bodily harm.

The Attorney General, Mr. R. M. Hennessy, K.C., and Mr. B. Roche (instructed by Mr. H. F. Cullinan, Crown Solicitor, Clare) appeared to prosecute, and Mr. Lynch, K.C., and Mr. Kenny (instructed by Mr. James Lynch, solr., Ennis) defended the prisoners.

When the city common jurors' list was called over, 52 jurors answered to their names. The Attorney-General said it was not a good attendance, but it would be sufficient. The following jury tried the case:—John Lennox (foreman), John Cairnduff, John Anglin, John J. Ashby. James Jordon. Alfred Maltby, John O'Callaghan, Joseph Phibbs, Alfred Davidson. Mark Armstein, Charles A. Nolan, Wm. Ashbv.

Ordered to stand by—Michael D. O'Brien, James Daly. Wm. Maher, Charles O'Connell, Timtohy O'Callaghan, John Barry.

Challenged for the prisoner—Edward Pickwood. R. H. Tilson. J.P.: Marshall Lytton, Theodore F Carroll. Themas G. Sheffield, Alfred C. _Reilly, WF. Anglin, W H. Paynter. Ebenezer Pike, William E. Lloyd, Charles H. Newsom.

The Attorney-General, in stating the case for the Crown, said the jurors knew him so well and he knew them so well, it was unnecessary for him to bespeak their attention to the remarks he intended to make. It would be difficult to exaggerate the importance of the case, and he was sure the jury would, in due course, realise that. Of course he did not intend in the least degree to suggest that the case was not of as much importance to the prisoners as it was to the public. The public were vitally interested in the crime committed against Mr. McNamara, whether that crime was committed by the prisoners, at whose hands it was alleged to have been committed; the public were all greatly interested in the case, and they were chiefly interested in seeing that justice, was done in that case —: justice to Mr. McNamara and to the prisoners, and the jury would be satisfied of their guilt upon the evidence which would be given. The facts were these. On the 9th January, in the present year, the crime in question was committed in the county of Clare—a crime which sent a thrill of horror through the community. An inoffensive literary gentleman, a member of the Bar and practising on the Munster circuit was, owing to circumstances which would be given in evidence, living alone in a small house upon his property at Leamnaleha, which was about four miles from Kildysart. The district in which Mr. McNamara lives is a lonely one, and Mr. McNamara was, for reasons that would be given, living alone, and had been doing so from November, 1912. He was not able to get any servant to stay with him, and his herd, a man named Mulqueen, had been forced to leave him in November, 1912, and all owing to a quarrel about some land that Mr. McNamara had with the prisoner Kelly. It would be difficult to find a more solitary position than Mr. McNamara occupied on that occasion. He was a man of firm courage, and the facts in the case went to prove it—in fact he might be described as a man of high courage, very tenacious of his rights, and determined to see it out with his enemies. He was living alone, because owing to the reign of terrorism he could get no person to work for him. It was a strange occupation certainly to have a barrister living alone in a

small cottage. Mr. McNamara was well known as a man of high intellectual attainments, but his accuracy and his truthfulness would be entirely for the jury when they had heard the evidence in the case. He submitted the jury ought believe Mr. McNamara in what he would tell them, and there would be circumstances which would induce the jury to believe him. About 3.30 o'clock on the 9th January, having attended the wants of his cows—Mr. McNamara has about 54 acres of land—he returned to the house about 5 o'clock and made tea for himself. When he came in he closed the door by latching and belting it. About a quarter past five o'clock, as near as could be fixed, he heard some steps, which he considered furtive, approaching the door of the house. He thought there were three or four persons. These steps did not sound in the usual way, and as Mr. McNamara's suspicions were excited he challenged them and asked who was there. A conversation took place between him and the people outside, and at least two of these outside spoke to him. One of the prisoners was James Gavin. When Mr. McNamara asked who was there he was told it was a friend, and when he asked what friend and his name, he got the answer, "Simey Mac," which was the nickname of a man named Simon McNamara, who was well known to be a friend of Mr. Michael McNamara's, who said: "That is not Simey Mac's voice," There was a further conversation, and then Mr. McNamara became positively certain that the voice outside was the voice of James Gavin, who had a very peculiar voice. He had a perfect acquaintance with the voice of James Gavin, because on the previous Monday Mr. McNamara had a summons against the prisoner Kelly, and Gavin was examined as a witness for Kelly, and Gavin was cross-examined by Mr. McNamara for some time. On another occasion when Mr. McNamara again had a summons against Kelly, Gavin was again Kelly's witness and was again cross-examined by Mr. McNamara. On that matter there could only be one issue, whether Mr. McNamara was telling the truth when he swore it was James Gavin who was outside the door speaking to him. He (the Attorney-General) submitted that a man could be as well identified by his voice, by a person who knew him, as if he now saw him face to face. After some small interval Mr. McNamara determined that he would open the door to them, although he knew his enemies were outside. He went into a room and took a revolver off the chimney-piece, and then came back to open the door. When he had unbolted it he stood partly behind the door which led into the room in which he had got the revolver. The front door was opened and one of the men outside entered – Michael Sheehan, who carried a gun in his hand. He came in sideways and the gun was in his left hand, and when some feet inside he discharged the gun at Mr. McNamara, and the shot hit him on the left fore-arm and hand. Mr. McNamara was disabled. There were thirty-four or thirty-five grains of shot lodged in the forearm and the hand. He got a tremendous shock. After firing the shot Sheehan retreated. When Mr. McNamara recovered from the first shock he discharged his revolver at Sheehan, but the bullet missed Sheehan, passing through a partition and was buried in a wall of the house.

The men also went away from the house, and then discharged their guns at the house—there were three- or four or more people. Twice the house was struck by the shot, and one of the discharges went through the window, and if this had hit Mr. McNamara in a vital place it would have been fatal to him. The shot ought to be regarded by the jury as firing with intent to commit murder, though there was also the charge of firing to inflict grievous bodily harm. It would be for the jury to say whether they would find Sheehan guilty of the first or the second charge. (A wooden model of McNamara's house was used to indicate the alleged entrance of Sheehan and what followed). A moment or two after the men had gone Mr. McNamara came outside the house exposing himself he

(Attorney General) would say very rashly to an attack. He had his revolver in his hand, but his assailants, whatever the original intention may have been, and there could be little doubt what it was evidenced by their act, made off. There were some cocks of hay, and behind these they took shelter, and eventually dodged away. Mr McNamara went to the house of a neighbour named James Finucane, and the police, who had been summoned, attended to his wounds. He was taken to the infirmary at Ennis, and he there remained until the 29th January, out to the present day he had in the forearm some grains of shot. It was incumbent upon him (the Attorney General) that the jury should know exactly who the prisoners were and what, were their relations; with one another, and what their business relations with Mr McNamara were in order that, the jury might see whether there was any motive for the attack on Mr McNamara. The principal person in the case, the man who organised the outrage, if the jury came to believe an outrage was organised was Kelly. The relations between Kelly and Mr McNamara were extremely strained, and this arose over a dispute about a field, which in May, 1912, Mr McNamara had bought from another Mr McNamara. The price Mr Michael A. McNamara gave for the field was £40. The field adjoined Kelly's holding, but had never been in Kelly's possession, nor did Kelly ever pretend it was, nor in the possession of Kelly's family. It was always the field of Mr. McNamara, from whom Mr. Michael A. McNamara had purchased it, and it was by reason of its proximity to Kelly's farm that the latter coveted it, and was trying to get McNamara to sell it to him. But McNamara did not want to do so, but at length, for peace sake, said he would sell it for £40, but Kelly would not give that sum. Then there was persistent trespass by the Kelly family, and the field was rendered useless to Mr McNamara, who brought summons after summons for trespass of cattle, hens, ducks, and geese. Two processes were also brought before the County Court Judge, and in each Mr McNamara recovered damages for trespass, and when the gates of the field were broken down he got compensation for criminal injury, not against Kelly, but on those occasions Gavin was examined. But it was not on these matters the jury were to infer that Kelly had a bad feeling against Mr. McNamara. On the 25th November, Kelly said to McNamara—Kelly, in fact, used this significant threat—he said—"I will pay you a visit soon." That was after some of the litigation that they had. At that time Mr. Michael A. McNamara was alone, because Mulqueen had left him. Kelly met a man named James McNamara—he (the Attorney-General) could not say whether the man was any relation of Mr Michael A. McNamara or not—and Kelly said to him—"Mac will be shot, but I will not do it myself." On the 25th November, Kelly said to Mr. McNamara—"I will pay you off soon." The jury would have motive proved as clearly as anything could be. What about Gavin; Kelly was married to Gavin's sister. Gavin met a man named O'Dea in Ennis on the 21st November, 1912, and Gavin said to O'Dea, after some talk about the field—"I will get a man to pay him a visit and give him a "clitter" for £5. He (the Attorney-General) understood that "clitter" could mean anything, according to the sense in which it was used—from a slap in the back to a shot in the left arm. He should say there were no threats used by Sheehan that could be proved. Now, Mr. McNamara did not say he saw Kelly on the night of the 9th January. He did not, say he saw Gavin, but he would swear he saw Sheehan, and he would swear positively he could identify Gavin by his voice. A jury should not convict, no matter how strong the motive might be, unless there was some evidence to connect a man with a crime by direct or by circumstantial evidence. But in this the evidence against Kelly was this—A few minutes before the crime was committed he was seen and spoken to by a man, and at the time Kelly was going in the direction of the house of Mr McNamara, and the witnesses who would swear so was, like other witnesses, from other parts of the County of Clare, and some parts of the County Kerry, not too friendly to the

Crown. But this witness would be forced to admit that he saw and spoke to Kelly. The jury would also be satisfied that on the occasion Kelly had a gun in his hand, and at the time he, was 300 yards from Mr McNamara's house. If it was not a gun it was something which the jury would infer was a gun. Where was Kelly found after that? He was found at six o'clock in the house of a man named Thos O'Dea. There was a party assembled there, and they were playing cards. Kelly came himself to the house and asked what o'clock it was, and was told it was four o'clock. Then Kelly sat down and did not stir from the house till nine o'clock, and yet he had not been in the same house for four years before that. That house was twenty five minutes' walk from Mr M'Namara's house. It was a man named Finucano spoke to Kelly on the road, and he recognised Kelly, who made no answer. Was not that significant? —the man who said he would pay a visit soon to Mr Mc Namara. As to the case against Sheehan, he was not so well known to Mr M'Namara as were Kelly and Gavin. Except on the night of 9th January, it was three years before that since Mr McNamara had seen Sheehan, who in the interval had got stouter and grown taller. But he had a remarkable peculiarity as regarded his legs. Mr McNamara did not see the face of Sheehan, but he noticed the peculiar way the man carried his legs. At the time of the occurrence he refused to have Sheehan arrested, and it was not until Mr McNamara had left hospital and again saw Sheehan that he said it was he was with the gun that night. If Mr M'Namara was anxious to make a case he would have said he saw Kelly that night, but he never said he saw Kelly. Now, with regard to Sheehan, the man " who came into Mr McNamara's house was a left-handed man, and Sheehan, it would be proved, was left-handed, but, Mr McNamara, at the time he identified Sheehan on a street in Ennis, was not, aware he was left-handed. But he was positive it was Sheehan was in the house on the night of the attack. The case seemed to be absolutely and entirely one to be decided by judgment of the jury, and it ought not be a difficult case for them to decide. Mr McNamara had no ill-feeling towards Kelly or his relatives, but Sheehan was a cousin of Kelly's wife, and Kelly's wife was Gavin's sister. The circumstance to which the jury ought to attach great weight was Mr McNamara's testimony, and especially that he did not say it was Kelly came to the house, but said only what he believed to be true.

EVIDENCE FOR THE _CROWN Mr. Thomas Henry Pilkington. C.E., was the first witness called, and gave evidence with reference to a map that he had prepared of the scene of the shooting.

Michael A. McNamara, B.L., was then examined by the Attorney-General, whose first question was "How old are you, Mr. McNamara and witness replied: "I am 50 years and upwards" (laughter).

The Attorney-General—So am I, but you are not bound to incriminate yourself (laughter).

Mr. P Lynch—Especially as he is a bachelor.

Witness next stated that he was a barrister, but had very little practice. He was an owner of land at Leamnaleha, and had at present about 59 acres.

The Attorney-General—I notice you are far more particular about that than about your age (laughter).

Witness further stated that on the 9th January last he was living in the house on the farm at Leamnaleha. He had a herd named Mulqueen employed there, but he left on the 14th November. Witness tried to get someone else in his place, but did not succeed. On the 9th January witness was living alone in the house. He entered the house finally for the night, about five o'clock, and made

some tea for himself. He had the tea laid when he heard hurried steps come to the outer door, and an effort being made to open the latch. That would be from a quarter of an hour to twenty minutes after he had entered the house. The door was bolted.

The Attorney-General—Did you form any opinion as to how many people were outside the door? At first I only heard the hurried steps of one person, but I heard steps of other persons afterwards.

Did you form any idea as to how many persons were outside the door? I thought there were two or three, but it might be more. The steps came to the door a shorter way than was usual. They came across the lawn instead of by the gravel walk.

Were there cocks of hay in front of the house? Yes.

When you heard the attempt to lift the latch what did you do? I came out of the room where I was going to take tea and came near the entrance door to the house.

What did you do then? I asked who was there.

Did you stand close to the door while you were saying this? I did.

What happened? I asked who was there, and a voice answered, "A friend." I said, "What friend?" and the same voice answered, "Oh, open; it is all right," or words to that effect. I then said, "What is your name," after which I heard a slight whisper from a second voice, and immediately the first original voice said, "Simey Mac."

That was in answer to you? Yes. I then said "That is not Simey Mac's voice." and the voice said "It is." I don't know whether I said "I know your voice" or not.

Did you know the voice? I did. It was the voice of James Gavin, the prisoner.

Well? Then another voice said, trying to imitate Simey Mac's voice, "Simey Mac." It was a drawling voice, but was not "Simey Mac's," and I said, "I won't let you in," and then the first original voice said: "Oh, very well so." - It was James Gavin said that. I then said, "Wait a moment," and I went into another room and took my revolver out of a locker. I then went back to the door.

Had you a candle in your hand? It was on the sill of the window in the kitchen.

What did you do then? I slipped the bolt off the door, but not the latch, and then I said, "Come in now if you like." I retreated into a room where I had a commanding view of the door and where I was protected.

To his Lordship—Any party coming from the door would have to pass the candle to reach him.

The Attorney-General—What was the next thing that happened? A small boy entered quietly and slowly. I had my revolver up at the time ready to fire.

Did you know who that boy was? It was the prisoner Michael Sheehan.

Did any other person come in there! Only Sheehan.

How far did he come? He came in about three or four feet. He came in with his back to me, and his right shoulder towards me. There was nothing in his hand as far as I could see, and that is the reason I did not fire on him.

Mr. P. Lynch—You have no right to say that, and you know it.

Witness then gave an illustration as to how Sheehan came into the house, and said, "Just like this. I am not looking at the Attorney-General, but I can see him all the time" (laughter).

The Attorney-General—Yes, but don't shoot me (loud laughter). Witness added that as soon as Sheehan entered the house he fired a shot as quickly as possible.

His Lordship—Did you see him fire it? I saw the gun go up.

Was it a gun or a revolver? It was something long like a gun, and must have been a gun. It was done quickly, and all I saw was a flash. I was shot in the left arm.

The Attorney-General—Did you suffer considerably from shock? I did, though I was determined to sell my life as dearly as possible.

Don't mind that—did you suffer considerably from shock? I did. Sheehan remained in the house, and I fired at him in a couple of seconds, but he then ran out the door.

His Lordship—Could you tell if you hit him? I could not say, but I expect I did not.

How far were you from him? About six yards.

In reply to further questions by the Attorney-General, witness said that the whole place was in darkness and he could only fire at random. The explosion of the shot must have extinguished the candle. Witness went to the door cautiously, and went out to see if he could get a shot at the parties, but they had disappeared. Prior to that shots had been fired - two or three at the house, and a window was broken, while a shutter was pushed in. Witness waited in the house for half an hour, as he was afraid to go out. He then went to the house of James Finucane, which was about 300 yards away, where his arm was bound up. After two or three hours the police came to the house, and he was removed to the infirmary in Ennis. He was treated by Dr. McClancy, and was kept there until the 29th January. He was positive that Gavin was outside the house on the night in question, as he knew his voice well. He (witness) then referred to the summonses that he had against Kelly for threatening and the trespass of ducks and hens. 'On these occasions Gavin was examined as a witness for Kelly, and witness was therefore well acquainted with his voice. As regards Sheehan, he knew him about two or three years ago, and he went to see him on account of all the talk there was about him.

Mr. P. Lynch—It is a scandalous thing for you to say that—a man who is a barrister.

His Lordship—He is evidently going to get a very searching cross-examination.

Mr. P. Lynch—He won't if he conducts himself.

In answer to further questions by the Attorney-General, witness said that he thought he spoke to Sheehan on one occasion about three years ago, and he then took special notice of him. Sheehan

was stout and stumpy and peculiar in his motions. Prisoner, of course, was different at present to what he was three years ago. When witness saw Sheehan at Ennis on the 29th January he formed the opinion that he was the person who fired at him. Up to then and while he was in the infirmary he had not made up his mind, but when he saw Sheehan and his motions he made up his mind on the matter.

The Attorney-General—You are satisfied about that? Yes. The moment I saw him I knew it was the person who entered the house and shot me, by his size and shape, and I waited until he walked to see his peculiar motions. In reply to further questions by the Attorney-General witness said that in November the prisoner, Kelly, said to him: "I will pay you a visit soon." That was said in a violent, insulting and threatening manner. In the previous May, Kelly sent a messenger to him about the sale of the field on which the trespass occurred. On the 9th January witness had two processes pending against Kelly before the County Court Judge.

Mr. P. Lynch—You have a good deal of experience on the giving of evidence? I had some, but not recently.

You graduated as a surveyor? Yes, I did some work in that way.

How many years were you practising as a surveyor? Only five or six years. Now you are an interpreter to the County Court in Clare? Yes.

That is your present occupation? I have other occupations also.

You are farming also? Yes,

In reply to further questions by Mr. Lynch witness said that two people named Finucane lived near him. A good deal of law had taken place between these people. Witness did not take sides with one of them, but he got two fees from one of them, and afterwards processed the person who gave him the fees (laughter). Witness was a second cousin to Kelly. He did not see the gun until it was put up to him. He swore before the magistrates that he saw no fire arms, but what he meant to say was that he did not see any firearm until it was fired. He did not see Sheehan's side, except his head. Kelly's children trespassed on his meadow, and he issued a process with regard to that matter. He thought the children were four or five years old. He did not know that one of the children was only two years old. On behalf of Kelly he was bid £36 for a field, to which reference was made, but he refused the offer.

Dr. MacClancy stated that when brought to the Ennis Infirmary on the 9th January last witness was examined by him. There were thirty shot marks in Mr. McNamara's left hand, forearm, and arm, and about ten of them had penetrated deeply. Witness extracted some of the shot. Mr. McNamara suffered a good deal from shock and loss of blood.

To Mr. Lynch—His temperature was normal all the time.

Stephen Mulqueen stated that he had been a herd in the employment of Mr. McNamara, but he left that employment, as it did not suit him. He got a letter, but that had nothing to do to his leaving the employment.

John Mulqueen stated that on the night in question a short time after the clock in his house struck five o'clock he left his house and went along the road. At the cross he saw a man, and he saluted him as being Pat Kelly, but he did not know whether it was or not.

The Attorney-General—Who did you believe it to be? I could not say.

Did you give a statement of your evidence to the police and Crown Solicitor? Yes.

Now answer me—whom did you believe the person to be whom you saluted? The man did not answer me, and I did not know who he was. He looked like Kelly, but I could not say whether it was or not. Had he anything in his hand? He seemed to have something. What was it like? I could not answer that. He had it in his right-hand, and he was using it like a walking stick. Was it by his side he carried it? Yes.

What direction was he going in? In the direction of Leamnaleha Cross.

Was that in the direction of Mr. MacNamara's house? It would be.

To Mr. Kenny—It was "dusky" at this time. Where he saw the man was between Kelly's house and Leamnaleha Cross, and that would be on the straight road to Kildysart.

Sergeant Gunning gave evidence as to the condition of Mr. McNamara's house after the occurrence and to finding two empty cartridges outside his house. At that night he interviewed Kelly at his house, and he said: 'I will make no statement until I am brought before a higher authority.' Kelly's wife, however, whispered something to her husband, and Kelly then made a statement stating that he went to Tom O'Dea's about five or a quarter past five to see him about some blocks, that he entered O'Dea's house at six o'clock, and remained there playing cards until nine o'clock.

In reply to Mr. Lynch, witness said that the muzzle-loading gun (produced) was found in Sheehan's house.

Thomas O'Dea stated that when Kelly came to his house on the night in question he asked the time, and witness looked at the clock and replied that it was six o'clock. Kelly remained there until nine o'clock. It was four years since Kelly had been in the house at night.

In reply to Mr. Kenny, witness stated that he kept a quarry and sold flags. Kelly had ordered flag from him, and spoke to him about the flags on the night in question. James McNamara gave evidence that last November Kelly spoke to him about the field to which reference had been made, and said about Mr. McNamara: "He will be shot, but I will not do it."

To Mr Lynch—Witness was a third cousin of Mr. McNamara's and worked for him at odd times. It was six months before last November that he had previously spoken to Kelly, but they were friends.

John O'Dea stated that on the 30th November he spoke to Gavin in Ennis with regard to Mr. McNamara summoning Kelly for the trespass of fowl. Gavin asked witness to try and settle the case, but witness refused. He then asked Gavin if £25 had been offered for the field, and he said yes, but that more was asked and that he would sooner give him the extra £5 than give him "the clutter." Constable Egan stated that on arrest Gavin made no statement.

Sergeant Patrick Crawley stated that he had seen Ml. Sheehan cut tobacco and strike matches with his left hand.

To Mr. Lynch—Sheehan was a well-conducted decent boy, and attended the evening classes held in the district.

Scrgt. Comiskey gave evidence dealing with the distances between Mr. McNamara's houses and places within a few miles of the scene of the occurrence.

Constable Connell stated that on the 4th February, while being brought back from the sessions, Sheehan made a statement to him to the effect that Mr. McNamara had no evidence except hearing a voice outside that door, and that would not be good enough to convict a man, and that if Mr. McNamara shot sooner he might have got the right party and not have innocent men locked up. Sheehan seemed to be left-handed.

To Mr. Kenny—Sheehan said, "I hope I won't be going down again, as I am innocent."

Patrick Meehan, shopkeeper, stated that some time previous to the end of last year Sheehan bought powder and shot from him, and said that the reason he wanted it was because he did a good deal of fowling.

To Mr. Lynch—Such articles were for a muzzle-loading gun. Sheehan bought no cartridges from him.

This closed the Crown case.

Mr. Lynch submitted that there was no evidence against Kelly, and asked for his discharge. His Lordship said that he would have to leave the case against the three prisoners go to the jury.

Mr. Lynch—Will you take a note of my requisition for a direction in Kelly's case. His Lordship said that he would do so—Mr. Lynch then addressed the jury on behalf of the prisoners, and said that he submitted that the only evidence against Kelly was that someone saw a person on the road, and that someone thought that that person was Kelly, but he would not swear that it was. Kelly was never "brought nearer to Mr. McNamara's house on that night, and Kelly told the police where he was, and that was the prisoner's case. He submitted that it would be an outrage on justice if a man were convicted on evidence of that kind. As regards Gavin, the only evidence against him was that given by Mr. McNamara, who with all the positiveness of a Surveyor and interpreter, swore that he identified him by his voice. Gavin was not a man whom Mr. McNamara knew all his life—if he had known him for a considerable time they could understand his evidence, but he did not know him well, and how could the jury place any reliance on such evidence. It would be proved to the satisfaction of the jury that Gavin had not been within five miles of Mr. McNamara's on the night in question, and he would ask the jury to discharge, him. What evidence had been tendered against Sheehan? Mr. McNamara. swore that the person who came into the house was a boy, that he only saw him for five seconds, and that during the time he never saw his face at all as he came in with his back to him, and yet that gentleman wanted the jury to believe that he could identify that person on the public street some time afterwards. Mr. McNamara said that he identified the boy by his peculiar walk, but not one other witness had been put forward to say that there was anything peculiar about the boy's walk. Not a single witness in the whole County Clare could be produced to say that that

was so, and the evidence of Mr. McNamara was nothing but brazen and deliberate impudence. He (Mr. Lynch) promised to establish the innocence of the prisoners by the evidence that would be tendered for the defence, and he would then ask the jury confidently to acquit each of the prisoners.

Munster Express 26 July 1913 'Dungarvan Petty Sessions', 3.

Thomas Hickey was summoned for being drunk on the public streets of Dungarvan.

The defendant spoke only the Irish language, and Mr Wm Stack was sworn to act as **interpreter**. The evidence of the defendant, when translated so ably by Mr Stack, showed that the defendant was not drunk, as was alleged.

Mr Stack informed the court that any policeman living, if he did not know the defendant, would take him to be drunk by his actions and boisterous talking.

The sergeant said that the defendant was taken to the barracks and was detained there for four hours. He was undoubtedly under the influence of drink.

Fined 6d and costs.

Connacht Tribune 13 September 1913 'Galway Petty Sessions', 1. Window smashing at the Claddagh and the "Mediums"

Maria Moloney, Menlo, summoned Bridget Duggan for abusive language and an alleged assault. Cross summons...

Mrs Duggan gave her evidence through the medium of an **interpreter**. She was not processed at the last Quarter Sessions. ...

At this stage the witness, not waiting for the **interpreter** to frame the question answered in English, which excited much laughter in court.

Connacht Tribune 18 October 1913 'Lady Litigants from St Patrick's Avenue', 8.

A very feeble old man named Michael Molloy, in the employment of the defendant, gave evidence through an **interpreter** to buying about three gallons and a half of milk from a Mrs Gill on the 25th of September.

1914

Skibbereen Eagle 10 January 1914 Page 4 Doctors and Irish

A Cara, - On Saturday, December 27th, the Macroom Guardians had to consider the question of "Essential Irish" in the appointment of a Medical Officer for the Slieveveagh District, Ballyvourney. We learn from the Press reports that Messrs. J Moynihan and DC Kelleher were in favour of making a knowledge of Irish an essential qualification on the part of candidates for the position. Mr D O'Leary, who, on a previous occasion, opposed "Essential Irish" withheld his objection to it; and the Chairman, Mr R Brophy, stated that "There are many people in the Slieveveagh District who do not know one word of English" One Guardian said: "Only from the quarter it came from I would have no objection to the resolution (of making Irish essential); that was the only objection I had to it." Other members opposed the resolution, most of them remained passive while the discussion was on. Such is the apathy of our "local government". To take up but a couple of points, is it not a national disgrace that the statement made by Mr Brophy, the Chairman, was neither contradicted nor acted upon? I was never in Ballyvourney; I do not know one of the Macroom Guardians, nor the probable candidates for that position. I have no personal interest whatsoever in the forthcoming election. But I say that if "there are many persons in the Slieveveagh district who do not know a word of English," it is a farce, from common-sense point of view, to elect for that district a Medical Officer who cannot speak Irish. "A member of the Board" says the report, "assures us that if he (the doctor) is fully qualified every other way he is all right", even though he cannot speak Irish. I do not want to be

funny or sarcastic. I only appeal to common sense, and I ask the Guardian who spoke the above words whether he would relish the idea of confessing his sins or making his will through an interpreter. I imagine that a feeling of shame in the first case and of well rounded fear in the second lest he be misunderstood would make him prefer a confessor and a lawyer to whom he could speak directly and whose words and writings he could well understand. Well, both the shame and the fear exist in the case of the patient who cannot communicate privately with his physician. It must be remembered that in such cases the sufferer and the interpreter may be of opposite sexes and not necessarily near relatives either. It is easy to imagine the awkwardness of all parties then. If this Guardian's dear life were in danger, which would he prefer, to tell his own story to his Medical Adviser or to tell it to, perhaps, a mere youngster who would translate it to the man of science presenting just one little fact in the wrong light, and in consequence getting him treated for a malady from which he did not suffer, while his real disease remained unknown to himself and his doctor? Would he then, would his friends be thankful to those whose duty it was to select a Medical Adviser for him? I say, apply this argument to the Slieveveagh people many of whom, Mr Brophy says, "Do not know one word of English." For common sense sake vote for an Irish-speaking doctor on Saturday next, and if none of the candidates can speak Irish, postpone the election for the present and advertise again and properly. To act otherwise is to act contrary to reason and duty. Besides my dear friend may wish sometime or other to have a say in political or administrative affairs. How can he dare to criticise either if in his own sphere he acts contrary to the most elementary logic by helping to place a man in a position for which he is unsuited? I leave him to those reflections and hope his common sense will prevail over any other motive which might determine his choice on January 10th. He has been elected Guardian to voice the wants and wishes of the people – a fact which shows he has the confidence of the people. He has mine also, and that of those who know him only through his public acts. I hope we won't be deceived in him. There is one other point in connection with this same question to which I wish to draw attention. It has been stated by another Guardian that his objection to "Essential Irish" in the current affair resulted from "the quarter from which it (the resolution) came". Is it possible that a man holding a public position can still dare to make such a statement? Let the resolution come from friend or foe, from an Orangeman or a devoted patriot, from Beelzebub himself, if its rejection is a wrong to the Slieveveagh district at large, to the ratepayers and patients alike,; a wrong to the memory of the late Dr Lynch, to our National tongue and our National aspirations, who dares acknowledge in the face of all Ireland that he will satisfy his animosity rather than his conscience; that he will place his spleen above Ireland, her people and her language; that he will vote against a good thing because it came from people with whom he has rightly or wrongly no sympathy? Poor bleeding Ireland! Your so-called friends are your worst enemies! "It was Twiss' counsel hanged Twiss." They did it inadvertently. What would we think of them if, there being some misunderstanding between themselves, they plotted against a life they were commissioned to defend, because each one feared the other may reap some little glory by saving poor Twiss? Of them we could sing but only in connection with one human life: -
 "Some muttered of MacMorrough, he brought the Norman o'er,
 Some cursed him, like Iscariot, that day in Baltimore."
 "ROISIN DUB."

Skibbereen Eagle Returned American sues his father page 1 24 January 1914

Bantry Quarter Sessions

Patk Cullinane v John Cullinane

This was an action for £12 for the trover and conversion of a trunk, clothes, etc There was a counter claim for board and lodging. The parties live near Glandore, Skibbereen.

Mr J Travers Wolfe, solr, appeared for the plaintiff, and Mr PJ Collins, solr, appeared for the defendant.

Mr Wolfe said plaintiff is the son of defendant and had been in America for some years, and had sent home sums of money to his father to the amount of about £50. He came home on 4th July 1913, and his father received him with great cordiality, and he did not know whether he gave any money to his father or not, but on Christmas Eve or a few days before the father wanted to get some money from him and he said he would not give it to him. Then his father calmly said he would have to pay at the rate of about £100 a year for living with him.

His Honor – That's the poetry of the thing.

Mr Wolfe – He showed base ingratitude to the son who gave him £50, and would not give up the trunk.

Mr Collins said the whole case was: Was the father entitled to sue the son for lodging in the house. They would give up the trunk when they got a decree, and when it was paid.

Plaintiff was then examined by Mr Wolfe, and swore he was in America for seven years.

Mr Wolfe: you haven't much of the accent (laughter)

Continuing witness said while in America he sent his father home about £40 to £45. He returned home on 4th July last, and his father met him at the train at Baltimore. He stayed with his father until December. On 23rd December he went home from Skibbereen and arrived home at 9 o'clock. He had a drop of drink taken, and his father threatened to throw him out and told him it was a fine way he was spending money in publichouses instead of giving it to him. Witness said he would give him no more. His father said he brought home porter instead of a half-sack of flour for Xmas. His father then said he should pay for his board. On the 24th December witness packed his trunk, and left the house. On 31st December he went back for the trunk but his father and brother – Jerh – would not let him take it unless he paid them £20. The trunk was a new one and cost £3. It contained a new suit of clothes value for £3 17s, underclothing value £2, a suit case value £1 7s, and other things altogether worth £12. ...

The defendant, who spoke in Irish, gave his evidence through an Interpreter. He said he remembered when his son came home. He did not ask his son to take the pike in his hand only....

Connacht Tribune 25 April 1914 'Quarter Sessions', 4.

Peter Moylan, who gave his evidence through an **interpreter**, stated he saw Michl McDonagh throwing stones at the injured man, and he also saw one of the stones strike him on the back....

Constable Sullivan then handed up his note-book, and the witness admitted signing a statement thereon, which when read out contained different evidence to that already given by the witness. The interpreter (Mr O'Donnell) then, at his Honor's direction, read back the statement in the vernacular for the witness who, after much pressure, said if he did make that statement, it was not true.

Limerick Leader & Cork Examiner 13 July 1914 3 Alleged Embezzlement Charge against Secretary Accused pleads guilty and is let out on bail

At the South Tipperary Assizes on Saturday, before Mr Justice Gilson, Patrick Staunton, late Secretary to Carew Ltd Tipperary was indicted upon several charges of embezzlement. Dr Falconer and Mr Cooper (instructed by Mr Gleeson) prosecuted, and Mr Kinahan instructed by Mr JG Skinner, solicitor, for Mr Coroner JJ McCabe, solicitor, Cork, appeared for the accused who pleaded guilty to the first and second counts, involving sums of ? and ?

Mr Gleeson mentioned that the £100 cheque and £25 mentioned in other counts had been returned.

Mr Kinahan said the case was a sad one in many respects. The trouble was not brought about by the usual pre-disposing causes – drinking or gambling. He had been in the service of the firm of 15 years and had mounted the ? in 1911 when he was appointed secretary of Carew Ltd. He was a Cork man and did not care for life in Tipperary or the method in which business was conducted there, and he was anxious to leave. He and some others in Cork entered into partnership to start a motor garage and repair shop, and their moneys were used in the start of the undertaking, which was expected to

give a good and quick return when the sums would be repaid, but his dismissal from Carew's upset everything, and the demands all came down on him at once.

Mr Daly, of Cork, managing director of Carew Ltd. Said the accused had been in their employment since he left school, and up to this his conduct had been most exemplary,; witness had consulted his brother directors and so far as they were concerned they would be disposed to ask his lordship to adopt a merciful view; **the accused was a brilliant young man – a good French and German correspondent and Irish interpreter to the courts in Cork.**

Sergeant Maher said that the accused was looked on as very intelligent, and he was highly respected by all classes in Tipperary.

His Lordship said that it was a melancholy thing to find such a man in the position of the prisoner. He might have earned a good, honest living, and achieve a brilliant career, but to finance a motor undertaking he was guilty of the serious offences now charged. He (the learned judge) was thinking of sending Staunton to prison for a considerable period, because the public must be protected, and an example held out to people occupying positions of trust, who could not be allowed to traffic on a character that they might have acquired to commit crime, and hope to get off afterwards for reasons of compassion. He (Judge Gibson) was, however, going to adopt an unusual course, as he was impressed by the evidence of Mr Daly, the accused's employer, who had come a long distance to give evidence. He was going to let him stand out on one surety, and it should be a solvent one of £100, and his own in £200, to come up for judgment when called on, and to be of good behaviour for two years.

Mr Skinner said his client proposed going to America at once, and he asked his lordship to waive the surety of the £100.

His Lordship declined, and said that the people who gave evidence on the man's behalf were now given an opportunity of backing it up in a practical way. If the man was really leaving the country the risks would be all the smaller.

Mr Skinner said he was acting for Mr J J McCabe, solicitor, Cork, and would wire to him and would probably have a surety in court on Monday (to-day)

Skibbereen Eagle Irish Poaching Affray Witness who required an Interpreter 14 August 1914 page 8

A Galway message says: - At a special court held at the house of John Rooney, the injured water-bailiff, at Mantaigh, three men from the district – Valentine Duggan, James Duggan, and Michael Murphy – were charged with seriously assaulting, wounding and shooting at John Rooney. The charges were in connection with an affray at Clare, Galway.

The deposition of Rooney, whose knowledge of the English language was defective, was taken through Manchester Odennell, the Irish interpreter, who had to be summoned from Galway.

The Kerryman 5 September 1914 'Kerry Co. Council Election' 9

Cahirciveen

At three o'clock this evening Mr Commissioner Conagal, K.C., sat in the Valentia Courthouse to hear the election petition case in which Mr Maurice Fitzgerald J.P. is petitioner and Michael M O'Shea, Caherciveen, respondent.

It will be remembered that Mr Maurice Fitzgerald, JP, Kenneigh and Mr Michael O'Shea, Caherciveen, were the candidates at the last triennial election for the Valentia division of the county of Kerry for the office of County Councillor, and that

ONE HUNDRED AND NINETY TWO VOTES WERE SPOILED

In the Ballinskelligs polling station; and Mr O'Shea was declared elected, whereby Mr Fitzgerald lodged a petition against the return of Mr O'Shea as County Councillor, hence the trial to-day.

[.....]

Mr Geoffrey O'Connell [presiding officer for Ballinskelligs polling station] was recalled and in reply to the Commissioner, said there was quite a number of persons who could not record their votes for want of English.

Commissioner – Had you an interpreter?

Mr O’Connell – I had and I marked the vote the same way as the others.

Mr Healy, BL, - This is a widely spoken Irish district.

The Irish Times 11 November 1914 ‘Solicitor as Negotiator’, 3.

In the Land Judge’s Court yesterday, before Mr Justice Ross, in the matter of the estate of Michael O’Kelly, situate in the County Galway.

There were 26 tenants, two of whom were middlemen, who had 40 sub-tenants. They were nearly all Irish-speaking people, and an **interpreter** had always to be employed.

Skibbereen Eagle Cork County Council 28 November 1914 Quarterly meeting agenda Payment of polling clerks etc

The following notice of motion, to be considered on Wednesday next at the quarterly meeting of the Cork County Council, appears on the agenda in the name of Councillor PJ Collins: “Take notice that inasmuch as the persons employed at the last elections as Presiding Officers, Poll Clerks, **Interpreters**, Counters, and others engaged by the Returning Officer have not yet been paid, I will move at the next meeting of the County Council that a sum not exceeding £1,000 be passed to the Returning Officer, on account, to satisfy their demands.”

1915

Cork Examiner 28 January 1915 page 8 and Killarney Echo and South Killarney Chronicle 6 February 1915 page 8 Cahirciveen Quarter Sessions

(Before his Honor County Court Judge Dromgoole, KC)

The business comprised 347 ordinary civil bills, of which 203 were defended; 2 ejectments, 1 licence application, and 1 appeal from Petty Sessions.

[...] When Mr Michael Cournane, Deputy Clerk of the Crown and Peace, was swearing the process-servers, Mr Richard P. Conway, process-server and Irish interpreter, was not present.

His Honor – Call him at the door.

This was done by the police, but there was no response from Mr Conway as he had not arrived, his residence being about eight miles distant from Cahirciveen.

His Honor – I will fine him 5s.

Mr Conway subsequently appeared, and said the reason he was not in time for being sworn with the other process-servers was that his daughter put the hands of his clock back half an hour so that he may sleep half an hour longer in the morning.

Kerry Weekly Reporter 30 January 1915 page 11 Killarney quarter sessions

James Doona v Margaret Tangney, Rosnacartin

Mr Moriarty – this is an Irish speaking witness

His honour – having to be an interpreter?

Mrs Doona – I have a substitute sir

His honour – have you any objection to the substitution?

Mr EJ Downing – no, sir

Mr Patrick Murphy, Rath, was then sworn and interpreted. Plaintiffs deposed that he agreed with defendant to work for 5 pounds for 10 months and the grass of two heifers. He had to feed and milk cows and do all kinds of work on the farm.

Cross examined by Mr Downing – he was within three years of the pension.

Mr Moriarty – I I think, your honour, the substitute was very good in his interpretation.

His honour – I think so.

Connaught Telegraph 17 April 1915 'Honours Divided', 7.

Patk McNeela, a lunatic, suing by his wife Catherine McNeela, Cunnagher, Ross, sued Daniel Deasy for £15 damages for that the defendant broke into plaintiff's land and drove off the sheep and cattle.

Mr Fitzgerald-Kenney, B.L. (instructed by Mr ? for the plaintiff and Mr Verdon for the defendant.

Mr Verdon said he was under a difficulty as one of his clients was dumb and one of the witnesses deaf.

His Honor – That is a handicap.

Mr Kennedy – Toole, the interpreter, is here and will interpret their evidence (laughter). My client's husband is in the lunatic asylum so that honours are divided (laughter).

Mr Verdon - If you like you can examine the dummy (laughter).

After hearing the evidence his Honor gave a decree for three guineas with 15s expenses.

The Liberator (Tralee) 15 June 1915

Islanders and Police the Story of the Galway melle told in court Volleys of stones and baton charges Six men were arrested on Lettermore Island and brought before a special court in Inverin (Co Galway) police barrack, charged in connection with the affray with the police at Banroughbawn on June 9. Two of the prisoners, whom the police could not identify as taking part in the riot, were released for the present and four were remanded in custody. The men were arrested early on Friday morning, the police having gone secretly to the island in boats the previous night.

When the men were brought to Inverin there were still bloodmarks on their flannel bauneens, marks of the batoning they received. Except one, who knows a little English, they are all speaker of Irish only, and the evidence had to be interpreted to them. John, Michael, Joseph, and Pat Curran (3 brothers and a cousin) were charged with causing grievous bodily harm to Sergeant Wm Coultrey and Constable D Keating, H Moynihan, JJ Murray and D Ryall while in the execution of their duty.

Skibbereen Eagle 19 June 1915 page 10 Clonakilty Quarter Sessions

Aherne v Kirby and Others

This was a title civil bill by John Ahern of Ballymacredmond, against Julia Kirby, John Kirby, MI Kirby and Jerh Kirby for £10 damages for trespass on plaintiff's lands and obstruction of right of way.

Mr PJ O'Driscoll solr, appeared for the plaintiff, and Mr DB Sullivan BL (instructed by Mr PW O'Donovan solr) appeared for the defendants.

Mr AW Bernard, CE was examined as mapper for the plaintiff.

John Aherne, who spoke in Irish, which was interpreted, swore he remembered four families of the Deasys holding the farm on which the present dispute arose. The Kirbys had two of the farms now. He remembered a dispute about a passage some years ago, and at the hearing of the case at Timoleague Petty Sessions. After the Sessions she used the passage. The Priest settled the dispute, but the Kirbys broke the agreement. Witness used to take his mother-in-law's cattle by the passage into the field and used take carts in there. Sullivan gave him permission to walk on a passage in his field...

Connacht Tribune 10 July 1915 'Riot!' 5.

Another Crown witness was called in the person of Martin Toole, an Irish speaker, who denied through the **interpreter** that he saw the police assaulted.

Witness here replied to questions in English, and said all he saw was one stone fired, but could not say who threw it.

Western People 10 July 1915 page 2 Ballinrobe Petty Sessions

The presiding magistrates at this court on Monday... Hinkson (in the chair) AJ Marty and M Mylotte

The question of an interpreter

Michael Dermody, Cappaduff, summoned ? Burke and his sister Bridget Burke, for assault on the ? June. There were cross cases.

Mr O'Flanagan appeared for Dermody, and Mr Kirwan for the Burkes.

Dermody, who was an Irish-speaking witness, mentioned Mr O'Toole, Co Court interpreter as his interpreter, and when the latter appeared on the table J Connor, the summons server, objected, remarking that he was appointed by the magistrates to be interpreter in this court.

Mr O'Flanagan stated that his client was entitled to nominate an interpreter, as there was no such thing as an official interpreter to this court.

Mr Potter – But Connor has always acted as interpreter for the magistrates.

Mr O'Flanagan – There is no such official as an interpreter to this court, and the Irish speaking witnesses can nominate as interpreter any person they like provided he is approved by the court, and Mr O'Toole it is well known is the court interpreter.

Mr Potter – Who pays the interpreter?

Mr O'Flanagan – The person who calls him.

Mr Potter – But it is the bench calls the interpreter.

Mr O'Flanagan – There's no such official in this court as an interpreter, but the witness who requires an interpreter can nominate him.

Connor – But I was appointed at 1s per case by the magistrates for interpreting the witnesses, and I always acted as interpreter in this court.

Chairman – The magistrates naturally have confidence in the person who is accustomed to interpret here, but when there is no person recognised as official interpreter to the court the person requiring the interpreter should have full liberty to nominate. That was his (chairman's) view but the magistrates (after consultation) thought that the person who was in the habit of interpreting in this court should not now be deprived of the privilege, and accordingly the majority of the bench were strongly in favour of Connor.

Mr Potter – We do not like to oust him out of a practice which custom has brought him.

The Chairman suggested that as there was no vested interest in the position the interpreters should toss up for the engagement.

Mr O'Flanagan – I am not an advocate of one interpreter or the other, but I think that an Irish speaking witness has the right, in the absence of an official interpreter to this court, to nominate an interpreter approved by the court. Mr O'Toole is nominated in this case and I think you should hear him.

Chairman – I don't want to divide the salary ? and a toss is the fairer way to decide the question.

Connor was quite agreeable to this course, and when the question was raised if Mr O'Toole would consent the reply came that he had left the court.

Connor – I knew that the man did not want the job (laughter)

Dermody was then examined, and through Connor stated, in answer to Mr O'Flanagan, that on the date in question when he was drawing his cattle by Burke's place there [...]

Cork Examiner 13 July 1915 page 8 Waterville Sessions

Before Messrs EMP Wynne, RM (in the chair); Norman McMullen, and Dr Trant.

Timothy Sullivan, Caslagh, processed James Clifford, Dirreen, for £1, alleged to be lent to defendant by complainant, which the former refused to pay.

Mr J Shuel, solr, for the complainant, and Mr PH Rosney, solr for defendant. [...]

Defendant, who gave his evidence in Irish, was the next witness.

Examined by Mr Rosney, through the **Court interpreter (Mr Patrick Kelly)**, he stated that Pat Sullivan (Moulgore) asked him for five shillings for grazing. Witness asked Timothy Sullivan for this amount, as he had not it himself, and the latter gave this amount to him in Connell's public house. [...]

A decree for £1 with 5s was granted by a majority of the Bench.

Killarney Echo and South Kerry Chronicle 17 July 1915 page 5

Appeals

Before Lord Justice Moloney

Sugrue v Sullivan

Florence Sullivan Junior appealed against the decision of the County Court Judge at Cahirciveen giving a decree on title for 1s against him at the suit of MI Sugrue in the claim of a right of way by Sugrue through Sullivan's land to use the water of a certain well for domestic purposes. [...]

Pat Sullivan swore in Irish the well was not made 27 years ago. Florence Sullivan's father and his son who is now dead made the well. [...]

Ellen Sugrue (whose evidence was also interpreted from the Irish) corroborated.

[..] His Lordship reversed the decision of the County Court Judge as regards the well.

Connacht Tribune 25 July 1915 'Monday', 6.

The next case was one in which Mary Molloy, widow, applied to reverse the decision of the Recorder, granting an ejectment on title (value £1 10s) against appellant, for part of the lands of Lettermullen....

John P. Dolan gave evidence of calling the tenants together when the Board wished to divide the land amongst them. He sent a messenger to Mrs Molloy, but her son came instead and he was given to understand that he represented his mother. The tenants agreed to the division of the lands, and when he brought the agreement to the appellant, she signed it by putting her hand to the pen. She could not speak English.

Colman Molloy swore that he was the son of the appellant, and was in possession of the farm since his father's death. He did not agree to give up the farm.

Mary Molloy, who gave her evidence through the Court **interpreter**, admitted she signed the agreement when it was brought to her, as she thought it was no harm when the man told her to do so.

His Lordship remarked that the appellant made no demur when asked to sign the agreement. Consequently he affirmed the decision of the Court below.

Connacht Tribune 31 July 1915 'Poachers Surprised, and the Sequel' 5. Special court

The deposition of Rooney, an Irish speaker, was taken through Mr O'Donnell, the Irish **interpreter**, who had to be summoned from Galway.

Killarney Echo and South Kerry Chronicle 16 October 1915 page 3 John Shea Birrane v MI Healy, Birrane

Mr Moriarty – this was a process for overstint. Mr Brennan fixed the same stint as the plaintiff did. Plaintiff was examined and proved that Defendant kept four cows, four yearlings, a two year old, and fifty sheep, an overstint equal to ten collop value for £8 or [blank]

To Mr Downing – It was never overstinted before 1914.

Mr Moriarty – Are your witnesses here>

Witness – They are here from the Co Cork they came.

Sergeant McGarry – No appearance

MI Healy, Defendant, in answer to Mr Downing deposed there never was a stint on the place according to his knowledge.

His Honor – have they bought out Mr Brennan.

Mr John Brennan – No your Honor. They are tenants of Lord Lansdowne's.

Witness – Shea knows I have no witnesses and he brought a few women here behind my back.

Mrs Healy who was Irish speaking appeared.

His Honor – Have we anybody to interpret? Will you do it Mr Doran.

Mr David Doran – I will do my best your Honor.

[In Irish script the following appears:]

Cad is ainm duit?

Siobhan Uí h-Ealuighthe ar Socru Cead “stint” an talamh riamh?

Da choimead gach aoinne an oired ar do bhfeidir leo an fhaid ar is cuimhim liom.

The answers having been translated.

His Honor – She may go down.

Mr Doran – Is feidir leat imeacht sior anois a Shuibhain. [...]

Connacht Tribune 6 November 1915 ‘Volunteer March Sequel’, 5.

Another series of cases was then taken up, in which two brothers named Keady, who had worked for Mrs Palmer, summoned seven men for assault, which was alleged to have occurred on Sunday morning as the Volunteers were marching from Mass. Martin Keady related, through the **interpreter**, that on the 24th October...

1916

Skibbereen Eagle Bantry Petty Sessions 26 February 1916 page 2 Harrington v Keohane

This was a wrangle between farmers and their wives, living at Gowlanes, in the Mealagh district. One of the parties thereto viz Keohane, - was over 80 years of age, and he caused some difficulties to the Court, as he was an Irish-speaking witness. His son was sworn to interpret him, but exception was taken to this by the other side. It was suggested that Mr Cotter, JP, who understands and speaks the language, should act as interpreter. The Chairman said he would not ask him to do so. Mr Cotter signified his disinclination to act in that capacity. The son, as **interpreter**, admitted his inability to administer the new form of oath to his father in Irish. The Chairman said that was a real crux. After a good deal of persuasion, the old man was got to repeat, after the Chairman, the words of the oath in English. The examination and cross-examination was put to him by his son in Irish, and answered in Irish, being translated by the son for the Court. After a prolonged hearing, all the cases were dismissed on the merits.

[Also Skibbereen Eagle 25th January 1918, but nothing new]

The Irish Times 4 March 1916 ‘Ill-Treating a Son: Shocking Case in Co Galway’, 7.

None of the people could speak a word of English, and he [Inspector of the Society for Prevention of Cruelty to Children] was obliged to obtain an **interpreter**.

The Kerryman 11 March 1916 ‘Dingle Petty Sessions’ 9 Also Liberator same date

Before HR Jones, RM (in the chair) Dr McGuire, John Moore and Michael McDonnell

Marquis of Queensbury rules

DP Griffin against P Flaherty

Plaintiff deposed through the **interpreter** that Flaherty pulled out a pocket-knife to stab him outside the chapel at Ventry on Jan. 2nd.

Kerry Press 14 March 1916 page 3 Kerry Spring Assizes Baker v Kennedy

Mr Thomas Kennedy appealed against the decision of the County Court Judge at Dingle decreeing him and Patk Kennedy for £6 6s 1d at the suit of Mr Thomas J Baker, Dingle, for goods.

...The defendant in this case gave his evidence in Irish, Mr Baker acting as interpreter, the Court interpreter being absent.

His Lordship noticed by one of his billheads that Mr Baker was an emigration agent.

Kerry Sentinel 15 March 1916 page 3

Kerry Spring Assizes - Baker v Kennedy

Mr Thomas Kennedy appealed against the decision of the County Court Judge at Dingle decreeing him and Patk Kennedy for £6 6s 1d at the suit of Mr Thos J Baker, Dingle, for goods. [...] His Lordship gave a decree for £3 19s 9d with costs.

The defendant in this case gave his evidence in Irish, Mr Baker acting as **interpreter**, the court interpreter being absent.

His Lordship noticed by one of his billheads that Mr Baker was an emigration agent.

Kerry Weekly Reporter 18 March 1916 page 9

BAKER v. KENNEDY. Mr. Thomas Kennedy appealed against the decision of the County Court Judge at Dingle decreeing him an j Pk . Kennedy for £6 6s at the suit of Mr. Thomas J. Baker Dingle for goods. Mr. T. O'Donnell B.L. (instructed by Mr. J. Kennedy) for plaintiff and respondent, Mr. J. A. Rearden B.L. (instructed by Mr.T. O'Connell): lor defendant and appellant. His Lordship gave a Decree for £3 19 9 with costs. The defendant in this case gave his evidence in Irish, Mr. Baker acting as interpreter the Court Interpreter being absent. His Lordship noticed by one of his billheads that Mr. Baker was an emigration agent. His lordship—Do you do much in the Emigration business. Mr. Baker said he did not. His Lordship—Very well. It is better to have the people at home, unless they are fighting (laughter).

Cork Examiner 31 March 1916 page 4

Defence of Realm

Chevasse case

Bench evenly divided

Considerable public interest centred in the hearing of the appeal of Claude Chevasse, graduate of Oxford University, against the decision of the majority of the magistrates at Macroom Petty Sessions, who fined him £4 and £1 costs for refusing to answer questions reasonably put to him by Sergeant Applebe at Balingeary on Feb 2nd, to the best of his knowledge and ability. The case came before Judge Hynes, KC and the following Justices sitting at Macroom Quarter Sessions: - Messrs CJ Harold, WJ O'Hara RM; BR Purdon, Dr O'Donoghue, R Brophy, J Donovan and J O'Shea.

Mr Charles Power, BL (instructed by Mr Michael Murphy, solicitor, Cork) appeared for the appellant, and Mr Geo K Sherlock represented the Crown as respondents.

Sergeant Applebe gave evidence of calling on the accused at the National School in Balingeary on the 2nd February and telling him he wanted to ask him reasonable questions under the Defence of the Realm Act. The accused answered in Irish or some other language which witness did not understand. Witness said he did not understand Irish, and asked the accused to speak in English, but he did not do so. He then told him he should arrest him. The accused wrote on witness's note-book a line in Irish, and underneath the word "Chevasse". In Macroom he wrote the Christian name "Claude".

In reply to Mr Power, witness said he did not mention the note-book in the court below until it was referred to in cross-examination. The majority of the people in Balingeary were able to speak Irish, including the Parish Priest, the schoolmaster, and schoolmistress. Witness did not understand it. There was no policeman in the Balingeary Station who knew Irish. It did not strike witness he might get an interpreter to ascertain the information. He did not know until he came to Macroom that the accused was able to speak English. He asked the teacher and the assistant teacher and the children if they knew anything of the defendant, and they said they knew nothing whatsoever.

When you got into Macroom that night you got Constable McMahon to speak Irish to the accused?- Yes, he had a conversation with him.

You used him as an interpreter. You would not trust anyone in Balingeary? – I would not.

At this stage there was a little demonstration in court, and

His Honor said if there was any disturbance he would at once clear the court, and if he saw anybody disturbing the court he would put him in the dock, and he would stay there. He then asked District

Inspector Egan if he had a sufficient force of police to clear the court if necessary, and the officer replied in the affirmative.

In reply to further questions, witness said that the population of the village of Ballingearry was 106. There were about six who spoke Irish only. They were old age pensioners.

The case for the Crown was then closed, and proof of authority to proceed against the accused was submitted.

His Honor asked Mr Power to return the Sergeant's notebook, and as he was handing it over he asked if there was anything else in it concerning the case. The Sergeant said no. The accused then instructed his counsel to turn over the page, and here were details given by the accused of his own address, and the address of his father and his cousin, Major Chevasse. Mr Power said this was a very serious matter. If that had been read for the magistrates in the court below it would have put a different complexion on the case. It was not fair of the Sergeant, and showed the spirit of the whole proceeding.

Sergt Applebe – That was written the day after.

Mr Power – Even so, it should have been brought under the notice of the court.

His Honor – The offence was complete at that time. It is really irrelevant. It was a pity he did not do that before, and save himself and others all this trouble.

Mr Power then addressed the Bench at length, and said that the Defence of the Realm regulations were not intended to apply in such cases at all. The incident of the notebook put a very different complexion on the case, and showed the spirit in which the case was brought by the Sergeant, because whether strictly legally relevant or not, in a criminal case, one would have thought the Sergeant would have thought fit to have shown this to his District Inspector, and if he did the District Inspector would have put it in evidence, or produced it for the magistrates, in order to show that whatever occurred in Ballingearry, the police in Macroom were in possession of every fact, and had the addresses of his relatives from whom they could make all inquiries. The accused was a distinguished, educated intellectual man, a graduate of one of the greatest seats of learning; his father was a distinguished lawyer, a distinguished member of Lincoln's Inn, and a Professor in the Oxford University. Politically or otherwise, there was nothing against him. Here was a man of high principle and high honour, incapable, as far as they knew, of a dishonest thought, pulled across the West Cork mountains in the middle of the night, thrown into the barracks at Macroom, and left there two days and nights, treated like a common felon. Dealing with the facts, counsel suggested that but for the Sergeant's bad temper the accused would have given him the information he wanted, as he had already begun to do it in the notebook. The accused was not fighting for himself – he was fighting for a principle.

His Honor – What was the principle?

Continuing, Mr Power said that if a man be convicted of talking to a policeman in Irish he is convicted of speaking Irish in an Irish-speaking district in Ireland. He asked the court to reverse the decision of the magistrates, and take the brand of the criminal from this man's brow. It was placed there because he spoke Irish in an Irish-speaking district. He asked them to leave him go free from the court as he came into it.

His Honor said that the Bench were evenly divided, and one gentleman was going to give his reason for the view he took. The conviction in the circumstances would stand.

It appeared then that Messrs O'Shea, Brophy, Donovan and Dr O'Donoghue were for reversing the decision of the court below, and

Dr O'Donoghue said that the reason they had for dissenting from the decision of the court was that Ballingearry was an Irish-speaking district, and the constable might easily have obtained the information if he had taken a little trouble to get it through one of the inhabitants.

His Honor said the case was a simple one. There was no defence in law. The Defence of the Realm Act was passed for the purpose of protecting the people of that country, and also for the purpose of protecting the soldiers of that country who were fighting in other countries. The object of it was to give the authorities power to make ordinary inquiries from strangers they saw travelling around the

country, and the complaint was that this was not being done rigorously enough. Having made inquiries locally, the sergeant found this man was a stranger, and proceeded to put some reasonable questions to him, which the defendant refused to answer to the best of his knowledge and ability. He would answer in Irish only. At an ordinary time people would laugh at this being so foolish, but they were living in too serious times to allow this nonsense to be going on in the country. The remaining four had no hesitation in finding as a fact that the gentleman did not answer the questions put to him to the best of his skill and knowledge. The law provided as a punishment six months' imprisonment, a fine of £100, and the confiscation of the defendant's property. That showed how the Government viewed such offences. He was sure this gentleman, now that he had reflected on it, saw that if he had a little more sense and had answered the sergeant two or three questions he would have satisfied him. His Honor had no hesitation in holding as a fact that the gentleman did not answer to the best of his knowledge and ability. The decision of the magistrates stood affirmed, and he had great pleasure in affirming it.

Southern Star 1 April 1916 'Macroom Quarter Sessions: Chevasse Appeal', 5.

Chevasse Appeal

There was an appeal from the decision of the magistrates sitting at the Macroom Petty Sessions in imposing a fine of £4 and £1 costs, or in the alternative one month's imprisonment on Claude Chevasse who was charged under the Defence of the Realm Regulations with refusing to answer to the best of his knowledge and ability questions reasonably addressed to him by Sergeant Joseph Applebe at Ballingeary.....

Sergt. Appelbe gave evidence of calling on the accused at the National School in Ballingeary on the 2nd Feb, and telling him he wanted to ask reasonable questions under the Defence of the Realm Act. The accused answered in Irish or some other language which witness did not understand. Witness said he did not understand Irish and asked the accused to speak in English, but he did not do so. He then told him he should arrest him. The accused wrote on witness's note book a line in Irish and underneath the word Chevasse. In Macroom he wrote the Christian name Claude.

In reply to Mr Power, witness said he did not mention the notebook in the court below until it was referred to in cross-examination. The majority of the people in Ballingeary were able to speak Irish, including the Parish Priest, the schoolmaster and schoolmistress. Witness did not speak or understand it. There was no policeman in Ballingeary station who knew Irish. He did not know until he came to Macroom the accused was able to speak English. He asked the teacher and the assistant teacher if they knew anything of the defendant and they said they knew nothing whatsoever.

When you got into Macroom that night you got Constable McMahon to have to speak Irish to the accused? Yes, he had a conversation with him.

You used him as an interpreter – you would not trust anyone in Ballingeary? I would not.

At this stage there was a little demonstration in court....

Donegal News 8 April 1916 page 2 Gaelic author's arrest. Defence of realm case at Rathmullan – Accused insists on speaking in Irish. Police Interpreter. Charge withdrawn.

At a special court in Rathmullan, Co Donegal on Friday, held before Mr Sparrow RM and Mr John M Deeny JP, a Gaelic author, named Pádraic Ó Conaire, a native of Galway, was charged in custody by DI Regan, under the Defence of the Realm Act, for having, on 23rd March, at Drumhallagh, on the shores of Lough Swilly, unlawfully made sketches of naval and military works.

Mr James O'Doherty, solicitor, Derry, appeared for the prisoner.

It appears that on 23rd March, accused visited Rathmullan on his way to the residence of Mrs Gavin Duffy, wife of a solicitor practicing in London, who is at present stopping at Glenvar, eight miles from Rathmullan. He was seen by a female tramp with a knapsack on his back and studying a map. The woman informed the police. Previous to this, the accused had been accosted by Acting-Sergeant Brady, who asked his name and address. Accused produced his card in Irish. The acting sergeant inquired what his business was and where he was going. Accused answered him in Irish, and showed

him a letter addressed to Mrs Gavin Duffy, whom he had been asked to call upon by Miss Ida McNeill, Boscome, Hants, England, an enthusiastic Irish language speaker and a relative of Mr Roland McNeill, MP. On the following day, a constable called at the house of Mrs Gavin Duffy and inquired if accused were stopping there. The maid informed him that he was not, and when Mrs Gavin Duffy, who was absent at the time, returned later, she sent to a neighbouring house, in which accused was, with the request that she would like to see him to discuss the Irish language question. Accused arrived at Mrs Duffy's house at 8.45 pm. Fifteen minutes later a force of police arrived, and a constable asked to see the accused. Mrs Gavin Duffy told accused to interview the constable outside, as she did not want to have the police in her room. O Conaire went outside, and when questioned by the police, answered in Irish. He was then arrested under the Defence of the Realm Act and brought to Rathmullan, and on the following morning was charged with the present offence, before Mr Sparrow RM. He was remanded in custody.

At Friday's Court, DI Regan stated that after consulting the Naval and Military Authorities he had decided not to proceed with the charge in the case for the present.

Mr O'Doherty said he therefore took it that the case collapsed.

DI Regan said that as he was not proceeding with the case, he asked the magistrates to discharge the prisoner.

Speaking in Irish, O Conaire complained that he had been unjustly arrested and kept in custody for a week, while everything in his possession was taken from him by the police.

Sergt Connolly, Milford, and Irish language speaker, interpreted the statement of O Conaire for the magistrates.

Mr Sparrow RM said that if O Conaire had not persisted in the farce of speaking in Irish, he would not have been in his present predicament.

O Conaire, still speaking in Irish, replied that it was not a farce, and added that he could speak in French and German as well as English, but he could speak his own native language the best. He therefore considered he was entitled to speak in his own native tongue.

This having been interpreted for the magistrates, Mr Sparrow said when he understood English he ought to have spoken in it.

Mr O'Doherty contended that a man had a perfect right to speak in his native language, and pointed out that recently in the House of Commons, Mr Ginnell raised the question as to whether a man had a right to speak the Irish language, even in answer to the police, and that Mr Tennant stated that anyone had a right to speak any language he chose – even German.

Mr Sparrow said they were not going to discuss that matter there.

DI Regan then handed to O Conaire letters which had come to the jail for him. A paper named "Honesty" and dated 25th March 1916, which had been sent to O Conaire, the DI Added, contained poetry and a leading article which might be considered prejudicial to recruiting, would be detained for the purpose of investigation.

O Conaire, with whom Mr Deeny JP conversed several times in Irish during the proceedings, was then discharged.

It is understood that Mr O Conaire, who is a member of the Gaelic League Executive, was on a visit to Donegal for the purpose of collecting data regarding the speaking of Irish in that area, and the map [end of page is illegible]

Connaught Telegraph 3 June 1916 'Castlebar Equity Sessions: Walsh v Flynn', 8.

This was a suit to set aside a deed, the parties being from Cloontubrid, Turlough....

Mrs Walsh, an old woman of 90 years, was examined by Mr Verdon through the medium of **Mr O'Toole, the interpreter**. She said she didn't know what she was doing when she agreed to sell the land.

Connacht Tribune 5 August 1916 'Conflicting Testimony', 2.

Crown Court, Galway.

Witness, who is an Irish speaker, and gave his evidence through an **interpreter**, proceeded to give particulars as to the stock on the farm at the time the plaintiff came from America, and as to their disposal amongst his children.

Connaught Telegraph 25 November 1916 Mayo County Council: The Interpreter, 3.

Mr Peter O'Toole, the County Court Interpreter, applied for an increase of salary and his application was referred to the Finance Committee.

1917

Connaught Telegraph 20 January 1917 page 4 Mayo criminal sessions Alleged sheep stealing

His Honor Judge Doyle KC opened the business of the Mayo criminal sessions in the Courthouse, Castlebar, at 11 o'clock on Saturday.

Messrs MV Coolican, clerk of the Crown and Peace; John Ryan Registrar; and Thomas F Rutledge DL, JP, Sub-sheriff, were also in attendance.....

Mr Garvey DL CS prosecuted, and Mr J Fitzgerald-Kenney, BL (instructed by Mr AVG Thornton) defended.

Patk Dolan deposed that three of his sheep were stolen off Glensaul mountain; they were branded on the sides and horns.

PD Gibbons, Roona, Louisburgh, deposed that he was at the fair of Leenane on the 8th September 1916, he bought four sheep from a boy named Conaboy; the boy gave his name and he paid him at the rate of £1 4s each. Three of the sheep were branded in the way described by the previous witness. Witness never met Conaboy before. The accused resembled the man he bought the sheep from, but he couldn't say if it was the same boy. When the Sergeant and Dolan came witness handed him over the sheep.

...Pat Coyne was called and said he couldn't speak English.

Mr Garvey – Well, you can go down, as I know you can speak English.

Mr Coolican – Go down now and you will get no expenses.

Michael Coyne deposed that he went to the fair with the accused who had sheep with him....

Accused found not guilty (said he thought sheep were his missing animals]

Connaught Telegraph 27 January 1917 page 7 (Letter to the editor)

Dear Sir – In the Press reports of the alleged sheep-stealing case heard at the Mayo Criminal Sessions recently, the following sentences occur –

“Pat Coune was called, and said he could not speak English”

Mr Garvey – Well you may go down, as I know you can speak English.

Mr Coolican – Go down now, and you will get no expenses”

The line of action pursued by Messrs Garvey and Coolican on this occasion, if the report be true, is very strange, and it is to be regretted that the latter has begun his career as Clerk of the Crown and Peace by treating an Irish speaker in this manner. It would be hard to imagine anything more unfair or unwarranted if the witness conscientiously prepared to give his evidence in the language he knew best. He had, in that event, a perfect right to give his evidence in the language he knew best. He had, in that event, a perfect right to give his evidence in Irish. In stating that he could not speak English, he meant no doubt that he could not do justice to his conscience if compelled to give evidence in a language which he knew very imperfectly, if at all. He was to be sworn to give, before God, the truth, the whole truth, and nothing but the truth. Why, therefore, should he not be permitted to give his testimony through the medium of the language which he knew much better and in the only language in which he thought? Messrs Garvey and Coolican know some Latin and perhaps a good deal of French: yet I venture to say that if called upon to give their sworn testimony in either, they

would immediately demur, unless they can speak these languages as fluently as they can speak English.

The witness has been treated shabbily, and every Irishman deserving of the name will resent it.

Yours etc Fair Play

Freeman's Journal 6th March 1917 page 6 N.T.'s letters Policeman as Irish interpreter

James J Dobbyn, a young National School teacher, of Clonard Gardens, was charged, on remand, in the Belfast Custody Court yesterday with having, on 7th September and 17th October, 1916, made statements in writing intended (as alleged) or likely to cause disaffection.

Mr JR Moorhead, Crown Solicitor, informed the Court that Mr Campbell, on behalf of the accused, wished for a further adjournment to enable him to produce certain witnesses. He (Mr Moorhead) agreed to that course, and Mr Campbell admitted that the accused was the writer of the two letters concerned. He (the Crown Solicitor) wished formally to put in those letters, and to give evidence by an **interpreter from the RIC Depot, Dublin**, as to certain phrases they contained written in Irish.

Peter Folan, of the RIC Depot, stated that the opening words of the letter of 7th September, addressed to Cahal Shannon were, in the English translation, "My dear Charles". Other words written in the course of the letter were "Brigid", and "the girls are coming along" – "girls" being written in Irish. The signature at the end was "I am your true friend for ever, James Dobbyn". In the second letter, of date 17/10/16, the opening in Irish was "My dear James,", the signature being quite similar to that in the previous letter.

The accused was remanded till Saturday, Mr Campbell explaining that the day would be a suitable one to enable the attendance of several National School teachers for the defence. The same bail was allowed.

Connaught Telegraph 31 March 1917 'A Mayo Record', 4.

For the first time in the history of Mayo County Court, the Judge, Clerk of the Crown and Peace, Registrar, Interpreter, and Crier are Catholics.

Anglo-Celt 30 June 1917 'From day to day', 9.

At Falcarragh Sessions a case was adjourned for attendance of interpreter to translate evidence of defendant, who could not speak English.

The Kerryman 15 December 1917 'Dingle Interpreter on Strike' 4

Dingle Petty Sessions

Wilful Trespass

Ellen Shea summoned Margaret Sheehan for abusive language or some allegations respecting the complainant.

There was a cross summons by defendant.

The complainant was an Irish-speaking witness.

Mr Curran having made no move to interpret the language,

The Chairman asked if he were on strike.

Mr Curran – I do not see my way to do it.

Chairman – I do not see how we can get on then.

Dr O'Connell – The only way is to have the magistrates qualify in Irish. The parties are next door neighbours. The language used was not very Parliamentary, but there was not much harm in it. If the defendant apologise you'll have no more of the ??

Chairman – Can the defendant speak the foreigner's tongue?

Dr O'Connell – She can, and that way we can get on.

Defendant said she never used the language alleged.

Complainant at the same time asserting in the vernacular that the language was used.

Defendant having been sworn and in cross-examination stated she never used the language.

No witnesses having been produced on the other side, both cases were dismissed without prejudice. The Court expressed the wish that they'd be good friends for the future.

A number of other cases had to be adjourned for want of an interpreter.

1918

Cork Examiner 23 March 1918 page 3

The dismissal of the title jurisdiction claim for £5 by John Ahern (plaintiff), appellant, against Julia, John and William Kirby (defendants), respondents, for obstruction of a right of way, was argued, and his Lordship reserved judgment. [...]

Plaintiff, a man of 74 years, unable to speak English, gave his evidence in Irish, Mr Collins acting as **interpreter**.

Connacht Tribune 23 March 1918 'Spring Assizes: A Row in Aran', 8.

Pat Derrane (Ned) and Pat Derrane (Pat) were indicted for maliciously wounding John Derrane (Pat) and assaulting him on May 23rd 1917.....

His Lordship, charging the jury, said there was always a danger in cases where the witnesses gave evidence in Irish, of some discrepancy in the translation, but he was happy to think that there had been an excellent **interpreter** in that court who seemed to be able to [illegible] the questions of Counsel with exceeding quickness, and to translate the answers of witnesses with remarkable readiness.

Irish Independent 15 April 1918 Untitled 2. Also covered in Leinster Express (1918, April 10) page 5

Mr M.J.Lennon, a Dublin Corporation clerk, was remanded by Mr Drury on a charge of using, at Maryboro', on March 17, language calculated to incite people to commit the offences of illegal drilling and unlawful assembly. Sergeant Manning, R.I.C., said the accused advised his hearers to join the Irish Volunteers, drill, get guns, and learn to take places like police barracks. The prisoner stated in Irish that he did not recognize the Court, and when Mr Drury asked what he had said he repeated the Irish words. There being no **interpreter** available, Mr Drury remanded the accused until Fri for the attendance of an interpreter.

Cork Examiner 15 April 1918 page 6

More arrests in Dublin

On Saturday, in Dublin, Mr Michael J Lennon, a Corporation clerk, of 5 Longwood Avenue, SC road, was charged in connection with a speech delivered by him on March 17th last at Maryboro', Queen's Co.

Mr Drury (addressing accused) – Do you wish to ask any questions?

Accused repeated his reply in Irish.

Mr Drury asked if there was anyone in court who could act as interpreter.

There being no one forthcoming to act in this capacity,

Mr Drury remanded the accused until Friday for the attendance of an interpreter.

The Irish Times 27 April 1918 'News of the Week in Ireland: A Dublin Corporation Clerk', 3.

A Dublin Corporation clerk, Michael J Lennon, of Longwood Avenue, S.C. road, was charged on remand in the Northern Police Court on Friday, that on March 17th at Maryborough, he advised people at a public meeting to join the Irish Volunteers, drill, learn to take places such as police barracks, practise scouting, and so on. Mr Drury had adjourned the case for the attendance of an interpreter of Irish, in which the accused spoke. Mr David O'Flaherty, of the Chief Crown Solicitor's Office, who prosecuted, and applied for accused to be bound to the peace, said that the speech complained of was delivered in English, and an interpreter was unnecessary. Evidence was given that

when charged on arrest, accused replied in English, "That is all right". Mr Drury said that the accused understood English perfectly well, and ordered him to find bail for good behaviour, himself for £20 and two sureties in £30 each.

Drogheda Argus and Leinster Journal 20 July 1918 Town topics and talk by Free Lance

There passed away on Thursday night last, the 11th inst, a notable link with the past by the death of ex-Head Constable Francis Burke, RIC, of Carn Derg House. Born in Co Galway while the last century was still young, he lived through the whole of the Victorian era, and witnessed all the great social and political events and changes which took place in Ireland during the long reign of her late Majesty. In Black '47, the year of the terrible famine, he was in charge of a section of the transport service for the relief of distress in one of the districts of the West, and his experiences during that trying time would be well worth recording. Mr Burke was a fluent native Irish speaker, and often acted as a Court interpreter.... Somewhere about '69 or '70 Mr Burke came to Drogheda as Head Constable... retired 1875.

St Peter's Catholic Cemetery

Connaught Telegraph 26 October 1918 'a Lady in the Dock', 4.

Pat Heskin, her husband, was also examined through the Irish **interpreter** and gave similar evidence.

The Kerryman 26 October 1918, Skibbereen man and Caherciveen D.I. 6 Alleged assault

"Said he was not a Gentleman" Caherciveen Quarter Sessions

At the Caherciveen Quarter Sessions Mr Wm O'Shea, Skibbereen, sued District Inspector Egan, Caherciveen, for £15 damages for assault. The case was specially fixed for Saturday morning and the court was crowded.

Mr Joseph H Dixon BL (instructed by Mr MJ O'Sullivan, solr) appeared for the plaintiff and Mr Downing, Crown Solicitor, defended.

Mr Dixon said that the case was a very important one to the public, because the duty of keeping the peace devolved on the police, and if, as his Honor would have no difficulty in deciding, the DJ assaulted Mr O'Shea, the only protection the public had was to come into his Honor's or some other court. It was also an important case for the DI, because if his Honor decided against him, it might cause him trouble, or it would be possible that it would mean promotion, like that got by certain people in the North of Ireland. Mr Dixon then stated his case lucidly. In stating that the DI refused to take Denis O'Sullivan's name in Irish, Mr Dixon said that seemed rather strange because Irish was used in his Honor's court, and an interpreter was employed by the Crown to assist his Honor. Referring to the assault, Mr Dixon said that if Mr O'Shea lost his temper on the occasion there might have been a scene of serious trouble. It was the function of the police to keep the peace and the DI should be made realise that.

Plaintiff, examined, said he was a draper's assistant. He was in Skibbereen at present. He remembered the 28th July. He had reason to remember it. He, with Mr Denis O'Sullivan, and Mr Patsy A O'Sullivan, left Caherciveen, cycled through Valentia, crossed to Portmagee and cycled to Fermoy. They were going out for the day.

His Honor – Was it a fine day? – Yes.

Mr Dixon – The exception rather than the rule.

Witness continuing, said that coming towards Fermoy he noticed a crowd. He and the others stopped and asked what was up. They were told that the police were after suppressing a football match. They got on their bicycles, and some distance ahead, noticed 10 or 11 policemen. They were standing by the side of the road. The DI and Const Callanan came towards witness and his friends. The DI put up his hand and said "Halt". They came off their bicycles at once. **The DI asked Denis O'Sullivan for his name and he gave it in Irish. The DI said he would detain him if he did not give his name in English.** He asked Patsy A O'Sullivan for his name and he got it. The DI then turned towards witness and said "I know you". Then addressing witness and Patsy A O'Sullivan he said "I'll

give you five minutes to clear from here". Witness answered "Five minutes is it, DI?" the DI came behind witness and gave him a kick. Witness turned round, and before he had time to get on his bicycle the DI gave him two strokes of a blackthorn stick. Witness got on his bicycle and cycled away. Cross-examined by Mr Downing – Before I came to Caherciveen I was employed by Mr Con O'Shea JP. I applied for a war bonus and he refused to give it and I left in consequence of that. I was not put under restrictions by the military in Skibbereen. The military searched several houses for arms and they also searched my room but found none. I was in Glenbeigh on the Sunday previous to the assault I was going up a pathway and the police prevented me. I had nothing to do with the Feis. At Fermoy I saw no charge by the police.

Did you say anything to the DI when he gave you the kick? I said he was not a gentleman.

This occurred on the 28th July. When did you make your complaint to your solicitor?

Witness – A few days afterwards.

Mr Dixon – Did you try to get a solicitor in Caherciveen? – I did.

Did he act? – No.

Denis O'Sullivan corroborated plaintiff. When witness gave his name in Irish, the DI took him into custody, and searched him.

Mr Dixon – On the public road? – Yes.

Did he give any reason? – He did not.

Continuing witness said that when he was taken into custody, the DI asked Const Callanan had he any Irish. Callanan said he had not, but he knew witness. The DI seized a leather belt he was wearing and he was then released.

Mr Downing – You were in uniform? - I had only puttees on.

Have you a uniform?

Mr Dixon – On the public road? Yes

Mr Downing (to witness) Had you breeches?

Witness – Anyone might wear breeches.

Then your dress resembled a uniform.

Patsy A O'Sullivan gave corroborating evidence as to the assault, but was not cross-examined.

[...] proclamation prohibiting meetings and assemblies – Sinn Fein organisation, Sinn Fein Clubs, Irish Volunteers, Gaelic League and Cumann na mBan.

1919

Connacht Tribune 12 July 1919 'Sergeant and Constable fined for Assault on Spiddal Farmer', 5. Special petty sessions Civil case

Cases against Sergeant M Reidy RIC Spiddal, and Constable Timothy Murhill Spiddal for assault and against Constable O'Connor Spiddal for threatening language, ..

MI Conneely, who gave his evidence through the **interpreter**, said that on the evening in question he and his wife were sowing corn.....

The Irish Times 11 September 1919 'Preliminary Inquiry', 5.

Section 1 of 'The Criminal Law and Procedure (Ireland) Act 1887.

1 (8) In case any witness examined under this section shall not speak English, the interpreter employed shall not be a policeman.

1920

Connacht Tribune 7 February 1920 'Galway Co Council', 8.

A war bonus of £25 was allowed Mr A. O'Donnell, court interpreter, on his salary of £30. His predecessor was getting a salary of £55.

Connacht Tribune 22 May 1920 'Cross-Examination in Irish', 8.

There was a big display of military at the Galway Courthouse yesterday (Thursday) when a young man named John Finnerty.....was charged with the larceny of sugar, a whitewash brush .. from the shop of Mr Maria Navin, Kinvara, Rosmuck, on the night of May 12....

John Finnerty could not speak English, and as the **interpreter** was not present he was remanded for eight days – Sergeant Keane said the interpreter had been notified to be present, and Mr Hill remarked that as an officer of the court he should have been in attendance. Head-constable Noonan, Oughterard, who prosecuted, spoke to the prisoner in Irish when directed by Mr Hill to ask him if he wished to cross-examine the witnesses, and the prisoner put some questions to Miss Eagleton. Constable Feeley stated that the elder prisoner knew English, but when questioned the accused professed not to understand a word of the language, and Mr Hill remarked that he was satisfied he knew it as well as himself, and went through all the formalities connected with the reading over of the depositions, etc, on the understanding that the prisoner was aware of the proceedings. The prisoner was returned for trial to the next quarter sessions on his own bail in a bond of £10.

Donegal News 29 May 1920 'Alleged Illegal fishing' 1 Off Tory Island Evidence in Irish

The magistrates adjudicating at Falcarragh Petty Sessions on Friday were: -

Major Owen, R.M., Dr John McDonald, and Mr Michael Colgan.

The Department of Agriculture and Technical Instruction for Ireland prosecuted John W Abbey of East Fleetwood, skipper of steam trawler "Imelda" for alleged fishing, known as "Otter Trawling" in prohibited waters off Tory Island.

.... Edward McCafferty, of Tory Island, said he could not speak English, and was then sworn in Irish.

Mr Hugh Mulhern, summons-server, acted as **interpreter**.

The witness said he saw the vessel stopping after she came round the Sound, and put out fishing material. It was about half a mile off him.

Cross-examined by Mr Fox, the witness said the vessel was pointed out to him by James Carroll. "We caught her at seven o'clock" said McCafferty in English.

Mr Fox drew the Court's attention to the fact that the witness said he could not speak English, and bitterly complained. He felt it very much for a man who had been out at the front all that time, he added, to come here and see these people conceal their knowledge of English. It was disgraceful.

Mr Gallagher – They speak very indifferent English.

Further cross examined, McCafferty said Carroll took eight men along with him to a rock to see the trawler.

Mr Fox said his case was simply this: they were not trawling at all in or about the Sound. Every boat these people saw they looked upon it with grave suspicion. Two men on the boat had come there at very great expense to respect that Court, travelling from England specially. His client had served all during the war on a minesweeper.

Killarney Echo and South Kerry Chronicle 19 June 1920 page 2

Cahirciveen Board of Guardians

The first statutory meeting

Meeting transacted in Irish

[..] The Clerk stated that unfortunately he was not able to understand Irish, but he would endeavour to learn it, and in the meantime he would advertise for an assistant who had a thorough knowledge of the language.

After some discussion it was agreed on that the business be transacted in Irish and that the Chairman (Mr Courtney) act as interpreter for this meeting only.

The Galway Observer, Saturday, July 14, 1920

<http://places.galwaylibrary.ie/history/chapter376.html>

Galway Guardians — The Irish Language — The Wages Question

The usual weekly meeting of the Board of Guardians was held on Wednesday. Mr. P. Thornton, in the chair.

Also present — Messrs. John Griffin, Wm. Flaherty, James Lee, S. J. Cremin, M. J. Cooke, Bryan Molloy, and Mrs. Young.

Condolence

Mr. Lee began speaking in Irish when Mr. Griffin interrupted to say it was not fair as he did not understand it. Mr. Flaherty having spoken in Irish also.

It appeared that it was a **motion of condolence with Mr. Anthony O'Donnell, the Court interpreter, on the death of his wife**, which was passed.

The Kerryman 17 July 1920 Caherciveen rural district council Quarterly road meeting. Who will pay Irish interpreter? 4

Domhnall Curnain, Chairman, presided. Others present were Sean Murchadha, Diarmuid O'Seaghdha (list of names as Gaeilge)

Domhnal Murchadha, Renard, who acted as **interpreter**, asked the Council who is to pay him for doing the business in Irish.

Seamus O'Suilleabhain – We decided before that the Clerk should pay an interpreter.

The Clerk stated it looked as if the Council were trying to victimise one officer. The work before them to day was in English from the Co Surveyor and why should he (Clerk) pay in interpreter to do other officers' work? He would ask the Council that every officer contribute towards an interpreter.

Mr Wrenn, Deputy Surveyor, said he attended two meetings of the Co. Council and the Chairman (An Seabhad) acted as **interpreter**. It would be very unfair at his present salary to ask him to pay an interpreter; at the same time he was willing to pay an interpreter proportionally.

The Clerk said he would submit his case before Dail Eireann and would the Council be satisfied with their decision?

One of the members – We have already sworn allegiance to Dail Eireann.

Donegal News 24 July 1920 page 5 Notes and comments. Irish only

A group of Galway people, women and men, who could speak Irish only, were witnesses at an assizes case held in Derry. Their evidence was given through an interpreter. The men were dressed in home spun frieze suits, and their appearance attracted a great deal of attention.

The Kerryman 24 July 1920 Caherciveen Rural District Council 9

The Clerk stated Miceal O'Murchadha who was appointed as envoy between this board and Dail Eireann declined to send a statement which he (the Clerk) prepared with reference to paying an **interpreter**.

Miccal O'Murchadha stated he was not authorised by the Council to do so; he could not act on his own initiative.

The Clerk said he managed to get ?? through another source.

The Secretary Dail Eireann submitted the Clerk's statement to the Council. In his statement the Clerk said it was unjust (1) To ask him to do what no other Clerk of RD Council or Board of Guardians in Ireland has been asked to do.

Anglo-Celt 24 July 1920 Untitled, 5.

Galway men were sentenced to 18 months for causing the death of Patrick Thornton (ex-soldier) it transpired none of the witnesses for the defence spoke anything but Irish, and an **interpreter** had to be engaged.

Weekly Freeman's Journal 31 July 1920

Galway Guardians passed a vote of condolence with the relatives of the late Mr O'Donnell, Irish interpreter at the local courts, who died during the week.

Connacht Tribune 31 July 1920 'The Late Mr O'Donnell', 8.

At Galway Petty Sessions on Monday Mr J Kilbride, R.M., referred to the death of Mr O'Donnell, Irish Interpreter, who, he said, was an exceedingly intelligent and nice man. He would be a great loss to the court.

Cork Examiner 6 August 1920 page 2 'Cork Co Council Proposals Committee'

The committee unanimously agreed to recommend the rejection of proposals for the payment of the salaries of the Sub-Sheriff, criers and **interpreter** at Quarter Sessions, and the court-keepers in the various districts.

The Chairman said they did not recognize the County Court Judges, and so they could not recognize the officials of those courts. He also intimated that he would move at the next Council meeting that they repudiate liability for the rents of the various petty sessions rooms in the county, and that the Clerk be instructed to inform the Clerks of those courts that the premises will no longer be required.

Southern Star 7 August 1920 'Coroners and Sub-Sheriffs', 3.

Question of their abolition.

Mr J Bernard O'Driscoll presided at a Proposals Committee meeting of the Cork Co Council on Thursday....

The Committee unanimously agreed to recommend the rejection of proposals for the payment of the salaries of the Subs-Sheriffs, criers and **interpreter** at Quarter Sessions, and the court-keepers in the various districts.

The Chairman said they did not recognize the County Court Judges, and so they could not recognize the officials of those courts.

Skibbereen Eagle Cork County Council 7 August 1920 page 5

The salary of the Sub-Sheriff was then considered, and the Committee unanimously decided to recommend the rejection of the payment on the grounds that the duty of the Sub-Sheriff was to execute the decrees of British courts.

A similar rule was made in the salary of both criers in the East and West Riding of County Courts, the interpreter for Quarter Sessions, and the keepers of the various courts of Quarter Sessions.

The Chairman said they did not recognize County Court Judges, and so they could not recognize the officials of those courts. They would move at the next County Council meeting that they repudiate liability for the rents of the various Petty Sessions courts in the county and that the Clerks be instructed to inform the Clerk of these premises that the courts would no longer be required.

Cork Examiner 3 December 1920 page 5

Countess Markievicz appeared cheerful and self-possessed. She refused to recongise the court, but frequently interposed remarks correcting the pronunciation of Irish words occurring in documents and acting as **interpreter** of phrases in evidence advanced against her.

1921

Freeman's Journal 10 January 1921 'Trial of Father Dominic: Chaplain to Terence MacSwiney Before Field General Courtmartial', 4.

Old Courthouse, Kilmainham.

The Prosecutor said there were some words in the letter in Gaelic, the meaning of which would be given by an expert **interpreter**...

A witness who stated that he was acquainted with the Irish language was called in reference to words in the Irish language in the letter brought before the Court, and being questioned by the Prosecutor as to what a person reading the words would understand from them.

Father Dominic objected, and after some discussion, it was held that the opinion of the witness was not evidence.

The witness said the Irish for Dominic was "Doiminic". The signature to the letter was written "Doinangart".

Asked the meaning of this, witness suggested it might be a compound word and might be Dominic-Sagart.

The accused submitted that this translation given by the witness was not "Dominic".

The Prosecutor – What is the meaning of the words as written?

Witness – Dominic.

Father Dominic said the witness had already stated that it was different.

Skibbereen Eagle 'Cork County Council' 12 February 1921 page 7

At the quarterly meeting of the Proposals committee of the Council, the following were approved of:

- Salaries of the Attendance officers and Clerk to the Local Attendance Committee in the Kanturk Rural District were increased by 50 per cent....

The proposals for the payment of salaries to the Sub-Sheriff, the criers and interpreter at Quarter Sessions, the court keepers of the courthouses at Fermoy, Kanturk, Mallow, Midleton, Youghanl, Bandon, Bantry, Clonakilty, Macroom and Skibbereen, for the half year ended the 31st March 1921 and the cost of providing fuel and light for the said Quarter Sessions courthouses for the same period were rejected.

Freeman's Journal 9 June 1921 Untitled 4.

The Irish interpreter at Galway court, sent to view lands in dispute between farmers at Bushy Park, related that he was threatened by a man with a pitchfork, and only saw the lands with difficulty. The interpreter was allowed 5s expenses.

Connacht Tribune 11 June 1921 'Stick Versus Pitchfork', 6.

At Galway Petty Sessions on Monday, before Colonel R.L. Owens, R.M., the adjourned trespass case of John Cooke, Drum, Bushypark, against John Moloney, of the same place, was brought forward.

Mr Mullins, Irish interpreter, said that acting on instructions of the court he informed Mr Cooke on Monday week that he was about to visit his land on May 31 to estimate the alleged damage done by Mr Moloney's cattle. He fixed the hour at eleven a.m. "Cooke" declared witness, "told me that if I went up there he would put the stick into my mouth". When he arrived at the lands he met Coke with a donkey cart of stable manure and a fork on top of the cart". "Did I tell you not to come here?" said Cooke. Witness replied that he was ordered by the magistrates to come there. "You will not see the land" declared Cooke, taking the fork from the donkey cart and threatening witness with it. "I had a good stick, and I kept it close to him" said witness. Cooke's daughter came along and took the fork from him. Witness was then allowed to pass and see the land and fences in question.

Connacht Tribune 25 June 1921 'Burning of Padraic Pearse's Cottage', 2.

At Oughterard Quarter Sessions on Thursday, John Conneely, an Irish ? ...brought an action against John Geary for trespass and damage to a wire fence on December, ?

Plaintiff, replying to Mr Connolly, through the **interpreter**, said that, accompanied by his sister, he visited his lands early on a morning in December. About daybreak he saw Geary come along, pull down the wire from the fence, and pack it into a bag. When he asked Geary why he was knocking down the fence he replied, "Nil aon dlighe ann anois acht dlighe na h-Eireann" (there is no law now in existence but the law of Ireland). ...

Connaught Telegraph 16 July 1921 'Mayo Assizes: Record Court', 3.

Julia Crean, who was unable to speak English and gave her evidence through the Irish **interpreter**, said their cattle had been grazing on this piece of bog for the last twenty-two years.

Connacht Tribune 29 October 1921 'Aran Litigants', 3.

Galway Quarter Sessions

The defendant, Derrane, a typical Aran Islander, was put in the witness box, and, as he could not speak English, the services of an **interpreter** had to be secured.

The Irish Times 3 December 1921 'Truce Effects: Crime Diminishing', 4.

Death in a Galway Bog

A young man named Coleman Connolly of Galway, was charged with having, on the first August, killed Patrick MacDonagh. The prisoner, when charged, said "I have very little English" and an **interpreter** was sworn, and after a conversation with prisoner, said to the Court "He says he killed the man".

The Lord Chief Justice – I would rather it to be a plea of not guilty. Tell him to plead not guilty.

A plea of "not guilty" was entered.

Connacht Tribune 10 December 1921 'The Winter Assizes: Charge of Murder', 7.

Coleman Conneely, a young, muscular looking, Irish-speaking Connemara peasant, was indicted on the charge of killing a man named Patrick McDonagh by striking him on the side of the face or head with a stone at Bohernascragha, Carraroe North, County Galway, on Saturday, August 6 last. When called upon to plea to the charge, an Irish-speaking interpreter, **Peter Mullins, was employed in explaining the charge to the accused and his replies, and also to interpret the evidence of the Irish-speaking witnesses.**

Having spoken in Irish to him in the dock, the interpreter said the accused admitted that he did not kill the man with a stone.

Lord Chief Justice: Just ask him if he pleads "guilty" or no. Interpreter: He admits he killed him, and that he is guilty. The Lord Chief Justice: It would be better for a plea of "not guilty" to be entered,

and let the facts of the case be stated. Tell him to plead “not guilty”. The interpreter (having again spoken to the accused) said: He tells me he would not like to say he did not kill the man when he did kill him (laughter)....

District-inspector Sugrue, R.I.C., Oughterard, then volunteered his services as interpreter, and spoke to the accused. Clerk of the Crown: Ask him has he anybody to defend him. Mr Sugrue: He says he has not. Lord Chief Justice: Tell him then we are going to try the case, and swear a jury, and he can challenge twenty of them peremptorily, and as many more of them as he can show cause for.

A jury was then sworn without anyone being challenged or objected to on behalf of the accused.

Mr Denning, stating the facts, said that on the day mentioned this young man (the accused) was going along the road towards the “baths” along with another man named Flaherty, and as it commenced to rain they took shelter behind a turf stack.

Stephen Joyce, an Irish speaker, whose evidence was interpreted to the court, bore out Mr Dennings’s statement,.....

Lord Chief Justice: Ask the witness if he has any question to ask the witness. Interpreter: He says he has no question to ask him, and that he did not mean to do any harm to McDonagh more than he would to the mother of God.

Nolle prosequi

1922

Irish Independent 9 January 1922 ‘A New Constitution for Ireland: Future of the Law Courts’, 8.

‘Language of the Courts’

An eminent Irish constitutional lawyer:

On the question of the language of the Courts, this authority believed that Irish would not be used for one decade, if not, at least, two decades. Young people would, no doubt, acquire the language naturally and quickly, but people getting on in life more slowly and laboriously. If an attempt were made to have Irish in the Courts too soon, most of the business would have to be done through an interpreter, which was always an unsatisfactory method of rendering evidence, and quite impossible in the case of law arguments. If the country became bilingual the balance of advantage would probably lie in conducting the business of the Courts in English, having regard to the great volume of trade with England, and, in fact, the vast body of English law - which was in many respects the envy of all other nations – was embodied in English form. One of the functions of the Provisional Government, when set up, would be to establish a Commission to investigate the whole subject. This Commission would have its work cut out for it, for the work was one of great intricacy and complexity.

Connaught Telegraph 16 September 1922 ‘Mayo County Council’, 4.

The Secretary read communications from a number of the court-keepers throughout the county, stating that they had not been paid their salaries since the 1st of April, up to which date they had been paid by the Sheriff.

A somewhat similar communication was submitted from the County Court interpreter.

Western People 23 September 1922 page 2

Mayo County Council

Report of the Finance Committee

The secretary read communications from a number of the court-keepers throughout the County stating that they had not been paid by the Sheriff.

A somewhat similar communication was submitted from the County Court Interpreter.

The secretary intimated to us that he had applied to the Local Government Department for a ruling on the subject.

In view of the fact that these caretakers are looking after the courthouses, four of which are the absolute property of the Council, we recommend that, subject to sanction of the Local Government Department, the salaries of the court-keepers be paid; but we cannot see our way to make such a recommendation with regard to the County Court Interpreter, as we are not aware that he performed any duties during the period in question.

Connacht Tribune 11 November 1922 'The Day: When Interpreters of English May be Required', 6.

At the meeting of the proposals' committee of the Galway County Council on Saturday last, Mr T. Ruane presiding, a discussion took place in regard to the payment of remuneration to interpreters of Irish employed in the courts.

The secretary having read out the amounts due to the interpreters, Dr Walsh said the new justices appointed would not need **interpreters** as they were Irish speakers. Mr Coen: How does the interpreter earn this money? Mr Fogarty, assistant secretary: He acts in the courts as interpreter of the language. Mr Coen: Who appointed him? Mr Fogarty: Up to the present they have been appointed by the county court judge.

Dr Walsh: Cannot we insist that for the future the person who is appointed a judge will be such a man as will not need an interpreter? The very existence of these interpreters is a reflection on us. I suggest that we make representation to the Home Office that in any future appointments of judges or justices in Irish-speaking districts the persons appointed shall be Irish speakers.

Mr Finnerty: Is it not a fact that it is the litigants who have to pay the interpreters' fees? Mr L.E. O'Dea, solr.: They have to pay the **crier**.

Dr Walsh: At the present time we have to pay interpreters to turn Irish into English for the sake of people who are earning thousands every year. I hope the day will soon come when the order of things will be reversed, and that it will be necessary for us to pay people for turning English into Irish. It was decided to pass the amounts for payment.

Western People 2 December 1922 page 2

Mayo County Council – Report of the Finance Committee

Mr Peter O'Toole, County Court Interpreter, again applied for his salary for the quarter ended 30th June last, and expressed surprise that the Council had not granted his previous request.

The applicant was refused, as was also a somewhat similar one from Mr Eugene Duffy, the County Court Crier.