

Local Petty Sessions

Frank Watters

The office of Justice of the Peace is a very ancient one dating back to the year 1327 when, during the reign of Edward III, a statute ordained that in every shire in the realm, certain persons should be assigned to keep the peace.

It stated that:—

“for the better keeping and maintaining of the peace, good men and lawful that are no maintainers of evil shall be assigned to keep the peace.”

These justices, as they were later known, had powers “to take of all such as are not of good fame wherever they be found sufficient surety of their good behaviour towards the King and his people and to duly punish others to the intent that people, merchants and other travellers may not be endangered by such rioters and rebels.”

This statute was the basis of the powers of the justice of the peace. It was vague enough to allow for a very wide interpretation which meant that almost any offence could be dealt with by the justice or magistrate as he was called.

It was about 350 years later that this system first applied here. The magistrate or justice of the peace was almost always a major landowner. Here in 1789 at the time of the Battle of Lisnagead, the magistrate was Mr. Stewart of Acton.

The system of Petty Sessions Courts, with which perhaps we are a little more familiar, dates from 1828. An Act of Parliament in 1827 provided for the division of the counties of Ireland into Petty Sessions districts. It also ordered County Councils to provide and maintain court houses where these petty sessions should take place and for the fixing of dates for regular sessions to be held. These petty sessions were to be conducted by the local Justices of the Peace.

These justices had to be landowners, they had to be men; they had no legal qualifications, received no training or education in the law and they were unpaid.

The Petty Sessions in Markethill and Tandragee date from 1828 but I have not been able to find any record of Petty Sessions in Poyntzpass at that time.

Prior to the 1828 Petty Sessions Act, each large estate had what was known as a “Manor Court” and this certainly continued in Poyntzpass after 1828. In his memoirs, Lieutenant G. A. Bennett, R.E., who

conducted the ordnance survey locally says that in June 1835:—

“A manor court is held on the first Saturday of every month, Seneschal Mr. Mitchell of Markethill. The jurisdiction of the court extends to debts, fines and damages under £5; there is also a court leet once a year generally in April on May to decide trespass, poundage, local improvements etc; the seneschal attends.

The townlands on the manor are ½ of Carrickbrack, Corcum, Ballynaleck, Ballyreagh, Tullynacross, Federnagh, ½ of Tannyoky, Tullylinn, Crewmore, Acton, Brannock, Glassdrummon, Ballynagreagh and 8 townlands in the Parish of Loughgilly.”

When looking for evidence of a petty sessions court in Poyntzpass in 1828 I noticed these two cases with local connections from Armagh Spring Assizes of that year which will serve to illustrate the severity of the law at that time. For what we might regard in this age of “joy-riders” as petty enough.

In the first case, John Alexander Irwin was indicted for stealing a mare, the property of William Thompson of Dromore in October 1827.

William Thompson, in his evidence stated that the mare was stolen during the night. Three days later, accompanied by Sergeant Roberts, he got the mare in a stable at the Public house belonging to Richard Greenaway, Tandragee.

Richard Greenaway, in evidence, said that John Alexander Irwin had left the mare in his stable, saying he had to sell her for another man. Considerable evidence was given as to Irwin’s previous good record: he had never been in trouble before and was of previously excellent character.

His Lordship recapitulated the evidence and the jury retired. Later they returned a verdict of guilty. His Lordship passed the sentence of death against the prisoner.

The second case concerns the stealing of two webs of linen cloth belonging to William Archer and Hugh Byrne of Banbridge.

John Donnelly was accused of the theft on 12th December, 1827. James Shevlin, Poyntzpass, gave evidence that on that date the prisoner Donnelly had left the two webs of cloth at his house in Poyntzpass,

saying that he was on his way to Newry Market to sell them and would return to collect them in a short time. When he did not return by evening the witness gave the webs of cloth to the police. When Donnelly eventually came back for the webs, he was arrested.

The prisoner offered no defence. He was found guilty and sentenced to be transported for seven years.

The first record of Petty Sessions in Poyntzpass that I have been able to find is in 1847 when Petty sessions were held on the second Saturday of each month.

In 1851 a further act of Parliament, "The Petty Sessions (Ireland) Act" was passed which further modified the system and this was the Act under which our local Petty Sessions operated.

The first entry in The Minute Book of Poyntzpass Petty Sessions, now in the Public Records Office, is for November 15th 1851 when it records that "Solomon Madden has this day been appointed Summons Server for the district of Poyntzpass" signed M. Close, J.P., Robert Quinn, Alexander and Peter Quinn. The minute book of the Petty Sessions does not contain any direct information on cases heard at the Petty Sessions, but records, appointments and other decisions made by the magistrates.

The day on which the Petty Sessions was held changed from time to time. As I have said, in 1847 Petty Sessions were held on the second Saturday. In 1851 this was changed to the second Tuesday. In 1852 it was decided to hold sessions twice monthly on the first and third Tuesdays. In 1860, this was changed to the 1st and 3rd Mondays. From 1872 sessions were

held once a month on the first Monday. This continued until 1927 when the first Saturday — the Fair Day — became Petty Sessions day. The area covered by Poyntzpass Petty Sessions district was 10,339 acres, and the population in 1880 was given as 3,492.

The magistrates at Petty Sessions were responsible for appointing a number of officials — process and summons servers, clerks of the Petty Sessions etc. The Minute book gives details of these appointments. The following summons servers are recorded:— 1851 Solomon Madden, 1858 John Madden, 1859 William Baird, 1874 John Madden, 1883 William Baird, 1895 Robert Gibson, 1902 Michael J. McCann, 1903 Daniel Doran.

Clerks of Petty Sessions include 1850 J. Kinkaid, 1852 Joseph Kenny, 1852 William Bennett, 1864 John Thomas Bennett, 1881 Robert Emerson and 1909 his son R. G. Emerson.

The academic qualifications of the summons servers is open to some doubt as when appointing Robert Gibson in 1895 the magistrates note that he "can read and write" implying that his predecessor William Baird could not. Michael J. McCann was appointed Summons and Process Server at Petty Sessions on 1st December, the newly appointed McCann was dismissed from office and sentenced to one month's imprisonment with hard labour.

Their dedication to duty was somewhat doubtful too. At Markethill Petty Sessions in July 1910, attendance officer McMahon could not proceed with a number of prosecutions as the summons server was not present,



Poyntzpass Courthouse to-day.

he had sent an apology saying he could not attend as he was "thinning turnips"!

The summons servers were paid in 1928, 1/- per summons within a 2 mile radius, and 2/- per summons over 2 miles.

Around the period from the turn of the century up to the outbreak of World War I the magistrates in the Poyntzpass area who sat at Petty Sessions were Dr. W. R. McDermott, Andrew McIlvaine, Major M. Close, H. A. Magennis, Major Harden and Colonel / Major Alexander. In the latter case there appears to have been regular promotions and demotions as his rank varied from one sessions to the next. The only source of information on cases appearing before these gentlemen (joined later by Mr. P. Murray) is the local Press. Regular reports of Poyntzpass appear in the "*Newry Reporter*" while the "*Armagh Guardian*" had an occasional report from Markethill and Poyntzpass. In Markethill at the same period the magistrates were S. Byers, W. Simpson, R. D. Hill, Dr. Gilbert Marshall, J. H. Gray. The Resident Magistrate who often sat with the JPs in Poyntzpass was Mr. R. G. Bull, while N. L. Townsend R.M. sat at Markethill. While the Resident Magistrates were paid officials, they, like the JPs often had no legal background. Mr. Bull may have had — he certainly had a lot of experience.

The newspaper accounts of the period are often very graphic and add colour to what otherwise might have been very ordinary events. As an example of this, I noticed this little item in the "*Newry Reporter*" of August 8th, 1910:—

Entitled "Dangers of the Canal" subtitled "For Drunken Men" It states:— "Yesterday evening a man named Keenan, of Dublin, fell into the Canal while in a drunken state. He was rescued and arrested by Constable McGovern and Constable McCallum and lodged in the Hyde Park Barracks, being accompanied thither by a large crowd."

The papers too, often carried little descriptions of those who appeared in court, many of them judgmental. Some examples of the phrases used in cases quoted below include "... respectably dressed young girl" "an old and hoary tramp" "an old man with flowing locks" "a respectable looking old woman" "a raffianly-looking fellow" "a man of the labouring class."

The cases which appeared before the Local Petty Sessions were more often than not very ordinary. By far the most numerous were those relating to drunkenness. The following is a list of the offences tried

at Poyntzpass in 1909:—

Drunkenness (more than 50 cases).
 Drunk in charge (of a horse!).
 Drunk and disorderly.
 Obstruction on Fair Day.
 Using Party Expressions.
 Santary Prosecution.
 Possession of Dwellings.
 Indecent Conduct.
 Poaching.
 Lighting Offences.
 Fighting.
 Assault.
 Assault on Police.
 Disorderly conduct.
 Trespass - of cattle etc.
 Travelling without a ticket.
 Keeping a dangerous dog.
 Wandering Cattle
 Uncontrolled pony.
 Obstructing the footpath.
 Cruelty to animals / fowl.
 Larceny.
 Vagrancy / begging.
 False pretences.
 Giving a false name.
 Sheep-dipping offences.
 School attendance.
 Illegal weights.
 Unlicensed dogs.
 Breaking and entering.
 Peddling without a licence.

Many of these charges arose from drunkenness and particularly drunkenness on the Fair Day.

There were at this period seven licensed publicans in Poyntzpass and at least one 'shebeen'. At every petty sessions court in the area — Markethill, Tandragee, Newry, Keady, Rathfriland etc., etc., drunkenness was equally dominant and was obviously a very serious social evil.

Often a character would turn up at Petty Sessions on drunkenness charges month after month. An example of this from Keady Petty Sessions in 1908 "Constable Benison charged the renowned Jimmy Markey with being drunk and disorderly. Sergeant Hayes produced Jimmy's 'good conduct list,' there being 65 previous convictions. He was given a 14 day prison sentence."

The local Petty Sessions had their regular customers too. On the face of it often very funny to read about, but no doubt tragic stories in reality.

From the "Newry Reporter" of January, 5th, 1909:—'

MAN SERIOUSLY ASSAULTED IN POYNTZPASS Special Court

"Different places and different people have different ideas as to the due celebrations of the festivities necessary for the coming of the New Year. Poyntzpass is no exception to the rule. On Friday last (New Year's Day) which was to bring joy and gladness into many homes, being the day on which the old-age pensioners were to draw their first weekly pension, was a day of disappointment to many of these people around the 'Pass, as their cheques had not arrived.

Not so with Bob McIlroy, the hero of many a fight against the wily De Wet and the Boers on the South African veldt. Bob's deeds of valour on these occasions are always spoken of with pride by Poyntzpass men, and his services are likewise remembered by a grateful Government who regularly pay his pension every Quarter.

Well, he drew his pension on Friday, and had a day's holiday in Portadown, returning to the 'Pass about seven o'clock in the evening. When Bob returned to his lodgings in Chapel Street, kept by "Rosie" McQuaid, other weary travellers were also there, including a Mrs. Mary Ann McManus. It is alleged Bob became amorous towards Mrs. McManus, who resented this, and retaliated by striking Bob on the head with that handy weapon, a pair of tongs, rendering the hero of a hundred fights in other lands *hors de combat* on his native heath.

The timely arrival of that genial 'limb of the law,' Constable McClelland, brought an end to hostilities, leaving the honours of war with Mrs. McManus for the time being. Dr. MacDermott, J.P. was called in to attend to McIlroy and gave his opinion that the wound "might be serious." Constable McClelland, in his own gentle way, invited Mrs. McManus to the barracks and await developments.

A special court was held on Saturday evening at which the accused, Mrs. McManus, was brought up before Mr. H. A. Magennis, J.P., charged with assaulting Mr. McElroy. Mr. Emerson, CPS., was in attendance. McIlroy, not being able to attend at the barracks, the court was held in the lodging house. McIlroy admitted in his deposition that his recollection of the affair was a bit dim. Rosie McQuaid said McIlroy made a 'glam' at Mrs. McManus and then



Formerly the Constabulary Barracks,
Railway Street, Poyntzpass.

To put the fines imposed in perspective, it may be worth at this point noting that in 1910 the local Doctor, W. R. MacDermott, received £10 monthly, a carpenter's pay was 2/6 per day (15 shillings a week), a cow was selling in Poyntzpass fair for between £14 and £16. A dropped calf was costing £1-5-0. A pint of whiskey was 2/3 and a pound of cheese was 8d. (3p).

Two whose names occur regularly during 1910 in Poyntzpass were Robert McIlroy and Rosie McQuaid. Robert McIlroy was an ex-serviceman who had served in the Boer War. He had a pension which was paid quarterly and this payment was the signal for a "spree." He lodged in a house in Chapel Street, Poyntzpass, the proprietor of which was Mrs. Rosie McQuaid. The following newspaper reports give some idea of their activities and also points to note, special courts could be held as the occasion arose and could be held elsewhere than the courthouse, often in the police barracks.

there were ructions. Constable McClelland, who represented the Crown, applied for a remand until Saturday next which was granted.

During the hearing of the case, Mrs. McManus' husband and Rosie McQuaid had an exchange of views which became so lively that his worship ordered his removal out of the house. This was gently done by the Herculean Constable Scully, who caught McManus by the nape of the neck and lifted him bodily out into the street. Needless to say the affair provided the 'Pass people with food for gossip."

Mrs. McManus spent a week in jail on remand and was released at a special court held in the Court House the following Saturday.

Bob McIlroy and Rosie McQuaid featured again in May of 1910. Almost inevitably the charge was more serious as this extract from "The Newry Reporter" shows:—

"An army reserve man named Bob McIlroy, better known as "Gopeet," got into trouble on Friday night in Poyntzpass. It appears Bob, who had only returned a few days from Armagh gaol, was on the spree. Now when "Gopeet" is on the spree there is always fun at the 'Pass. It is alleged that after "knocking out" several stalwarts about the village Bob arrived at his lodgings, which are presided over by Rosie McQuad, and that he struck Rosie and left her "speechless." Rosie was found unconscious anyway. The police were notified, and the report spread that Rosie was "kilt." Consequently everyone in the village turned out, and the greatest excitement prevailed. Sergeant Sullivan located Bob, and made a frontal attack, to which "Gopeet" succumbed, and he was marched off to the barracks. The doctor meanwhile attended Rosie. Next morning Bob had to put in an appearance at a special Court, held in the barracks before Mr. Heber A. Magenis, J.P., when he was charged with being a common drunkard and disturber of the peace. The sergeant, in his evidence, stated the manner in which the woman was brutally assaulted. She was for three hours unconscious. He also told of other assaults committed by McIlroy on that evening. His language was very bad. A large number of convictions against the prisoner for drunk and disorderly conduct were proved, and, it was added, he was only back from doing fourteen days received at the last Petty Sessions. He was repeatedly drinking and using filthy language to ladies, and continually raising rows in the village. The sergeant asked to have him bound over to keep the peace. His Worship said that conduct of this kind could not be tolerated. The prisoner had got repeated



Markethill Courthouse.

chances to reform, but instead he was getting worse. His conduct was a very bad example in the district. So far as he was concerned he would put a stop to entertainments of this description in Poyntzpass. Prisoner would have to find bail to be of good behaviour for six months — himself in £10 and two sureties of £5 each — or, in default of finding bail three months in Armagh gaol, with hard labour. Bail not being forthcoming, the prisoner was removed to gaol."

When McIlroy again appeared on the charge, 3 months later, it was stated in court that Rosie McQuaid had met with an accident and was then an "inmate of the idiot ward" in Newry Infirmary.

A regular feature of the Petty Sessions, and special courts were cases involving tramps. In an obvious attempt to discourage tramps from visiting the area quite severe sentences were imposed locally — one month's imprisonment with hard labour being the norm. Tramps were obviously a nuisance but could be more than that. In August 1908 an old man called James Finch of Lissummon had a harrowing experience.

On his way home from Newry (on foot) he met with a tramp called Matthew Callan at Jerrettspass. Despite his protestations, Callan accompanied him to his house. He refused to leave and eventually got into bed beside the old man. In the middle of the night, Callan arose and stealthily searched the house the old man lying silently afraid to move. In the morning £2 was missing.

A description of Callan was given to the police and he was arrested in Newry. Callan received a sentence of two months with hard labour.

Not all tramps were as threatening as Matthew Callan and some were obviously intelligent and could be amusing as this report from the Armagh Guardian of May 1910 shows:—

“Went to Poyntzpass for Brainstorm

But Magistrate Prescribes Armagh

Patrick Rice, a tramp, was arrested on Saturday night in Poyntzpass by Constable McClelland, and charged — before Mr. Heber A. Magenis — with vagrancy. Asked what he had to say, prisoner said the fact of him being in the 'Pass was the result of having an argument in Newry over the Budget proposals. He was in favour of some of the Budget taxes; others he was not. For instance, he was against the tax on whiskey, which might have been met instead by a tax on bachelors. He hoped his Worship agreed with him. His Worship said certainly it would be the proper thing to tax the bachelors. The prisoner said that as a result of the argument in Newry he suffered from a brainstorm, and he just came to Poyntzpass to steady his nerves. Of course his Worship would understand that these subjects would require time to study and master properly. His Worship agreed that time was necessary, and accordingly prescribed a month's hard labour in Armagh's jail."

Another case from April 1909 featured a tramp remembered locally as "Dirty" Gill who reputedly kept a dead rat inside his shirt.

“The Poyntzpass Sewerage — A Tramp's Journey and Disappointment

At a special Court of Petty Sessions held yesterday morning at nine o'clock, in Poyntzpass, before Mr. H. A. Magenis, J.P.

Constable Lynch charged a man named William Gill, of no fixed residence, with having been drunk and disorderly in the village on the previous night.

His Worship (to the defendant) — What have you got to say for yourself?

Gill said he only left His Majesty's Palace in Armagh on the previous day. He heard that an inquiry had been held to remedy the sewers in Poyntzpass, and he thought it would be a good chance to get work, so he thought it most necessary to journey there. On getting into the place he was disappointed to find that the work had not commenced, and he took a wee drop to drown his sorrow (laughter).



Mr. Heber A. Magenis, J.P.

His Worship sentenced the defendant to one calendar month's imprisonment.

Many of the defendants at Petty Sessions appeared to enjoy themselves and would 'play to the audience.'

In one very serious case involving a brutal attack on an old woman named Ann McCourt, of Aughtanraghan, Thomas Finnegan, the defendant joined in hearty laughter at some of the evidence.

On the night of Sunday 23rd January, 1910, Finnegan broke into Ann McCourt's home on the Old Road and "subjected her to vile abuse, and left her weak and helpless." Ann McCourt, was described as being "a frail, old, crippled woman." The case was adjourned to Armagh Assizes where Finnegan was sentenced to nine months hard labour — strangely lenient in all the circumstances.

Some defendants were obviously educated as this letter from Dan McCrory of Donaghmore to the Magistrates at Lurgan Petty Sessions in August 1912 illustrates:—

“At Lurgan Petty Sessions yesterday, before Mr. H. D. MacGeagh, D.L., and other Magistrates, an adjourned case of drunkenness against Daniel McCrory

came up for hearing. Head Constable Deeves stated that the case was adjourned in order that the defendant might leave the town. He had since done so, but in the meantime there was another charge of drunkenness against him.

Writing to the Petty Sessions Clerk from Donaghmore, in the course of a lengthy epistle, defendant said:—

“I am sorry to say that I have not got over all my trouble that I had in Lurgan during my July holidays. I got a summons to appear tomorrow for the old fault (viz, drink) on the 16th ult. I enclose pledge, also my baptismal certificate. I do not want any stain or mark against my character that would deprive me of the old age pension. I am now in the sere and yellow leaf. I will have reached the allotted span — three score and ten — if spared to December. It’s not too soon, nor I hope too late, for me to turn over a new leaf, to give up all folly and lead an exemplary life. I am heartily ashamed of myself. The pledge I have taken, with the assistance of God, I will keep to the letter and, sir, as one last favour, I implore you to ask the magistrates to give me this last chance. I will feel under a deep debt of gratitude to both you and them. Wishing you health, prosperity and happiness, and every other blessing that Heaven can bestow. (Laughter) — Your obedient servant, Dan McCrory.”

The case was adjourned for a month.

The fair day was of course a ‘big day’ in the life of the village with many people thronging the streets from dawn till dusk. Cases involving peddling without a licence, obstruction of the footpath and drunkenness occur. But the most interesting case arising from an incident on the fair day was one involving a farmer named James Qua of Bolton, Loughgilly, and a cattle dealer named Joseph O’Sullivan of Carrivemaclone. O’Sullivan alleged that Qua struck him with an ash plant at the fair on November 3rd.

Qua explained the circumstances as follows — when he arrived in Poyntzpass in the morning with his cow, O’Sullivan approached him and made a bid which he considered much too low. He told O’Sullivan he wouldn’t take it, but O’Sullivan refused to go away. He stayed on bidding for the cow all day, thus keeping other potential buyers away. Qua ordered him away, he refused to leave. In his frustration Qua struck him with his ash plant. O’Sullivan fell and “made a meal” of it. Dr. MacDermott was sent for but thought his services were not needed as it was a slight injury.



The site of Tandragee Courthouse.

O’Sullivan in his testimony stated that as a result of the blow he was unable to attend fairs for a considerable time thereafter. He sought £25 damages.

The court found against O’Sullivan as he had acted “in a most unjustifiable way about the cow, for he was trying to get the cow at his own price and keep other buyers away.”

Mr. Bull the R.M. could on occasions be quite humorous and at other times severe. When the police raided John Quinn’s public house at Kiln Street, Newry on a Sunday morning in March 1909. Constable Duffy discovered Francis John McAteer climbing up the roof of an outhouse. Mr. Bull asked if he was a slater. When asked what he was doing on the roof McAteer replied that he was “looking for a ball.” to which Mr. Bull rejoined — “a ball of malt!”

He could also be very severe at times especially with the police, as Constable McGahey of Hilltown discovered at Rathfriland Petty Sessions in 1911. From “The Newry Reporter” of 2nd December 1911.

“Put Bob on the Donkey” Amusing Hilltown case

“At Rathfriland Petty Sessions yesterday, before Mr. R. G. Bull, R.M., and other magistrates, an amusing case was heard in which Constable McGahey, Hilltown, summoned Margaret Doyle, Hilltown, for having used abusive language to him on the evening of the 21st November. John Doyle, a minor, was

summoned for sliding on the roadway, and Francis Doyle, his father, was summoned for permitting him to slide.

Mr. W. G. McSpdden defended.

Complainant said that about 8 o'clock on the evening of the 21st November he was on duty in Hilltown. He found the defendant, John Doyle, sliding on a slide on the road almost outside his own door. Two little girls were with him, and they were giving him what was known as a hunker slide. (Loud laughter). They had hold of him by the hands, and ran him down the street. Witness was concealed about twenty yards away, and stole up on the defendant.

I was about five yards off them stealing in on them when they saw me, and they shot towards the house and into it. I ran instantly after them.



Dr. W. R. MacDermott, J.P.

I did not intend to summons them only for the abusive and filthy language of the mother. I told her it would be a good job if she kept her boys from sliding, and she denied they were on the street though she had to stand to one side to let them in, as she was coming out at the time. "Surely you don't mean to say those two children just passed in were not on the street?" says I. "Even if they were they were not sliding," says she. Says I, "Keep them from the slide, for it is in a dangerous place". I left her, and said, "Keep your children from sliding or I must summons them." I was in the middle of the street when she said, "Go up to Hugh Kelly's public-house." "What's there?" says

I. "Hugh Kelly keeps open the place to one and two o'clock in the morning, and its beside the barracks," says she. "Your statement is false," says I. "Run away up to Kelly's," says she, "and get another horse to back." "Go up yourself," says I, "and put a bob on the donkey." (Loud laughter).

Mr. Bull (severely) — You have said enough to get these cases dismissed. Continuing, he said a case had been brought for abusive language, and he and his brother magistrates would protect the police so long as they performed ther duties legitimately, but if a policeman entered into an argument and gave back talk he would not countenance it.

Complainant produced a slip of paper containing the alleged language, and said he supposed it was no us putting it in now.

Mr. Bull, R.M. — This is monstrous. Telling the woman to back a donkey. (Laughter)."

Several cases of cruelty to animals involved lightermen on the Newry Canal but a case involving George Hillen of Gilford on a charge of cruelty to a mule is still remembered in Poyntzpass. The case was tried at the Petty Sessions in May 1909.

"Sergeant Sullivan summoned George Hillen, Gilford, for cruelty to a mule on the 21st April.

Complanant said, the animal had two sores on its shoulders, and its left leg was cut. The tail was nearly cut through, and the wounds were suppurating. It was a bad case of cruelty.

Defendant said he was never used with a mule. He had to leave the mill in bad health, and got the mule to make his living.

Mr. Bull — You had the unfortunate mule in bad health, too.

Defendant — If you let me off I will never do it again.

Mr. Bull — This cruelty to a dumb animal is scandalous.

Defendant — I have seven of a small family.

Mr. Bull — You can't be allowed to treat a dumb animal in this way. 21 shillings (£1.5p) or one month. It is a bad case — a very bad case.

Defendant had not the money, and was thereupon taken into custody."

The case was not memorable in itself. However when he had served his month in custody George Hillen turned up outside the next Petty Sessions with the mule. Around the mule's neck was a placard with the following verse on it:—

"Safe and sound, from Gilford Town,
Not a smitch from head to tail,

I now defy the pale-face clown
Who sent my master off to jail."

(Sergeant Sullivan was reputedly of a very pale complexion).

Typical of the interesting characters who appeared at Petty Sessions from time to time was Peter McConville of Fathom who appeared at Newry Petty Sessions on Christmas Eve 1914.

"Hip Hurrah" discharged

"Peter McConville, of Fathom (better known as 'Hip Hurray'), was charged in custody with (1) having, as alleged, stolen a rooster, the property of Mr. P. Crilly, Sugar Island, and (2) having been drunk.

Peter, a grey-haired, diminutive man, appeared in custody wearing a large and seasonable button-hole of holly, and throughout the case appeared to treat the hearing in quite an unaffected way.

District Inspector Ross prosecuted.

Mrs. Crilly, wife of Mr. P. Crilly, Sugar Island, said that the prize cock was in their yard on the morning of the 18th December, but about 1 o'clock she went to the yard and found that the bird had gone. She however saw it soon afterwards in Canal Street Barracks. She regarded the value of the bird was 5/-. She believed, from what she heard, that the defendant lifted the bird with the intention of leaving it in the Barracks, as it ran across him.

Constable Martin stated that he met Peter in Canal Street with the bird under his arm; and as he did not answer his queries satisfactorily he took him to the barracks. Cautioned and charged, he said that he got



Dr. Gilbert Marshall, J.P.

the bird down at the back of the Town Hall, where a lot of young lads had it killed. He hadn't it concealed in any way.

James Kearney said that he saw the defendant going towards Mr. Crilly's backyard, and afterwards came out with the bird, when he was arrested.

Defendant said that the bird was being ill-used by a lot of youngsters, and he picked it up to take it to the barracks when he met the Constable.

In reply to District Inspector Ross, Constable Martin, re-called, said that the bird had a slight wound on the top of the head, as if it had been struck by someone.

Peter here entered the box, as he put it, "like a man," and when asked by the Chairman if he had anything to say in regard to the charge, replied that he didn't steal it, nor was one of his seed, breed or generation ever charged with stealing. He asked their Worships not to put him in for Christmas, "as he had some friends coming from America in reality."

The Chairman — What about the cock?

Peter — As God is in the Kingdom of glory I never was accused of theft before or one of my seed, breed or generation. He had, he continued, been tormented by a lot of young vagabonds this day, and he went down behind the Town Hall for a purpose when the cock sprang upon him and he said "Hello, 'oul'



"Safe and sound from Gilford town...."

German” (laughter). “Parlez vous Francais? Oui, Oui (laughter) Peter then went on to refer to the Franco-Prussian war of 1870 in the Foreign Legion, for which it appeared he enlisted.

Mr. J. Henry Collins said it was but right to inform their Worships that Peter fought in several wars, and also fought in the French Foreign Legion.

The Bench dismissed the case, the Chairman remarking that they thought there was an absence of the guilty mind in what Peter did.

Next Peter was charged by Constable Kane with having been drunk and disorderly in William Street about midnight on the 16th inst. He was going about shouting.

Peter promptly characterised this as a falsehood, and declared that before he left there he would get what

he got in the City of Glasgow — he would be sworn. (Laughter). He furthermore declared in conclusion that “There was no call for a lot of young policemen in the town when there were soldiers. (Laughter).

The Bench agreed to dismiss this case also, the Chairman remarking that it was a cruel thing for people to give an old man like McConville drink.

Peter declared he would become a tee-totaller now, and left the Court.’

The period from around 1890 up to the outbreak of War in 1914 appears to have been a kind of “Golden Age” for the local sessions but in the mid-1930s the decision was taken to discontinue the monthly Petty Sessions in Poyntzpass. The district covered by the Petty Sessions was much smaller than average and thereafter it was divided between Newry and Tandragee districts.

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Office of the Clerk of the Crown and Hanaper, and
Permanent Secretary to The Lord Chancellor,
Four Courts, Dublin,

28th day of April 1905

Sir,

I am directed to inform you that the Lord Chancellor, on the recommendation of His Majesty's Lieutenant of the County of Armagh has signed the Warrant for your appointment to the Magistracy of that County.

The Commission of the Peace will be issued to you on the understanding that, without receiving further sanction from the Lord Chancellor, you will only attend the Petty Sessions of the district of Markethill

Application for the Commission should be made to this office, accompanied by payment (which may be made by cheque) of the Fees, which amount to £6.

I am,

Sir,

Your obedient Servant,

Gilbert Marshall, Esq.
Markethill
Armagh.

Muzant Huetaine

700.Wt.6250.4, 05, B and N.. Ltd. - 7869

Letter appointing Dr. Marshall, J.P.