

## A transcript of a report published in the *Illustrated London News* February 1853

### A SCENE AT AN IRISH PETTY SESSIONS

Arriving at the village of -----, some two hours before Bianconi's car passed through on its route for Clonmel, I sauntered about in search of some amusement during the interval. A crowd assembled round a modest-looking house, at the end of the main street, attracted my attention; a policeman told me it was 'Petty Sessions' day, and invited me to enter the Court. Being anxious to witness the local administration of justice in Ireland, of which I had heard and read so much, I availed myself of the invitation, and took my seat amongst the spectators. The chair was filled by a portly rubicund personage, and with him sat a 'stipendiary' (who used an ear-trumpet), and two others. As I entered, the clerk, having recorded the judgment pronounced in a previous case, cried: "Tymothy Nowlan against Barney Brannan." There was a buzz of excitement in the court, which subsided into a dead silence as the parties proceeded from their respective positions to the front of the judicial seat. Tim Nowlan (the complainant), his head enveloped in bandages, rose slowly, and, leaning on the arm of his spouse, advanced with difficulty, as if his injuries were even more serious than they appeared to be; and they were followed by Paddy Phelan, their witness, an old, peaceable-looking farmer, who, as a mark of respect, was accommodated with a chair.

Barney Brannan, or 'Boulteen', as he was nicknamed, casting a half smile, half-grin at the auditory, as much to say, "Now I'm in for it," also came to the post and he was attended by a small wiry-looking cur dog, which all his threats and all his wife's efforts could not restrain from sharing the fortunes of its master. The little brute burst from the grasp of Mrs Brannan (who did not accompany her liege lord to the tribunal), and ensconced himself at Barney's feet, plainly indicating, by the expression of his physiognomy, that he was ready to make a turn with any adversary in his owner's defence. Both parties made a profound obeisance when they came in front of the Bench. And then, Barney Brannan, placing his shillelagh under his left arm, stood, proudly erect, with his hands behind his back, an attitude which he rigorously maintained until called upon for his defence. He responded to the accusations of his adversary occasionally by a bland smile, and sometimes by a knowing wink at their worships.

"State your complaint, sir," said the Chairman to the wounded man.

"Ah, thin it's myself that's not able to say anything, yer honours," replied Tim (delivering his answer with extreme difficulty, and gasping for breath between every word); "I'm fairly ruined by that villain; he didn't lave as much blood in my body – saving your honour's presence – as id feed a hungry midge."

"Well, come, how did it happen, sir?"

"How did it happen? By gorra it happened no how at all, barring 'the Boulteen' comin' roarin' drunk into my house whin I was sittin' quiet with my pipe, and kissin' my wife and murtherin' myself, when I tould him to behave dacent av he could. That's all. Nelly can tell ye the rest better nor I can; for I'm not able to say any more." And Tim threw himself on Nelly's shoulder, as if completely exhausted.

"Well, Mr Brannan," observed the Chairman, with great dignity. "I'm sorry to see you here again so soon, sir."

“Thank yer honor, I know’d that, long life to you.”

“What have you to say in answer to this charge, sir?”

Barney planted one end of his sapling on the floor, and leaning with both hands on the other, he bent forward with great gravity and decorum before he answered:

“Ye all know me, gintlemen, egg and bird, man and boy, for generations, except the stipendiary; and sure my uncle’s son is his honor’s right hand man; an’ I defy the world to say I iver did anything mean, ye see, or my fathers afore me.”

“Well, tell us all you know about the matter,” cried the deaf magistrate, who appeared nervously attentive to the proceedings, and occasionally blew into the ear-piece of a gutta-percha trumpet. “It’s all very extraordinary,” he remarked to the Chairman. “It’s very extraordinary. I had this trumpet from town yesterday. Could hear perfectly with it last night, and find it quite useless today. It must have been left too near the fire; it really does me more harm than good.”

“Well, yer honours, it’s an ould story.”

“We have nothing to do with old stories,” interrupted the justice. “Tell us, sir, why you beat the complainant.”

“Five years agone, come Michaelmass next,” resumed Barney, “Tim Nowlan and myself had a piece of Conacre oats in co., and when the reaping time came we cast lots. I go the right-hand side and becource, Tim got the lift. Then, ye see, we agreed to reap in co., and I won the toss for the first cut, and my part was housed and stooked that same day. It was the fair eve of Bonlahy but I had no more notion of goin’ there the next day than the child unborn. I was sittin’ quiet at home, when in comes a boy of the Feeneys, to say that they were to beat the Sullivans, and take the town from them tomorrow, and that they’d want the twenty Swap men they lent us (the Brannans) to beat the Mullanys at the fair of Ballyhawnish.

“I can’t go, sis I, for I have Tom Nowlan’s oats to reap, and the wind’s getting strong, and it’ll be shed. No faction has a right to borrow men, says he, if they don’t intend to pay them back. But I’m thinking, sis he, that you’re afeared to meet ‘the Whang\*’ that’s to head the Sullivans. (The Whang, yer honours, is Nelly Nowlan’s own brother.) Well, says I, to the devil with the oats, no one ever had it to say that I didn’t pay men or money when I could, and I don’t care a ‘thraheen’ for any Sullivan that ever stepped in shoe leather.”

“Oh, d’ye hear him?” ejaculated Nelly. “It’s a little buisness three like ye id have to stand before The Whang, av he got fair play.”

“Well, I wint,” continued Barney, “to the fair, and The Whang an I met – and the world knows that I didn’t get the worst iv id. From that day to this, Nelly Nowlan’s against me; an’ it’s not bekese the oats was destroyed by the storm, but bekese I beat her brother. Well, ye see, I went into the election the other day with Father Mick – and well treated we were, no doubt; and comin’ home, does I meet his Riverence.

“Well, he says: ‘Boulteen, I forgive ye all ye ever did to me ye behaved so well today. Y’ere a raal patriot. Here’s a shillingto drink my health.’”

“Oh, ye villain!” interposed Nelly. “Father Mick wouldn’t look the side iv the road ye travelled. Didn’t he give ye the curse iv God last Sunday, for yer tricks? And didn’t he promise the congregation, that if that wasn’t enough for you, he’d give you his own curse next Sunday? And in troth, av he does, ye’ll be trotting about the Moat of Mallow in a little black dog to the Day iv Judgment!”

“Hold yer tongue, woman!” cried Barney, not at all relishing the threat. “Father Mick’ll do me no harm, I tell ye. Well, ye see gentlemen, I was in great humour, seein’ as I had the Priest on my side; and says I to myself, as I passed Tim Nowlan’s house, ‘I’ll go in, and make up with them, and be a peace with the world.’ In I goes, an’ bid them the time of day, and sat on the bed, beside Nelly, and lit my pipe.

“Well, Butty, this little animal (pointing to the dog), the best bit of flesh on earth, Master Charley (addressing the youngest Justice); yer honour recollects the day he buckled the big water-dog? (Well, yer Honour needn’t laugh now, for on my soul, ye might put him to sleep in a partridge’s nest, and the divil an egg he’d touch) – well, ye see, by course, Butty followed me in, an’ wint to warm himself by the fire; and whatever came between himself and the pig in the corner, I don’t know but they up and at other in the middle of the floor, and there was a rigular ruction. I lifted my legs out iv the way, and laid my hand on Nelly’s shoulders to hinder myself from fallin’ into the bed, when she gives me a rap on the leg. I jumped up. Tim made a whack at Butty, and knocked him down. I made a blow at the pig, and Tim’s head came between my stick and her back.

“‘Whooh!’ says he, spittin on the handle of his stick. ‘Whooh!’ says I, doin’ the same. We at ‘other, and I wasn’t gettin’ the worst iv id, when that that decent man (pointing to Paddy Phelan) came in and sundered us.”

“Now, sir,” said the stipendiary. “What did Butty say when he was knocked down?”

“The divil a word, yer honour,” roared Tim at the top of his voice.

“What did he do, then?”

“The poor fellow found Nowlan’s heel in his mouth, and he bit it.”

“A most barbarous method of fighting,” rejoined the stipendiary, addressing Phelan, the witness. “You ought to be ashamed of yourself.”

“I had nothing to do with it,” replied Paddy, mildly.

“Then where is Butty? Hasn’t he been summoned?”

“He’s there, yer honour,” shouted Nelly (pointing to the dog and his master); but t’was Boulteen did all the harm.”

“Oh, I see!” said the stipendiary, again addressing Phelan. “He’s Butty and you’re Boulteen. You should have been the defendant instead of Brannan.”

“I saved Nowlan, yer honour.”

"I was able to save myself," cried Tim, now completely recovered from his exhaustion. "There was never a Brannan able to handle me. I'll fight Boulteen for the whole matter this minute, ye see if their honours'll let me."

"A bargain, by gorra," exclaimed Barney, and the two men shook each other's hands most violently in token of agreement, while the Court rung with laughter.

"There's no knowing how to decide on such contradictory evidence," remarked the stipendiary. "And as the men seem disposed to make it up, and have shaken hands, let there be peace, and an end to it."

"Shall it be settled as Mr \_\_\_\_\_ suggests?" asked the Chairman of his colleague.

"I have no objection," was the reply.

"Now, Mr Brannan," remarked the Chairman, with great severity of manners. "You were clearly drunk and I'll fine you five shillings. You're of an honest family, but you're quarrelsome in your drink, and I'll always punish you for such misconduct."

Barney made a bow, and was departing.....

"Pay the money, sir, before you go."

"It's paid already, yer honour. Whin I sowld the butter, I lodge the sovereign with the clerk, to be worked in, and this'll make ten shillings."

"Fifteen!" cried the functionary appealed to, after referring to his book. "There was five shillings for striking the guager; five more for pulling the preacher off the hogshead; this makes fifteen. Will ye have the change?"

"No, thank ye, I'd rather lave it in, for fear I'll be short taken the next time."

"Won't ye bind him over to let me alone?" cried Nelly. "Av ye don't do somethin' with him an' his dog, no dacent woman can live in the country."

The clerk quickly called the next case, and the parties were unceremoniously thrust out of court by the police.

"By Gorra," remarked the person beside me. "Them \_\_\_\_\_ is the true ould blood; the devil himself couldn't take a feather out o' any one that ever stood to them."

Just then I remarked the 'stipendiary' exhibiting a piece of cork to the Chairman, which he had succeeded, after many efforts, in extracting from his ear-trumpet.

**\*Boulteen is the Irish name of the light staff of the flail which strikes the corn in thrashing.**