THE TIPPERARY WITCH CASE.

SIR WILLIAM OSLER, BART., M. D.

WITH

GEORGE FOY'S

COMPLIMENTS.

WITCHCRAFT.

7636. In English, on paper: typewritten in 1917: $13\frac{3}{8} \times 8\frac{1}{2}$ in., vi + 66 leaves.

'The Tipperary (or Clonmel) witch case'; transcripts of newspaper reports &c. concerning Bridget Cleary, burned as a witch, and the trial of her husband and neighbours for murder, in 1895. Fol. vi is a copy of a letter, dated 27 July, 1895, from R. Bagwell to E. Clodd, president of the Folk-lore Society. Foll. i–ii, v, 64–6 are blank.

Presented in 1917 by Dr. George Foy of Dublin, two letters from whom are inserted.

19th Septr. 1917

Dear Sir William

I was glad of an opportunity of obliging you at Witchcraft. As the Chandler was hurried it was not bound as well as I should have liked. Delay was caused by the information from Jeffrey that the provincial papers had more documents of the case; and during to publish a full report.

Then I came upon a foreman who was in Court during the trial, he transcribed the report; and the pages were bound in Major Falconer's: the Major is a brother of the Dr Falconer who defended the prisoner. The gift is a fairly incomplete one. I was ashamed of its appearance but thinking you were in a hurry I hurried the matter to send; but small as it is – it is yours with the best wishes of

George Roy

7, CAVENDISH ROW,
RUTLAND SQUARE EAST
DUBLIN.

25th September 1917

Dear Sir William,

To oblige you in any way in my power is a great pleasure to me. Don't be the least embarrassed about utilizing me. To be thought of Mr Gwynn's warm personal friend entitles you to my best services; even if you were not such a deserved & honoured member of our profession. Obduracy is an Ulster characteristic and I am determined on enjoying the happiness of gratifying myself in giving you the case.

Superstition pure and simple was the incentive of Fleury. Falconer recognized this. My friends near the people and I answered that after Fleury's conviction the rumour of the victim being unfaithful was started to get Fleury's term of imprisonment shortened. There was much trouble to keep the Priest out of the case and out of the dock, who gave extreme emotion and obstruction to the unfortunate woman as she was being roasted over the fire. Then we much shall be happy to tell you the peculiarities of the case.

Yours very truly

George Gray

vi (cutt.)

CLONMEL (or TIPPERARY) "WITCH" CASE

COPY of a letter written by R . Bagwell, Esq., foreman of the jury which tried the prisoners, to A.W. Clodd, Esq., president of the Folk Lore Society.

Marfield, Clonmel.
27 July, 1895.

Dear Sir,

To find out the truth about anything in Ireland is always difficult. We have language, general law, and superficial social structure as in England, but no two countries are more unlike. If English politicians always understood that, we might do better.

The belief in this country (evidence is another thing) is that Michael Cleary wanted to get rid of his wife because she was in his way. S he had no children, and he wanted to marry a woman whom he knew from his own knowledge would have them, I have not heard the name of "l'autre", but I dare say it could be had. I am told she was delivered of a child (by Michael Cleary) in Cashel workhouse.

It was proved that Michael Cleary threatened Johanna Burke, the principal witness against him, if she said anything about what she saw. These threats certainly weighed with her & probably with the others too. To "inform" against anyone in Ireland has always been dangerous, for it is unpopu lar, and unpopularity is a crime in Ireland as everyone who reads the papers knows.

The exact part which superstition played in the matter is very doubtful. Witchcraft, magic, or what goes among the country people here by the name of "pishogues", are perhaps a good deal believed in, but no one can say how much. When the question is raised the peasantry think it safer to pass by on the other side, & to say nothing, as there may be "something in it".

I would have no mercy on four or five men who saw a woman roasted to death before them, & never said one word to save her. If superstition was the leading motive, which I doubt, then an object lesson ought to be set. I believe they were actuated simply by general funk, which is the leading ingredient in Irish politics.

In your letter to the Times you said something about the blame to be thrown on Xtian oganizations. These people were all Roman Catholics. Roman Catholicism in its Irish form is almost all superstition. They are slaves to the priests, but without liking them. The parish priest in this case was much blamed, but he may possibly have been hood-winked. Now, he is probably the only person who knows all the facts, but through the confessional.

I am not in the confidence of the late Attorney-general, but the probability is that the Crown accepted a verdict of manslaughter rather than that the prosecution should fail altogether. With our miserable juries it is often the

P.T.O.

BEST THING TO DO. The bill of indictment was for wilful murder, and the evidence was ample to sustain it. Cleary basted his wife with oil & burned her slowly to death. The medical evidence was that the entrails protruded & that the thigh bones & pelvis had the flesh completely roasted off them. And the gallant Tipperary boys looked on.

Mr Justice William O'Brien tried the case, who is as good a judge as there is on the bench.

I have not a paper with the trial but will try to get you one. The evidence is the same virtually as that before the magistrates, but less full, as is always the case. A judge of assize keeps to the point, whereas the preliminary magistrate must "fish".

Cleary worked for years as a cooper in the brewery here. I will make enquiries as to what character he bore. They were not very poor people.

Yours faithfully,
(sgd.) R. Bagwell.

A.W. Clodd, Esq.
(Sec.)

(Copied 23-1-20. The original and other documents ~~to be~~ returned to Mr. Clodd.)

26-1-20 WMA

W.W.7.

THE COUNTY TIPPERARY WITCH BURNING CASE.

("Freeman's Journal",March 22. 1895)

EXTRAORDINARY DISAPPEARANCE OF A WOMAN.

Clonmel, Thursday.

Great sensation has been caused by the report that the wife of a farmer living near Cloneen disappeared in a most mysterious manner out of her house on Friday night last, and no trace of her has since been found. It appears that the woman was being treated for nervousness about a fortnight previous. She hardly slept during all the time, and was in a very nervous state. During her ravings it was said she declared she would disappear out of her house on Friday night last. No attention was paid to it of course, but at the time in question the woman who was attending her was horrified to see her get up out of bed in her night dress as if drawn by some unseen force, and leave the house. It does not appear that she made any attempt to stop her, as if she was too much frightened. The husband and father, who were in bed at the time, on being told what had occurred, searched for her, but no trace could be got of the woman. The news of the mysterious affair spread like wildfire, and all kinds of stories are afloat as to the woman's whereabouts. The search is still being kept up, but without success. The fact that there has not been the slightest trace of the woman's whereabouts gives the matter a mysterious colour, and plenty of stories of all kinds are afloat. The police state that although they, with others, had beenssearching for the woman not the slightest trace of her has been found.

THE MYSTERIOUS DISAPPEARANCE OF A WOMAN.

The Body recovered

Nine persons arrested and remanded.

("Freeman's Journal", 23.March 1895)

Clonmel, Friday night.

A telegram received in Clonmel this evening announces that the body of the missing woman, Mrs Cleary, has been found in Drangan Police Sub District.

On Monday evening the authorities made the first public move

in connection with the case when nine men and one woman were arrested, and brought before Colonel Evanson R.M and Mr W. Tennant, D.L. in Fethard, where, after a number of informations were sworn, they were sent on to Clonmel. Here they were brought before Mr T. C. Grubb, J.P and, the informations having been read over, they were remanded for eight days. The defendants are Michael Cleary, Patrick Boland, John Dunne, Patrick Kennedy, James Kennedy, Michael Kennedy, Wm Kennedy, Wm Ahearn, Mary Kennedy and Denis Gorey.

Informations were sworn by William Simmons, caretaker of an evicted farm at Cloneen, Johannah Burke, Rathkenny, and D. J. Wansbury. It appears from the sworn evidence that the woman was treated under the instructions of the man Goney, who is known as an herb or fairy doctor, and that the other defendants had held her over the fire and forced her to swallow a noxious food. It appears from the sworn evidence that they forcibly held her on the bed and compelled her to drink the stuff alluded to above and it is said that in consequence of this she left the house. The first nine named defendants are charged with having willfully beaten and ill-treated Bridget Cleary, and caused her great bodily harm. The man Goney is charged with procuring such offence to be committed.

STRANGE DEATH NEAR CLONMEL.

SHOCKING ALLEGATIONS. ELEVEN PERSONS UNDER ARREST.

THE INQUEST VERDICT OF BURNED TO DEATH.

(Freeman's Journal".March.25.1895).

Clonmel, Saturday.

Further particulars have reached here as to the discovery of the body of the woman Cleary, who has mysteriously disappeared. She was found buried about two feet in the boggy bottom of a dyke. On turning the body it was found that one side was dreadfully burned from the face down to the legs. The eyes were staring open, and the face wore a peaceful happy look. The police took charge of the remains at once, but left them as found in the custody of a special guard all night. The coroner was communicated with, and an inquest is being held this afternoon. After the discovery of the body the woman Burke, who was caring for Mrs Cleary while sick, and who gave evidence at the magisterial inquiry, was taken into custody by the police.

It appears that Mrs Cleary was a young woman about 27, good looking and industrious. Her husband is also good looking and carries on the trade of a cooper. Mrs Cleary was well liked about the neighbourhood, and the greatest indignation and horror have been excited by the statement of the illtreatment to which the poor creature was subjected.

The principal Crown witness (William Simpson of Ballyvadha) who lives close to the Clearys, has stated on oath : - " I am in the employment of Thomas Lindsay and on the night of the I4th inst, accompanied by my wife, between 9 and IO o'clock, I went to the house of Patrick Boland occupied by him and by Michael Cleary and Bridget Cleary, his wife, at Ballyvadha. When we arrived close to the house we met Mrs Johannah Burke, and inquired how was Mrs Cleary, who was ill. She said they were giving her some herbs just then which they got from Denis Goney, over the mountain, and that no person would be let in for some time. We then proceeded to the window of the house, which is a new labourers cottage. In one of the front rooms I heard voices shouting " Take it you -----, you old faggot, or we will kill you". The shutters of the window were closed and the door locked. After a short time the door was opened and I and my wife and Johannah Burke went into the house. I noticed the room I had heard the shouts from. I saw there John Dunne, P. Kennedy, J. Kennedy and William Kennedy holding Mrs Cleary on the bed. She was on her back. Her husband Michael Cleary, was standing by the bedside. I heard him call for ------ (mentioning a noxious food) and he said " Throw it on". It was brought by Mary Kennedy. Michael Cleary had a saucepan in his hand at the time. It would appear as if they threw the liquid on the woman. William Ahearn was holding a candle, P. Boland. M. Kennedy, Johannah Burke and Kate Burke, a child, were in the room. I saw Mrs Cleary struggling on the bed and say "Leave me alone". I then saw her husband give her some liquid off a spoon and heard someone say it was herbs. She was held down at the time by force, and one of those present had his hand across her mouth and others held her down for ten minutes after she got the herbs. A man at each side of the bed kept the body swinging about the whole time. She screamed horribly and then cried out "Come ~~here~~ home Bridget Boland" (Mrs Cleary's maiden name) from which I could learn they thought Mrs Cleary was a witch, and endeavoured to send her out of the house

by torturing her body. Some time after I saw them take her out of the bed, carrying her to the Kitchen fire, and hold her over it. In a short time I could see her raised on the bars of the grate over the fire. Those who placed her over the fire were John Dunne, Patrick, William and James Kennedy. I saw some red marks on her. One of those present said he had to use a red poker on her to make her take medicine. I saw some marks on her neck. Her husband put some questions to her at the fire, asking if she was his wife, and after she had answered the questions they put her back on the bed. I remained in the house until 6 o'clock in the morning, when I went home. I saw her again about mid-day on the I5th in bed in her house. She was not quite the same at the time. I have known her for the past four years and never knew anything to be the matter with her. I saw her frequently. She lives about 200 yards from me. I was disgusted at the operation. The door was locked andI could not leave the house. On the night of the I5th Bridget Cleary left her home. She has not since been found."

Mrs Johannah Burke gave corroborative evidence, and added that when Mrs Cleary was taken off the fire a clean chemise, which witness had aired, was put on her instead of the old one. There was a mark on Mrs Cleary's forehead and another on her neck. On the night of the I5th witness, who was minding Mrs Cleary, was again in her room. Mrs Cleary was raving and after some time she got up, dressed, and sat by the fire, but returned to bed again. Witness went out for some sticks and when she returned met Mrs Cleary at the doorway going out with her nightdress on. Witness tried to stop her but failed and she did not see Mrs Cleary after.

The parties above mentioned are in prison on remand. Mrs Burke was arrested last evening, making the eleventh arrest.

THE INQUEST.

This (Saturday) afternoon Coroner J.J.Shee.J.P. and a Jury held an inquest at Cloneen on the body.

The joint informations of Dr Crean and Dr W. K. Heffernan stated - " We have made a post mortem examination of the deceased. We found the right hip and thigh and portion of the abdomen charred

and burned, with the internal organs protruding through the burned apertures. The right hand was also burned, the fingers charred and contracted. We also found the same condition of burning on the left side and back of the hip joint, but not so severe. The left hand was also burned, the fingers charred. The muscles on the lower end of the spine were charred and burned and the bones exposed. There was a gold ear-ring on the left ear. What remained of the body seemed to be well nourished. There was an abrasion on the inner side of the lips at the right side of the mouth and the tongue at that side was slightly lacerated. On opening the neck we found the tissues slightly discoloured, but there were no great marks of violence. On removing the scalp we found extravasation of blood on the top of the head. We found the vessels of the brain congested but no injury to the brain substance. The lungs were slightly congested and the left lung adhering to the chest wall. The spleen was ruptured. We removed the stomach and found it healthy in appearance. We believe she died from shock caused by burns, we believe death resulted from them. The abdomen was burned and the contents exposed. The internal organs were sufficiently healthy to carry on life. The rupture of the spleen might have occurred after death. We should say death must have occurred very soon or immediately after the burns, or in the process."

The Jury found :- "That deceased was found dead on the lands of Tullycussane on Friday, 22nd March 1895, and we find that death was caused by extensive burns, how or by whom caused we have no evidence to show. We further find that deceased was alive in her own house on the 13th March 1895".

THE STRANGE DEATH NEAR CLONMEL.

THE PRISONERS BEFORE THE MAGISTRATES.

EXTRAORDINARY EVIDENCE. POPULAR DEMONSTRATION AGAINST THE PRISONERS.

("Freeman's Journal, 27th March 1895).

Clonmel, Tuesday.

The extraordinary circumstances surrounding the death of the unfortunate young woman Cleary at Cloneen, near this town, have excited the most profound public sensation, and the publication of the details in the local and daily press has heightened popular

feelings. ~~Most profound public consternation.~~ The case was the sole topic of conversation on all sides and further details were eagerly awaited. Yesterday it was announced that the prisoners would be brought before the magistrates and an enormous crowd collected about the county jail, and along the streets to the Court-house. They waited for nearly two hours, and when the prisoners finally appeared under a heavy police escort they were greeted with yells, hisses and groans and the crowd followed them to the Court-house indulging in all kinds of cries, showing intense feeling against them.

The prisoners were placed in the dock in the Criminal Court, and the people crowded in in large numbers, so that every available space was soon occupied. So great was the throng that Colonel Evanson, had to get the Court cleared of all save officials and the Press.

The prisoners were :- Michael Cleary (husband of deceased), Patrick Boland (her father) Patrick Kennedy, James Kennedy, Michael Kennedy, & William Kennedy (cousins) Maria Kennedy (Aunt) James Dunne, Wm Ahearn and Denis Ganey, herb doctor.

Cleary, the husband, is a rather good looking respectably dressed man with regular features, his face was very pale and his eyes had a wild kind of look. He followed the evidence of the woman Burke with intense interest, and seemed to be greatly excited, at one time bursting out " I can't listen to it any longer". He seemed to be amused at several parts of the evidence and laughed. The Herb doctor, Ganey, came in for a great deal of attention. He is a very ordinary looking countryman. Dunne and Patrick Boland are old men, and Mary Kennedy is also old. The Kennedys and Ahearn are young men.

After some delay Col Evanson and Mr T. B. Grubb took their seats on the bench and

District Inspector Wansboro, Carrick-on-Suir, who has charge of the case, said - Your worships are aware of the details of this matter, and I now bring prisoners up with the object oftaking depositions of a few witnesses. Since the case was last before you, the body of Mrs Cleary has been found with all the appearances of brutal treatment upon it. A Coroner's inquest was held and a verdict returned of death by burning.

I will now give evidence as to how the burns were inflicted.

Mr R. J. Crean said he appeared for Cleary & Goney. The other prisoners were not professionally represented.

Mr Wm Casey. C.P.S. then read the new charge against the prisoners, the former charge of ill-treatment having been abandoned. They were now charged with having, on or about the I4th March, at Ballyvadha, jointly and severally and with malice aforethought, killed and murdered Bridget Cleary, and Gøney was charged with being an accessory before the fact of the murder of the said crime.

Mrs Johannah Burke, wife of a labourer, residing at Rathkenny, near the Clearys, was first examined. She is the principal Crown witness, and her evidence was about the most extraordinary of all the extraordinary stories ever related on oath in the historic courthouse. She had an infant in her arms, and was accompanied by her daughter, a pretty girl, who is another witness. Mrs Burke gave her evidence clearly and intelligently. She first repeated her evidence regarding proceedings in Cleary's house on the night of Thursday, I4th inst. She said she went up to see Mrs Cleary, who was ill, and met Simpson and his wife outside. The door of the house was locked. Witness asked for admittance, but Michael Cleary said they would not open the door. While they remained outside they stood at the window. They heard someone inside saying "Take it, you witch". When the door was opened witness went in and saw Dunne and three of the Kennedys holding Mrs Cleary down on her bed by the hands and feet, and her husband was giving her herbs and milk on a spoon, out of a saucepan. They forced her to take the herbs and Cleary asked her " Are you Mary Boland, the wife of Michael Cleary, in the name of God ? ". She answered it one or twice and her father asked her a similar question. Michael Cleary, she thought, then threw a certain liquid over his wife. They put the question to her again and she used to repeat the words after them. John Dunne then said "Hold her over the fire and she will soon answer". Dunne, Cleary & P. Kennedy then lifted Mrs Cleary off the bed and placed her in a kind of sitting position over the kitchen fire, which was a slow one. Mrs Cleary's appearance had greatly changed. She seemed to be wild and deranged, specially while they were treating her. While they held her over the fire she had only her nightdress & chemise on. They repeated the question and she

answered "I am Bridget Boland, daughter of Pat Boland, in the name of God". She screamed and cried out to witness "Oh Han, Han". They put her back in the bed. Witness said she examined Mrs Cleary the day after but found no mark on her except a very small burn on her hip, and a mark on her neck & forehead. There were in the room on Thursday night, besides witness and the Simpsons, Michael Cleary, Pat, James, Michael, William and Mary Kennedy, Wm Ahearn, Dunne, Boland & Katty Burke. They were all looking on in the kitchen. Nothing more happened when they put her back to bed about II o'clock. They all stayed in the house until next morning at 6 o'clock, except Dunne & Ahearn, who went away after two o'clock. Mrs Cleary never went to sleep. She was nervous and was not sensible. At one time she said. "The police are at the window, but you mind me now". Michael Cleary threw some liquid out of a vessel on his wife and at the window.

Col Evanson : Did she appear to be in pain ?. No pain or suffering. She spoke to me and asked for drinks and I gave them to her. Witness went on to state that she went to Cleary's house the following evening taking her little daughter Katty with her. She had been there previously during the day and washed some sheets. Bridget Cleary was in bed. Witness prepared some milk for her. Bridget Cleary asked her husband and witness to bring in two neighbours, named Tobin & Smith to settle the difference and that she would abide by what they would say.

Mr Grubb : What was the difference ?. I do now know.

District Inspector Wansbury asked if there was any difference about a shilling ?.

Witness - Mrs Cleary asked her husband if I was paid for the milk. I said "Yes" and showed her the shilling, which she took and put under the blankets, and gave it back again in a minute. Subsequently when Mrs Cleary was sitting at the fire with her husband, he said she had rubbed the shilling to her leg. She got angry at that and said "She did not rub it to her leg - that there were no pishogues about her". Smith and Tobin came into the house, and Thomas Anglin, Patk Kennedy, James Kennedy and Wm Kennedy came in after them. My mother was also in the house. Michael Cleary (prisoner) myself and my mother dressed Bridget Cleary. Deceased was

sitting on the side of the bed, and she called out that "The peelers are at the window, mind me now". Her husband took up a certain utensil and threw the contents of it over her head and breast. He also threw some on the window, where she said the "peelers" were. We went down to the kitchen - her father, my mother & myself. Deceased and her husband sat at the fire. They were talking about the fairies & Mrs Cleary said to her husband " Your mother used to go with the fairies and that is why you think I am going with them". Then he asked her "Did my mother tell you that ?". She said she did, adding that she gave two nights with them. I made tea and offered Bridget Cleary a cup of it. Her husband got three bits of bread & jam and said his wife should eat them before she would take a sup. He asked her three times - "Are you Bridget Cleary, my wife, in the name of God ?". She answered twice and ate two pieces of the bread & jam. When she did not answer the third time he forced her to eat the third bit of bread, saying " If you don't take it down, you will go". He flung her on the ground, put his knee on her chest and one hand on her throat and forced the bit of bread down her throat saying "Swallow it. Is it down ?. Is it down ?".

District Inspc Wansboro - Did you say anything ?. I said, "Mike, let her alone - don't you see it is Bridget that is in it ?". meaning that it was Bridget his wife and not the fairy, for he suspected that it was a fairy and not his wife that was there. Michael Cleary (prisoner) then stripped off his wife's clothes except her chemise and got a lighted stick out of the fire - she was lying on the floor - and held it over her mouth. My mother and brothers and myself wanted to leave the house, when he flung her on the floor, but Michael Cleary held the key of the door in his pocket and said the door would not be opened until he got his wife back. My brothers and I threatened to break the door and call the peelers but he said no one would leave the house till he got back his wife. When he held the stick near her mouth he wanted her to answer her name three times. He said he would burn her if she did not answer. She answered him but the answer did not satisfy him, and he got an oil lamp and threw it over her. In a few minutes I saw her in a blaze.

District Inspector Wansboro :- Did you see him throw the lamp

oil on her ?. I did.

Here the prisoner Cleary shouted from the dock - "Excuse me, I cannot listen to this any longer ".

Col Evanson : You will get an opportunity to speak. Did she say anything when she was burning ?. She did. She turned and called out to me in a mournful tone "Oh Han, Han".

What did you reply ?. I endeavoured to get out for the peelers. My brother William, when he could not get the key, went up in the other room and fell in a weakness. My mother threw Easter water on him.

Where was Bridget Cleary all this time ?. She was burning on the hearth. The house was full of smoke & smell. I had to go up to the room - I could not stand. When I looked down to the kitchen I saw the remains of Bridget Cleary on the floor lying on a sheet. She was lying on her face and her legs turned upwards, as if they were contracted in the burning.

Col Evanson :- You speak of the remains - was she dead at this time ?. She was and burned. Michael Cleary came up into the room where we were and took a large sack of hay. I do not know what he did with it.

Did he say anything ?. He said "Hold you tongue, Hannah. It is not Bridget I am burning. You will see her go up in the chimney" (sensation). He went down to the kitchen with the sack, and when I looked down again the body had been turned. When she was burning Michael Cleary screamed out - " She is burned now, but, God knows, I did not mean to do it ". He asked my brother Pat to assist him in burying the body until such time as he would be able to lay her beside her mother. Pat refused at first but afterwards I saw Michael Cleary and himself bring the corpse outside the door in a bag. Michael Cleary locked the door on the outside and my mother and my two brothers, Pat Boland, my daughter & myself were prisoners in the house till my brother Pat & Cleary came back in about two hours. When the door was opened I went down to my mother's house.. It was about two o'clock when they went to bury the body. At about five o'clock I saw my brother Pat & Michael Cleary cross the fields in the direction of my mother's garden carrying a spade and shovel.

Did Michael Cleary threaten you ?. Yes, before I left the house he told me to say that I went to prepare her a drink and when returning met her at the door and that she spat at me and went out of the door, and that I could not say where she went to, and that he would go down towards Cloneen & pretend that he was half mad.

Did he threaten you ?. "Hannah" he said, "it is hard to depend on you - if you were to be kept in jail till you rot don't tell". He said he would go to America. My brothers, William & James, said he would not go, or if he would they would at once inform the police. I went down on my knees and said " I declare before God and man that until the day I die I will never tell - even if she is found (meaning that if her body was found) I will say I know nothing about it". Michael Cleary said " I dread two of you" (meaning Pat Boland & myself). Pat Boland then went on his knees & said " Now that my child is burned there is no use in saying anything about it, but God help me in the latter end of my days". Cleary wore a light tweed suit on him. The whole of Saturday morning I saw him scraping the end of the trousers & washing it in water. There were stains on his clothes like grease and he said " Oh God, Hannah, there is the substance of poor Bridget's body". He gathered the ashes and the remains of the fire on which his wife had been burned into a bucket and buried them in the manure heap in the yard. On the day that Cleary was arrested I was passing his house and I saw him picking up the ashes he had buried. He called me & said - "Hannah, I have got one of poor Bridget's earrings". He showed me the ring and told me not to be coming near his house, as it would draw suspicion on him.

Were there any herbs given to Bridget Cleary ?. They were given to her on Thursday and not on Friday.

Where did they come from ?. I heard Michael Cleary say they came from Denis Gray. The herbs did not do her any harm, though she was in her usual health on Friday only she was nervous & frightened at everything about her.

Did you know anything about a dispute between Mr Cleary and his wife about £20 ?. There was no dispute but when she was in bed on Friday he handed her a small canister and said there was £20 in it. She tied it up and told her husband to take care of it, that he would

not know the difference till he was without it. She handed it to me and told me toput it in a box under the bed, which I did.

Col Evanson - Was her talk that of a sensible woman in her right mind ?. She was in her right mind, only she was frightened at everything.

This concluded the direct examination which lasted about four hours.

Mr Crean said he would have a long cross-examination and it was decided to adjourn investigation to next day.

The prisoners were then conveyed under heavy escort to the County jail, and were vigourously hooted, hissed & groaned by an immense crowd of people who followed them through the streets to the prison gates. There is fierce indignation amongst the people of Clonmel & district regarding the Cloneen outrage and the popular antipathy towards the prisoners is deep & strongly marked. Cleary & Ganey, the herb Doctor, came in for special attention.

("Irish Times" March 27th I895)

Clonmel, Tuesday.

At II o'clock this morning the ten prisoners were removed from the jail to the Courthouse under police guard. Large crowds groaned prisoners vigourously. The accused were placed in the dock. Mrs Burke & her infant and little daughter were brought into Court about II-20 o'clock and on seeing the prisoners she burst into tears, and said something about her mother & cousins. The police tried to quieten her but had to remove her out of court.

About I0 minutes to I2 Col Evanson & Mr Grubb, J.P. took their seats on the bench.

District Inspector Wansboro said he would continue the examination of Mrs Burke.

The examination of Mrs Burke was continued as follows - Were you present on Friday morning, I0th inst, when Father Ryan of Drangan, celebrated Mass in the house and gave Holy Communion to Bridget Cleary ?. I was.

What state was she in then ?. She looked nervous. Did she get up at all during Mass ?. No she was not sensible. I

know she did not swallow the Holy Communion. I saw her take it out, that is why I said she had not the whole of her senses. She also received Holy Communion on the Tuesday before and was anointed by Father Ryan. I was not present but I heard it.

Mr P. J. Crean, Solicitor for Cleary & Gøney, said he could not cross-examine at this stage. He only received his instructions yesterday morning.

Col Evanson (to witness) when you saw Michael Cleary set his wife in a blaze, did you see what part of her body was in flames ?. I did. From her feet up to her chest was ablaze. There were no blazes on her chest or head at all.

Was her clothing burned ?. Yes, the chemise she had on, & it was burned in a minute.

Did it blaze to the top ?. I could not say. I did not stand to look at it.

Did any of those present try to rescue or save her or put out the blaze ?. They did, Sir - my mother, brothers & her father, Pat Boland, told him to let her alone, that it was Bridget Cleary that was in it. Cleary said " It is not my wife. I am not going to keep an old witch in place of my wife, so I must get back my wife". My brothers, James & William, said "Burn her if you like, but give us the key and let us get out ".

Do you mean they protested in words ?. Yes. But did nothing in deed - they did not catch hold of her or prevent him ?. No, they only wanted to leave the house and let him do what he liked with her, but it was no good for them.

Nobody attempted to put out the flames ?. No, sir. Nobody could because nobody could go near her. She was set on fire in a minute.

Do you mean to say that nobody could go near her because it was so sudden or quick, or because they were afraid ?. No, but because they were afraid they would be burned themselves. The blazes reached up to the door of the room where we were.

Did you see where the oil came from ?. Between the dresser and the table. I saw him bring it across.

Was there any motive for dressing up Mrs Cleary on this

Friday evening ?. To give her courage when she would get among the people.

Was she dressed like this previously ?. This was the first time she got up.

You described the three men holding her over the fire on Thursday. How is it that you say she was not burned.- Can you say what occurred ?. There was no fire to burn her. The sticks I put on did not blaze. It was only to frighten her that they held her over the fire.

Did she do anything while they had her over the fire - did she protest ?. No, she sat quietly and she answered her name at once. I saw Dr Crean coming from her house, she asked why he did not come when he was sent for.

Were Cleary and his wife on good terms ?. Yes, always. I knew them intimately and was often in the house and never saw them quarrel or dispute.

District Inspector Wansboro : - When Cleary knocked her down on the floor did you hear her head knock against the flag ?.

Yes, Sir, I heard her head knock but I don't know whether he did it or not.

Mr Grubb - How did he throw the oil on her ?. He threw it several times on her. When it blazed up he bent back and then threw some more on. He threw it on her about three times.

The deposition was then read over and during the recital witness wept bitterly.

Prisoners were asked had they any questions to put. Cleary and Boland replied "not now".

Dunne said - I have no questions but I think she is right so far as Thursday night is concerned. I don't know about anything further.

Pat Kennedy said - I have no questions. Every word of her evidence I say is correct.

James Kennedy said - I have no questions but so far as I could see she is correct in what she says.

Michael Kennedy - - I want to ask her was I there only about a quarter of an hour on Thursday night ?. I saw him there about half a hour and then he went away to a wake.

Did you see me assist anyone or speak to anyone ?. I only saw him come in to ask how Mrs Cleary was, and he left in half an hour with his brothers.

Did you see me on Friday night or did you see me after Thursday till you saw me in the dock ?. I did not see him from Thursday till I saw him on Sunday at my mothers.

Michael Kennedy - That is correct - I only want to explain that I was not there and that I am arrested for no charge.

William Kennedy - said he had no questions to ask and added that all witnesses said was correct.

William Ahearn - Everything she said about Thursday night is correct. I know no further.

Mary Kennedy - I was in it myself I saw all that was done and sorry I was.

Mr Casey, C.P.S. - Do you want to ask her any questions ?. I am too old and weak and I am frightened, and I can't stand here.

Col Evanson - Would you like to come out here ?. Yes. The prisoner who appeared to be very weak, then came out of the dock, but on coming forward said she had nothing to ask. She was removed back to the dock.

Denis Ganey declined to cross-examine.

Re-examined by Dist Inspector Wansborough - Was Michael Kennedy present on the night of the I4th inst when the herbs were being violently administered and she was being held over the fire ?. I can't say but I think he was not. He was not long there when he went away with his brothers to the funeral.

Did he come in a second time that day ?. No - I did not see him again until Sunday.

Then if you say your brothers were gone to the funeral how does it come that you say some of them were there when Mrs Cleary was put over the fire ?. Michael Kennedy was not there.

This concluded Mrs Burke's evidence.

("Irish Times", Thursday 28. March I895).

Clonmel, Wednesday.

Katie Burke, daughter of Johannah Burke, was sworn. She said she knew

the nature of an oath. She lived at Ballyvadha, and remembered Thursday March I4th. That evening she went with her monther to Cleary's house, and remained outside. She heard noise inside. Michael Cleary was giving Bridget Cleary medicine. Witness went into the house with her mother and saw there John Dunne, William, Patrick & James Kennedy, Pat Boland, Michael Cleary, Wm & Minnie Simpson, Wm Ahearn and Mary Kennedy. Michael Kennedy came in after. They were giving Bridget Cleary medicine. Mrs Cleary was in bed. Dunne, Pat, Wm & James Kennedy were holding her. Michael Cleary and John Dunne brought her down to the fire to frighten her. They left her there only a few minutes. There was hardly any fire. Michael Cleary asked his wife to answer her name in the name of God. She answered her name in the name of God. She answered :- " I am Bridget Boland, wife of Michael Cleary, in the name of God". Witness was standing in the kitchen all the time. Pat Boland asked her her name in the name of God. She said "I am the daughter of Pat Boland in the name of God". She had only her nightdress on. She was on her back on the fire. She screamed. They put her on the bed again, and put a clean nightshirt on her. The Kennedys then went to the funeral. Witness did not know what happened then. She went to her Granny's house early in the morning. She went the next evening (Friday) to Cleary's house. John Mara, Pat & James Tohy and her grandmother (Mary Kennedy) and the Kennedys - Pat, James & William - and Michael Cleary and Pat Boland were in the house. Bridget Cleary sent witness to her mother for Tobin and Smith, and they came to the house with them. Bridget Cleary was in bed in the front room. After this Bridget Cleary was dressed and she got up. Witness's mother got tea ready. Mrs Cleary got no medicine that night. Witness's mother filled some tea for Mrs Cleary and some for Pat Kennedy. Then Bridget Cleary sat down by her husbands side, and the latter wanted her to take three bits before she would take any of the tea. She ate two bits. Her husband said that if she did not eat the third bit down she would go. He knocked her down when she would not eat it. Then he got a red stump and told her he would put it down her mouth if she would not eat the bit. She did not eat it, then he caught her and laid her on the fire. Then she took fire. He got lamp oil and put it on her (sensation)

and she blazed up. When she was burning James and Wm Kennedy roared for the key, and they did not get it. Wm Kennedy and Mrs Burke tried to get the key. She heard her mother talk of the peelers but witness did not know what she was saying. Then they went into the room and witness heard Michael Cleary saying " Go up the Chimney", bu did not know what name he called her. Mrs Cleary was burning and witness saw a sheet on the floor. Michael Cleary put the corpse into the sheet and asked Pat Kennedy to assist him in burying her. Michael Cleary and Pat Kennedy brought the corpse away. They came back in about two hours, and then witness and the others went home. Witness's mother went up with her to Mary Kennedy's. Michael Cleary came in the morning. Witness did not know any more. She did not think Michael Cleary sprinkled anything on her in the house.

Dist Inspector Wansborough - Where did you see all these things from in Cleary's house ?. The room door was open. I was in the room.

Mr Crean - At present I do not see any way to cross-examine this witness, any more than the last witness.

Cleary declined to question the witness, and so did Boland, and Ahearn said witness was correct about Thursday but they knew nothing about Friday. Patrick, James & Wm Kennedy & Mary Kennedy all said the witness was quite right in what she had stated. Michael Kennedy said he had no questions to ask, but would like to speak to his Worship. Ganey said he had no questions to ask.

Michael Kennedy said there was nothing against him and asked to be discharged.

Col Evanson - I can't do that- there are more witnesses to be examined.

Prisoners were then remanded.

THE TIPPERARY BURNING CASE.

FURTHER EXTRAORDINARY EVIDENCE.

("Irish Times" 2nd April I895)

(from our Reporter)

Clonmel, Monday.

To-day the following prisoners were put forward on remand charged with the wilful murder of Mrs Bridget Cleary on the I5th March last at Ballyvadha by burning her and otherwise barbarously ill-treating her - Michael Cleary (husband), Patk Boland (father), Patk Kennedy, James Kennedy, Michael Kennedy, & Wm Kennedy (cousins), & John Dunne, Wm Ahearn, Mary Kennedy & Denis Ganey.

The prisoners on being put in the dock presented a rather unconcerned appearance. They chatted, smiled, and exchanged pinches of snuff. The husband of deceased is a respectable and good looking man, but has rather a wild look about the eyes. The "fairy doctor" Ganey is a peculiar looking old man, also of a rather respectable appearance, and the other two elderly men - Boland & Dunne are extremely ~~good~~ odd looking type of countrymen. The other prisoners are generally good looking young men of the peasant class. The courthouse was filled to the utmost capacity and there was a strong demonstration against the prisoners outside, the people indulging in fierce hissing & boohing.

The presiding magistrates were - Col Evanson R.M., Col Riall, J.P., Mr. T. C. Grubb, & General Sir Charles Gough, K.C.B.

Mr R. J. Crean appeared for Cleary & Ganey, and Mr Hanrahan for Wm Ahearn. The other prisoners were not professionally represented.

Mr Crean stated he would reserve his cross-examination of Mrs Burke & Katie Burke.

Wm Simpson sworn, deposed, in reply to District Insptr Wansboro' that he lived at Ballyvadha and was a caretaker, he went to the home of Patrick Boland between 9 & I0 p.m. He met Mrs Burke & her daughter Kate outside. As he approached the house of Pat Boland he heard loud shouts. He believed it was men's voices he heard. He heard "Take it, you old b---- or I'll kill you", or "We'll kill you". The shouts were coming from a front room in the house. He stood

listening for some time at the window until the door was opened. He could not see into the window and the shutters were closed. When the door was opened they went in.

This is the first time you mentioned your wife ?. I forgot to mention her name. I thought it was understood she was present. Continuing, witness said he could not say who opened the door. As he went in he heard loud shouts of "Away she go, away she go". He could not say who said that. The men who were holding deceased were saying it. When he got inside the house he saw her father in the kitchen. He saw a number of men holding Mrs Cleary in bed in the front room from which he had heard the shouts.

Who was holding Mrs Cleary ?. John Dunne, Patk Kennedy, James Kennedy & Wm Kennedy.

How were they holding her ?. John Dunne was holding her by the head, Patk Kennedy was holding her by an arm on the right side. James Kennedy was holding her on the left side. Wm Kennedy was holding her by the legs. He was lying upon her legs to keep them from moving.

The District Inspector - Where were you then ?. At the kitchen fire. Deceased was lying on her back.

Did she at this time give any evidence of being in pain ?. She appeared to be in pain. She shouted and screamed a little at that time. She screamed more afterwards than she did then. She wore her night dress. There was a candle lighting in the room and there was a lamp in the kitchen.

Was the candle being held by anybody ?. Yes, I could not tell who was holding it at first or that it was held at all, but it was subsequently.

Was there anything being done by anybody except the four men ?. Mrs Cleary's husband was standing by the bed. He was holding a saucepan in both hands. He asked deceased " Are you Bridget Boland, the wife of Michael Cleary, in the name of the Father, Son & Holy Ghost ?". She made some reply to the effect "Yes, I am". That was all that witness could hear. The questions were repeated several times. She only answered a few times. Witness saw Michael Cleary afterwards giving his wife some liquid in a spoon out of a saucepan.

What was in the saucepan ?. I don't know but I heard that it was herbs. I did not hear that anything else was in it. I heard Michael Cleary say that he got some herbs from Gøney.

Did he say from "Gøney over the mountain"?. No, that was said by Mrs Johannah Burke, when I met her first.

What exactly did Cleary say ?. He made several remarks about herbs. Cleary was forcing the herbs into the mouth of deceased. She resisted by keeping her mouth closed. The liquid was forced in. Besides this water was thrown on her. This was called for by Michael Cleary and was fetched by Mary Kennedy from an adjoining room. This was brought three or four times and the process of throwing it over her lasted at intervals over a period of IO or 20 minutes. The father and husband were both asking her questions in the meantime to which she made some replies which witness could not hear, as she spoke low. She appeared to be weak. Pat Boland asked her "Are you the daughter of Pat Boland?. Answer in the name of the Father, Son & Holy Ghost". She did not answer and Boland & Cleary continued asking her. He did not see anything else done to her while she was on the bed. Besides those he had named there were also present Michael Kennedy, & Wm Ahearn. There were now 13 in the room altogether, including Witness. At that time Wm Ahearn held the candle.

What did all these people come to the house for ?. I don't know - I believe they came to see Mrs Cleary.

Were they there "to drive out the witch"?! Yes. Mr Crean said those were not the words witness had used and he objected to more being put into his mouth.

Col Evanson - What were they there for in your opinion ?. To hunt away the witches & fairies. The door was open for that purpose. I don't know that they came for that purpose, but when they were there they were at the work. I went to see Mrs Cleary.

Well, what is your evidence as to that ?. I could not say what brought them there, but when they were there they were engaged in the work of hunting out the witches.

When the questions were put to her on the bed and she did not answer someone, I believe John Dunne, said " Make down a good fire and we'll make her answer". There was a fire burning at this time in

in the kitchen.

The District Inspector - Was there any additional fire put on it ?. I did not see any additional sticks put on, it was a good fire.

What was done after John Dunne's remark ?. Mrs Cleary was carried from the room by John Dunne, Patk Kennedy, James Kennedy, & Wm Kennedy. They held her for a couple of seconds in front of the fire and her husband and her father asked her some questions to the same effect as before - " Was she Bridget Cleary, wife of Michael Cleary, in the name of the Father, and the Son & the Holy Ghost?". Witness did not remember her making an answer.

What was done then ?. The men who were engaged holding her laid her over the fire.

What was Michael Cleary doing at this time ?. He was holding the saucepan in his hands and he was asking questions.

Describe this occurrence as well as you can ?. John Dunne was placed at her head & James Kennedy at her feet. Wm Kennedy also at her feet, and Patk Kennedy at her shoulders, and her father for a short time was holding the body off the grate, preventing it from resting on the grate. The father left the body to rest on the grate to ask her questions. She was put sideways on the grate and her hip rested on it. The body was bent and forced in on the grate. She gave no evidence of being in pain. She did not scream. She was held on the fire and over the fire about 10 minutes. Witness perceived a smell of burning. The other perons in the room made no signs of disapproval. They were standing around looking on.

What was done next ?. I said to Mrs Mary Kennedy - "They will burn her". She made use of some words. I don't know what they were.

Did not Mrs Cleary at all reply to the questions put to her ?. She did when she was on the fire. Her father asked her "Are you the daughter of Patk Boland, wife of Michael Cleary?, answer in the name of God". She answered "I am, dada". Her husband asked her a similar question then and she said "Yes, I am". These questions were answered repeatedly by her. They were then satisfied that they had their own.

Then what had they got before ?. They believed that they had a witch. About 20 mniues before she was taken off the bed she screamed terribly. That was when the medicine went down. They also shook her then and slapped her hands. The same men held her feet from start to finish. When they were shaking her they all said - "Away with you. Come home Bridget Boland, in the name of God".

The nightdress worn by deceased was produced and identified by the witness.

Witness (continuing) said that the same men removed the deceased off the fire that had put her on it, when she had answered satisfactorily. He did not see Cleary lay his hands on deceased, except to put the liquid in her mouth. When she was brought back into the bed witness heard Mary Kennedy & Johannah Burke say that they must put some dry clothing on her and they did put it on. She was asked then by her husband did she know the persons standing around her and she said "Yes". He showed her one of the Kennedys in particular and asked what relation was he to her and she said her first cousin. And he asked her in turn did she know each person in the room, and she said she did. They were all satisfied then that they had her. They were all speaking and saying " Do you think it is her that is there ?", and the answer would be "Yes", and they were all delighted at it.

What hour was this when they put her on the fire ? About half past eleven. The question should be answered before I2 o'clock.

What do you mean by that ?. That if it was past I2 o'clock, She would be taken in spite of them.

Did anybody say that ?. They did. They all said it. At this stage the court adjourned for luncheon & on resuming,

Witness said that up to the time of deceased being put on the bed again, none of those present had left. The people then began to console her, saying that she would be all right now.

Did you hear anything being said about the red poker ?. Yes. I heard some of them say that there had to be a red poker used on her in the administration of the herbs the first time.

Do you mean a poker heated red hot at the fire ?. Yes. I did not see it used. ~~Did you hear it said~~

Did you hear it said how it had been used ?. I heard someone say that they had to touch her on the forehead with it. Witness saw a slight mark on the forehead. He also saw small marks on the neck which he believed were bruises from the hands. He believed that there were two operations gone through before he came in, in fact he heard so. She had been, he was told, forced to take the herbs twice. Patk Kennedy, James Kennedy, Wm Kennedy & Michael Kennedy were the first to leave the house. It was about one o'clock when they went. Witness heard it said that they were going to Cleary's father's funeral. John Dunne and Wm Ahearn left about 2 o'clock.

What were they doing in this house ?. They were sitting down talking. John Dunne took some tea. Pat Boland, Michael Cleary, Mary Kennedy, Kate Burke, Johannah Burke, witness's wife and witness remained. They stayed speaking to Mrs Cleary and taking her drinks as she called, and they were endeavoruing to put her to sleep. Witness and his wife left at 4 o'clock. Cleary went for the priest then.

Why did they send for the priest ?. They thought that there were some evil spirits in the house, and they wanted to have Mass said to banish them. Witness next saw Bridget Cleary at IO o'clock on that day. She appeared to be something weaker. She was in bed and taking milk. Johannah Burke was the only one with her, but John Dunne & Michael Cleary were outside. Witness asked her did she know him, and she said she did. Witness had a dog with him and he asked her did she know the dog ?. She said she did. He did not see her from that time till he saw her in the grave. Witness saw Michael Cleary on the road on the same day that he heard Mrs Cleary was missing and again on the Sunday following. Cleary said that his wife left the house at I2 o'clock on Friday night. Witness believed him. He saw Cleary again about 7 or 8 o'clock that evening. He asked witness for the loan of a revolver. He said that those parties who had convinced him about his wife would not go with him to the fort.

What was the fort ?. The fort at Kylenagranagh Hill. It appeared to me that they had convinced him that his wife had gone with fairies, and as they had convinced him so far he should see it

out with them.

He wanted a revolver to force them to go ?. Yes. The fort is supposed to be a fairies habitation. Cleary said he expected to meet her at the fort.

Did he say how he expected her to appear ?. He said she would be riding a grey horse -("on") - and she had told him so. And he said that they should cut the ropes that were tying her on the saddle and she would then stay with him if he was able to keep her. Witness did not lend him a revolver but afterwards saw Cleary with a big table knife in his pocket to go to the fort with. Witness was a near neighbour of the Clearys and knew them for four years.

What sort of a person was Mrs Cleary ?. She was nice in manner and in appearance, aged about 26. I never knew her to be delicate in mind or body.

Cross-examined by Mr Crean :- When Cleary was giving herbs to his wife he said that "he had no blame to Denis Ganey, he asked him for the herbs to do good and that any instructions he had about using them was from Jack Dunne".

To Mr Hanrahan - The candle was forced on Ahearn. He did not see Ahearn in the kitchen at all. He heard instructions given by Michael Cleary that no one was to leave the house until the operation was gone through. Ahearn was a delicate boy and did not work.

To the Bench - He saw Michael Kennedy take no part in the proceedings. Deceased did not struggle when on the grate but she said when they were putting her on "Are you going to make a herring of me ?". "Give me a chance"..

Rev Cornelius. F. Ryan deposed that he was curate of the parish of Drangan. The Clearys were members of his congregation and under his spiritual charge. He had known them for about I½ years and had never noticed any sign of mental derangement in Mrs Cleary until he attended her almost immediately before her death on the I3th March. As far as he could say she and her husband were living on good terms with each other. When he visited her on the afternoon of the I3th she was in bed. She appeared to be in a very nervous state and as he thought, possibly hysterical. He came to the conclusion that it might be the beginning of mental derangement.

She did not converse with him except as a priest and her conversation was not quite coherent & intelligible. Nothing occurred to attract his special attention. On the following morning about 7 o'clock he was called to see her but he told the messenger that having administered the last rites of the church on the previous occasion there was no necessity to see her so soon again. He did not consider her dangerously ill when he saw her first, but he thought her illness might become dangerous later on, and possibly develop into brain fever or something of that kind. He was next summoned on Friday morning at 7 o'clock when Michael Cleary came for him to attend his wife. Cleary said that she had had a very bad night and asked him to come to the house to celebrate Mass in the front room of the house, where the deceased lay in bed. She was then more nervous and excited than when he saw her on Wednesday. Her husband and Patk Boland were present before Mass began, but he could not say who was present during its celebration. On that occasion he had no conversation with Mr Cleary as to any incident that had occurred, because he suspected nothing. Notwithstanding her wild and excited looks Mrs Cleary's conversation was coherent and intelligent. When leaving witness asked Cleary was he giving his wife the medicine that the doctor had ordered, and Cleary's answer was that he had no faith in doctor's medicine. Witness told him that the medicine was good and should be administered and Cleary said in reply that people may have some remedy of their own that would do more good than doctor's medicine.

The District Inspector - Is it possible that you heard nothing about these proceedings about witch-craft ?. Up to the time I heard nothing - absolutely nothing.

Don't you think that very extraordinary ?. No, I do not. The priest is very often the last to hear of things like that generally I should say. I heard a rumour on the Saturday after that Mrs Cleary had disappeared mysteriously. I had no suspicion of foul play or witchcraft and if I had I should at once have absolutely refused to say Mass in the house, and have given information to the police at once.

Continuing, witness said that he next saw Cleary on Saturday

morning in Drangan Chapel. He was kneeling near the Altar and appeared to be in a very nervous and excited state. Witness asked him into the vestry, as he was tearing his hair and behaving like a madman. He said something about going to confession but witness did not allow him, as he did not think him fit to do so. He seemed to be suffering from remorse for something he had done. He asked should he ever be forgiven. I coaxed him into the yard, said witness, I began to feel afraid of him. Michael Kennedy took him away. I saw John Dunne and asked what it meant and Dunne's answer was, so far as he remembered, that they had burned her to death last night and buried her. He added " I have been asking him all the morning to give her Christian burial". Witness was horror struck and he did not remember what he replied. He had an impression that Dunne said that three or four of them had burned her but he could not be sure. He said " How could three or four of you go out of your minds simultaneously?", not thinking of witchcraft at the time.

Will you say how, that foul crime having been revealed to you, you took no steps whatever to bring any of these criminals to justice, or to inform the police ?. I told the police that I suspected there was foul play from something Dunne had said, or that probably he could be able to give every information.

But did he not tell you that she was burned to death ?. It is a very extraordinary thing but I had better leave it to the Court to judge. It is no evidence and I will ask no further question.

Witness said that from Cleary's demeanour he thought his mind was going astray and he reported it to the police and requested them to look after him.

The hearing was then adjourned till to-morrow.

Continuation of Magisterial Inquiry.

("Irish Daily Independent" 3rd April 1895).

The Magisterial inquiry was resumed on Tuesday.

Mrs Mary Simpson, wife of William Simpson who was examined yesterday, deposed generally to what was sworn by him in his evidence. On the night of the 14th March she and her husband went to see Mrs Cleary who resided about 200 yards from her house. The reason they went to

see her was because they heard that she was sick. Witness then deposed to the door having been closed and the hearing the shouts already testified to. When the door was opened and she and her husband, Mrs Johannah Burke and Kate Burke, he daughter went in they heard the people in the house who were gathered around Mrs Cleary's bed shouting "Away she goes, Away she goes".

Questioned as to what meaning she took from these words, witness said it appeared to her that the people believed it was not Mrs Cleary who was there at all.

Mr Crean - I object. That is only a matter of opinion and is not evidence.

Col Evanson - What to all appearance was going on ?. That is another way of putting it.

Witness - It appeared to me that they did not believe Mrs Cleary was there and they wanted to drive away what was in the bed. That is my opinion.

Mr Crean again objected to opinions being taken as evidence.

Mr Grubb - It was led up to by Mr Crean. She said she heard shouts of "Away she goes". She ought to be allowed to say what she thought they meant to go away.

Mr Crean - It is only a matter of opinion I object to. Witness then added - I do not know what it was they wanted to drive out, but they thought it was not Mrs Cleary was in it. I believe it was Mrs Cleary was there.

District Inspector Wansboro' What did it appear they were driving out ?. I think they thought it was a witch.

Mr Grubb - Was it the words they used caused you to form that opinion ?. Yes. When I heard them say she was not in it at all.

Col Evanson - The magistrates have ample evidence to show what is the meaning of the words "is not in it", but I think the witness should give her own explanation of what she means by the words.

Witness - I mean that Mrs Cleary was not in the bed. Witness identified John Dunne, Patrick, Wm & James Kennedy as the persons who were holding deceased down on the bed. She also identified the other prisoners with the exception of Ganey as having been present. Ahearne held a candle and Michael Cleary had a saucepan containing a

white liquid in his hand. She understood it was made from herbs got from "Ganey over the mountain". They were forcing her to take the liquid but she rejected and kept her mouth closed. When witness and the other persons named had entered the house, the door was locked on the inside and Michael Cleary said that all who were in the house should remain inside, and all outside should remain outside. Witness was excited but she understood what was going on was connected with the charm for witchcraft. Witness then repeated the question put to the deceased by her husband namely " Are you Bridget Cleary, wife of Michael Cleary of Ballyvadlea, in the name of the Father, Son and Holy Ghost". She made no reply to him, but when a similar question was put to her by her father she said "I am". Witness next described the urine and water being thrown on Mrs Cleary and her being carried to the kitchen fire. It was made of wood and witness described it as not being strong enough to boil a kettle. It was Dunne suggested that they should put her on the fire. She was dressed in a chemise and night dress, and when she was being carried to the fire witness heard her asking them "not to make a herring of her". The same questions were put to her while on the fire by her husband and her father as to whether she was Bridget Boland and in reply to her father she replied " I am, dada". Witness could not say whether her body ever touched the grate and she (witness) felt no smell of burning as she went out of the kitchen into the room.

District Inspector Wansboro - Did any of these men who were there do anything to prevent this brutal treatment ?. No.

Did they appear in any way to dissent ?. No, sir.

Did she answer the questions put to her to their satisfaction?. She did.

What did they do then ?. The same men who carried her to the fire, John Dunne and the three Kennedys, took her back to bed and I helped Mary Kennedy to put dry clothes on her. She made no complaint.

Was she sensible ?. I would not consider her so. She was raving and talking as if she did not know what she was saying. Witness, further questioned, said she heard nothing about a red poker, but she saw a burned mark on the deceased woman's forehead. There was also a bruise on the neck.

All this happened before midnight ?. Yes.

Was there any reason for that ?. Yes. I heard them say that all the questions should be asked before I2 o'clock.

That is the witching hour of midnight ?. Why were they to be answered before I2 o'clock ?. I do not know what meaning they had for it but it appeared to me that they could not drive away the witch after I2 o'clock.

Did they say anything more about the I2 o'clock business, or do you know which of them said that ?. I could not say.

Witness described the order in which the accused left the house. Cleary left the house at 6 o'clock in the morning saying he was going to Drangan for the priest. Her husband accompanied him for a little bit of the way, and then returned for her and they went home together between 6 & 7 o'clock. She saw Patrick Boland on the following Saturday passing her house. She spoke to him and said he was looking for Bridget Cleary. Witness said "Is she not at home?", and he replied "No. She left home the night before". Michael Cleary came to the house on that day also. She did not hear him ask her husband for a revolver but she heard him refer to Kilnagranagh fort and say that his wife was up there with the fairies, and that they would go and fetch her on Sunday night, that she would be riding on a grey horse and that they would have to cut the cords that were tying her on the horse. He added that if he was able to keep her she would stay with him. Witness never saw Mrs Cleary after the night of the burning dead or alive.

This concluded the direct examination of the witness. Mr Crean said he would not cross-examine the witness.

To Dr Hanrahan - She did not see Ahearne with a candle in his hand in the kitchen, but he held it in the room. She could not say whether it was put into his hand by force.

John Dunne said he wished to ask witness who ordered Bridget Cleary to the fire. Witness replied without hesitating that it was John Dunne.

Michael Kennedy asked witness could she identify him as having been in the house when she entered? Mrs Simpson replied that he was there but she did not know him at that time.

In reply to the following further questions -"Did you see me taking any part in assisting anybody in regard to Bridget Cleary?", witness said "No ,sir. he did nothing at all".

In reply to questions from Wm Kennedy witness answered :- I saw you hold Bridget Cleary in the bed that night , you also assisted in holding her over the fire.

The other prisoners asked no questions.

Thomas Smith ,farmer , of Ballyvadlea examined by District Inspector Wansborough , stated he had known Mrs Cleary for 26 years and her husband for IO or I2 years. They lived near to each other and were always on friendly terms. He never knew anything wrong with Mrs Cleary and she always appeared healthy and strong. On the evening of the I5th March he was ploughing in a field convenient to where the Cleary's lived and having heard that Mrs Cleary was ill he went to the house to see her about 2 o'clock. He had been told that she was suffering from a cold. He saw her in bed in the front room, and there were also present her husband , Johannah Burke and John Dunne. She appeared to be sick , her face was pale and washy looking , and when he asked her how she was she made no reply which he did not understand , and he did not repeat the question. Witness believed she knew him but no more conversation passed between them. Witness inquired from her husband and Mrs Burke if she was eating anything , and they replied that she was.

Did Cleary tell you about anything they were doing to cure her. He did not say anything about herbs ?. No. I was told she ate a little cut of bread and took a cup of tea , and I saw stirabout preparing for her. I did not remain more than IO minutes. In the evening about 8 o'clock Mrs Johannah Burke came to me and in consequence of what she said I accompanied her to Cleary's house. On the way she called for David Hogan and we all went together. Katie Burke accompanied her mother. They arrived at the house about half past eight and inside they saw Michael Cleary , Mary Kennedy ,Johannah Maher and Pat Leahy in Mrs Cleary's bedroom. Witness also mentioned Patrick Horan and continuing said Mrs Cleary was sitting up on the bed undressed. He believed that they wanted him there to induce her to take something. The husband had a little bottle in his hands

containing something like water, and he asked her to take it now that Tom Smith and David Hogan were there. Witness asked him what was in the bottle and he said it was blessed or holy water. Witness did not know what happened before he went there or whether she had refused to take it, but in his presence Michael Cleary asked her to take and she did so.

Did that satisfy him ?. No. she had to say the words after him. At his request she then took some milk and after that myself and Hogan went to the kitchen fire. He saw no marks on Mrs Cleary's face or body, but she seemed to him not to be right in her mind.

To Mr Grubb - She answered all the questions put to her. Witness(proceeding) - while they were at the fire Michael Cleary came to them and said while she had the company Mrs Cleary was going to dress herself and get up. She did so and was dressed in a frock and had a shawl about her. Johannah Burke aired the clothes for her.

District Inspector Wansborough - Did they say anything about giving her courage before the people ?. Not that I heard. When she came to the fire she was silent and then she spoke. They had some dispute about a shilling and about sending for a bottle of milk.

Was anything said about pishogues ?. Well, I believe there was..

What was it ?. She said she never got a bottle of milk but she paid for it and that she did not see (?) it from her mother. What I understood was that she asked Johannah Burke did she give her a shilling. Johannah Burke said "No". Mrs Cleary then said "There is no use in me saying anything more". Then she added "There is no pishogues in me thank God". I took her to mean by "pishogues" something like witchcraft.

Did she say anything more about being with the fairies or that sort of thing ?. I did not hear.

What did she say ?. She said something about that they left her on the road by herself at Skeahen's yard or something like that.

Witness continuing said when he went away about I2 o'clock he left Michael Cleary, Patrick Boland, Mary and three of the boy Kennedyss behind him in the house. Michael Kennedy was not there. Witness went home and did not see the deceased afterwards alive or dead.

Witness was not cross-examined.

District Inspector Wansborough - stated he was the D.I. stationed at Carrick-on-Suir. Ballyvadlea was within his district. He visited the house of the Cleary's immediately after the report of the ill-treatment of the deceased on the I4th March reached him. The house was that of a labourer containing three apartments. The kitchen was reached through the front door and two small rooms opened off by doors situated directly opposite the kitchen fire-place. The fireplace was an open one, built of bricks with bars in front I2 inches off the ground, and there was a full view of it from the interior of both rooms. He saw the body of Bridget Cleary lying where it was discovered on March 22nd. The lower parts of the trunk and abdomen were completely charred and burned, and also the hips and bones and the internal organs were plainly visible. Both hands were burned and the fingers charred. The face was plainly recognisable and was not burned to any great extent. It was I050 yards from the Cleary's house to where the body was found. He was present at the coroner's inquest on the 23rd March and produced the verdict of the Coroner's Jury. On the 2Ist March he found a spade and shovel at Cleary's house. The spade was a comparatively new one, and the handle was stained with oil and if carried by someone with an oily hand.

Col Evanson - Does it smell of oil ?. Paraffin is very strong smelling.

The Inspector said that it undoubtedly smelt strongly of oil which appeared to him to be paraffin lamp oil. The shovel bore traces at the handle of black boggy soil similar to that in the ground where the body was buried and which was quite different from the soil around Cleary's house. They also found an empty oil can, and the saucepan, tin and other articles referred to in the evidence.

Witness stated in reply to Wm Kennedy that a person

inside Cleary's house could get out without breaking the window. The window could easily be opened as there was only a light screen across it.

Sergt Rogers stationed at Cloneen stated that on the 22nd March with other members of the Constabulary he was engaged searching for Bridget Cleary's body. After making an examination of Cleary's house, they made search about the neighborhood. At half past two while searching an old dyke or disused passage he was attracted by some whitethorn brambles on some freshly disturbed clay. On probing the place he found a substance which he believed was the body. He called a number of Constables and had the place dug up, and they then found the body. It was wrapped in a sheet & there was a bag about the head. The feet were envelopes in light black stockings. There was no other covering on the body which lay partly on the side and back. It was in a hole 3 feet long which was not sufficient for the body to lie flat in, and the knees were bent and crossed over each other. There was some brackish water in the hole.

Witness amidst a considerable amount of sensation produced the sheet, sack & stockings found on the body and a piece of burnt rag which was found adhering to the body. They smelt offensively and in many places were covered with mildew.

Witness continuing said that the place where the hole was dug was an unfrequented place. It was a dyke about 13 feet wide, with a bushy fence at one side and about 4 feet high on the other which was covered with a furze. He exhumed the body, removed it to a dry place and put a guard of constables over it.

To Col Evanson - He was of opinion that the hole was dug specially to receive the body. When he began the search he had no suspicion that the woman was murdered or that she might have perished from exposure.

To District Insptr Wansborough - On searching Cleary's house he found only one sheet on Mrs Cleary's bed.

District Insptr Jones, stationed in Clonmel, stated the nine male prisoners in the dock had been imprisoned in Clonmel Jail since their arrest on the 21st March and Mary Kennedy had been kept in Limerick Jail until yesterday. In consequence of a communication

made to him he saw Michael Cleary in the prison and examined his clothing particularly. He was wearing a light brown tweed suit. The other articles of clothing and boots cap and braces were also produced. He found on the coat a peculiar greasy looking stain on the right arm, and one or two similar small spots on the front. There were similar greasy marks on front of both legs of the trousers.

Witness was not cross-examined.

(from "Irish Daily Independent" 5th April I895).

The Magisterial Inquiry was resumed on Thursday when Mr Gleeson, Crown Solicitor, said he would only examine one witness that day and he did not think it would be fair to close the inquiry without the medical evidence. He was sorry the doctors were not present.

Acting Sergt Egan deposed he was stationed at Drangan. On the I6th March he saw Cleary walking out of the village and he followed him. He did not overtake him until he entered the house of Mary Kennedy which is about two miles from Drangan. Witness said to him "what about this extraordinary rumour about the disappearance of your wife ?", and Cleary did not reply.

Mr Gleeson - Of course he heard you ?. Yes. I was within two yards of him.

What condition was he in ?. He appeared to be in very deep trouble.

Did you ask him any further questions ?. I repeated the question but he did not reply at any time.

You had not accused him of anything ?. No, Sir.
Witness continuing that he spoke to Cleary on account of information he had received. He afterwards went to Cleary's house on the same evening between 4 & 5 o'clock, and found Cleary there before him. He repeated the same question he asked in Mary Kennedy's house.

Mr Gleeson - You did not accuse him of any crime ?. No.
He replied "She left about I2 o'clock last night".

Did you understand what he meant ?. I understood that he meant she had left the house. He also said that he had not seen her leaving as he was asleep in bed. He said he had no sleep for seven

or eight nights before on account of his having to attend on his wife, also that he had gone to bed with his clothes on sometime previously to I2 o'clock on the night of the I5th. His wife was then asleep in the same bed. He mentioned Johannah Burke as having been in the house then, and also Pat Boland his father-in-law, who he said was asleep in the next room. He concluded by saying that he knew no more about it. Witness then went out of the house and made further enquiries from other persons about the place. He met Pat Boland on the road outside the house and had a conversation with him. The old man was crying. He continued crying and said "My daughter will come back to me- my daughter will come back to me". He repeated that over and over again, and that was all he said. Witness went back to the house at I0 o'clock the same night, the door was locked and he went in through the window. There was no one else in or about the place. He searched about and found the partly burned night dress. It was lying amongst other soiled clothes on the floor beside the bed. He remained in the house until II o'clock but saw nobody in or about the place.

Witness was not cross-examined.

Mrs Johannah Burke was called.

Col Evanson - You said that Mrs Cleary was given herbs b boiled in new milk on the I4th. Was that given to her on any previous day ?. Yes, there were some herbs given to her on the I3th. She was given them for the third time on the I4th. I heard Michael Cleary say he got the herbs in Fethard.

To Mr Hanrahan - Ahearne held a candle on Thursday night but she could not say how it was put into his hands.

(From the "Irish Daily Independent" 6 April I895).

The Magisterial inquiry was resumed on Friday.

Dr William Crean of Fethard deposed he knew Michael Cleary. He attended his wife Bridget Cleary on the I3th March on a dispensary red ticket. She was suffering from bronchitis, cattarrh and nervous excitement. He prescribed for her but he was not aware whether she got the medicine he ordered. He only saw her on one occasion because she was dead before he had an opportunity of paying a

second visit. He made a post mortem. He was able positively to identify the body as that of Bridget Cleary. He found her spleen ruptured and an effusion of blood on the covering of the brain.

Mr Gleeson - Do you think that the result of violence ?. I cannot say that. I found the exterior of the stomach perfectly burned, and the intestines protruding from the abdomen.

That is to say that the skin covering was burned through ?. Yes and the intestines protruding from the abdomen.

Did you see any other marks ?. I saw the bone of the right hip protruding through the flesh. There was also one effusion of blood or black marks on the throat.

Would you say they were the result of violence ?. I could not say positively.

Might they have been ?. I would not like to say.

Was the stomach healthy otherwise ?. Perfectly healthy.

You did not find any symptoms of poison having been administered or anything like that ?. Nothing whatever.

What was in your opinion the cause of death ?. Burns. Would the rupture of the spleen itself have caused death ?. No.

Col Evanson :- When you refer to the stomach not having been poisoned was there any analysis of it ?. No. The Coroner did not deem it necessary to send it for analysis. There would be abrasions on the mucous membrane of the stomach if any poison had been administered.

You found no such abrasions ?. None whatever.

The prisoners asked no questions but Michael Kennedy remarked "I am not charged with anything after the night of the murder".

Col Evanson - (to Dr Crean) - With regard to the effusions of blood on the brain did you find any corresponding mark on the outside of the skull ?. None whatever.

Can you tell the Magistrates whether Bridget Cleary was a perfectly healthy woman before that ?. She was

perfectly healthy.

Was her body of good physique and healthy ?. Yes, perfectly. The only thing I could see in her case was that she was awfully nervous. I have been attending her for the past 8 or 9 years and I always found her to be a nervous irritable sort of woman.

Do you mean of nervous temperament ?. Yes.

Mr Grubb - was it dyspepsia ?. It might have been.

Was it probably dyspepsia ?. It was.

Witness added that he did not think Ganey ever did the woman any harm.

Dr Wm Heffernan, who made a post mortem in conjunction with Dr Crean, stated they examined the neck and found a discolouration of the tissues underneath the skin and an effusion of blood underneath the scalp. On removing the skull they found the veinous supply of the brain highly congested. There was a slight congestion of both lungs. The left lung was adhering to the chest wall. The heart was sound and healthy. They removed the stomach and found it healthy. Externally the hip, the lower portion of the back, the lower portion of the abdomen, the thighs, hands and fingers, were at both sides charred and burned. There was no flesh on the lower portion of the back and one of the hips was turned out of position. The fingers and hands at both sides were contracted. The abdomen in front was burned and the intestines were protruding on the left side. He examined the mouth and found an abrasion of the lip inside, and on the tongue, inside there was a corresponding abrasion.

You did not notice anything peculiar about the legs ?. They were contracted and drawn up. That might have occurred during the burning. Witness added the conclusion he came to was that death was due to shock judging from the condition of the brain and the internal organs caused by burning. The discolouration of the hip was more likely to have occurred before than after death. The muscles were all burned away so that the slightest thing would cause it either at the burying, the exhumation or the post mortem examination.

Did you examine the stomach with reference to irritant poisoning ?. I took out the stomach by the two ends and saw no evidence of irritant poisoning. From the superficial examination there was nothing suspicious about the stomach. There was only one ring on her ears, the one found on her left ear.

Cross-examined by Mr Crean - He would not say he was satisfied that there was no necessity for an analysis of the stomach. He informed the coroner of its condition and it was not considered advisable by him to have it sent on for analysis. The external examination showed no evidence of irritant poisoning and there was no inflammation. It was quite possible that narcotic poisoning could be administered without any symptoms of it being narcotic afterwards at a post mortem examination. Narcotic poisons such as opium, morphia, tobacco, hyciamus & belladonna might produce death by stupefaction.

Col Evanson - That is very important because the Magistrates have been inquiring to account for the apparent absence of pain when the burning took place, and why the pain was not very violent while she was undergoing this torture.

Mr Gleeson - If narcotic poison such as you had mentioned, were administered and not sufficient to cause death could such a thing be administered to prevent shouting and screaming when she was put on the fire ?. I think even under the influence of morphia, which is the strongest of all narcotic poisons, put a person on the fire would make him of her scream and one would be sensible to the effects of the fire, but, of course, that was only medical theorising.

Col Evanson - Of course it all depends on the quantity ?. Yes on the quantity.

If given an extra quantity it would put a person beyond all reason ?. Yes. She would die from it.

Mr Gleeson - Taking it for granted that this woman was in ill health and in a state of nervous excitement and debility such as you have heard Dr Crean state her to be in, and that persons put her on the fire and burned or even scorched her, and that people for a lengthened period, for half an hour or longer held her down in bed and threw noxious stuff over her and otherwise ill-treated

her - would such conduct as that be likely to cause death ?. Yes. A person in her state would die from shock.

Might her death not be immediate ?. I would say she would die immediately from shock. Witness added that the symptoms of the shock might not develope themselves seriously for I2 or 24 hours.

This concluded the evidence for the Crown.

Colonel Evanson said he did not think there was any evidence to sustain the capital charge against Ganey.

Mr Gleeson agreed and Ganey was discharged.

Mr Hanrahan contended Ahearne did nothing against the life of the deceased woman.

Dr Heffernan recalled stated - If a woman suffering from irritability of the brain or nervous excitement was put on a fire or near a grate it certainly would increase the nervous irritability of the brain and if she lived long enough would materially effect her condition and might cause her death. Her senses would be so blunted by the first shock that she would not cry out or scream.

Would it be possible for this woman to be subjected to this treatment on Thursday night and apparently be fairly well on Friday and able to get up and walk ?. It is quite possible that a woman for I2 hours might be called coherent and sensible and rational and die from shock of burns I2 hours after. I have seen serious consequences supervene I2 hours after burns and shock.

Would you say that that would be probable and not exceptional ?. I would.

Witness having concluded his evidence, John Dunne said he had no questions to ask but added that he saw the woman on the Friday and she appeared to be in better health than she did on the two days before.

Mr Crean said that he wished to call three witnesses on behalf of Ganey.

Col Evanson said it was the opinion of the court that there was no evidence to incriminate him and that they would be bound to refuse informations against him.

Mr Crean said after that expression from the Chairman he would not occupy any of the public time.

Mr Gleeson said he would not object to Ganey being discharged.

Col Evanson - Well Ganey may now be discharged.
Ganey was then liberated from the dock.

Mr Hanrahan said they should refuse informations in the case of Ahearne. He did not propose to call any witnesses. As a matter of fact he was sent to Cleary's house by his mother and Cleary gave an order that those inside the house should remain in it and locked the door. No importance should be attached to the piece of evidence elicited by District Inspector Wansborough that any person could have got out through the window. It might as well be said thay they could have got out by the chimney. The part Ahearne took in the affair was that he held a candle while the woman was being given something out of a saucepan. But why should he place his youthful intelligence against the eminent scientists who were administering the medicine. It would be like a first year's medical student expostulating with the College of Surgeons and possibly he might have been put on the fire himself. The balance of evidence was in favour of the fact that Ahearne was not in the kitchen when Mrs Cleary was put on the fire. There was an absence of continuity between the proceedings on Thursday night, and the proceedings on Friday night, when undoubtedly the woman was burned to death. The whole thing was narrowed down to this, that they were asked to return this boy on the charge of holding a candle for a few minutes while some men were giving the patient some harmless medicine.

The dispositions were then read over.
The most important parts of the evidence effecting Cleary were listened to by him with a smile on his face and his demeanour during this portion of the proceedings created a painful feeling against him.

Michael Kennedy said that he had to examine a witness.
Edward Anglin was then examined and stated in reply to questions from Kennedy that the prisoner was in his employment on the I5th

March and previously for two years.

Do you remember me asking you for money for the purpose of bringing it to my mother on the I4th March ?. Yes.

Do you remember me asking for money for my mother on other occasions before it ?. Yes.

Col Evanson - This evidence hardly affects the charge against you.

Michael Kennedy - It does affect me because my mother was in Bridget Cleary's house and as she was there I was obliged to go in to give her the money.

Mr Anglin said Kennedy had sent for him through the police saying that he wanted him and he came there without knowing what he was wanted for. He knew nothing at all about the case.

The prisoners were then questioned severally as to whether they had any statements to make.

Michael Cleary said - Yes. This is in reference to Johannah Burke. She stated in her evidence that I threw the paraffin oil on my wife. I threw no paraffin oil on my wife, nor neither was there paraffin oil in the house on that occasion at all, only what she herself put out of a bottle into a lamp which was lighting. She stated also in her evidence that I placed my wife on the fire. I have not placed my wife on the fire, nor neither would I have done so. I would sooner put myself on the fire than put her on the fire. She and her family often made an attempt to injure both me and my wife. We were not great at all for about the last twelve months. Both her and her brothers left no stone unturned to injure both me and my wife, and they never got a chance of doing so, till they got a chance of destroying my wife, and anyone in the country who wished to tell the truth could tell it. I worked here in this town of Clonmel four years ago, and her father who is dead now, and herself who is alive yet. When they could do nothing to me they were running away with my character behind my back to my wife. Her father used to say "Ah, it is seldom he will come home to her now. He has plenty of women where he is. Seldom will do him to see her". She used to go on another occasion previous to that and fall on the road and say I

put a rope before her to kill her. Her father used to leave no stone unturned to get the law of me for it, and try was it a fact, and she could prove it. But this is the wind up of the whole of it between them. I have no more to tell. That leaves me with a broken heart behind her.

Col Evanson - What do you mean by "we" when you say "we were not great"?.

Michael Cleary - Me or my wife. My brother-in-law or father-in-law was not coming into us or we to them except some of the boys might come in now and again to have a smoke.

Patk Boland, the father of deceased, said - Well, sir. I am suffering from weakness and I cannot speak out to their honours. I would like if you get me brought to the witness chair where I could sit down and talk to your worships.

The request was acceded to.

Patk Boland then said - The night that she was burned, the first night they brought her down and they put her on the fire when she was not taking the herbs says Jack Dunne " we will make you speak". They brought her down, Mick Cleary and himself, and they put her across the fire. Said Mick Cleary to me "Have you any faith ?. Don't you know it is with an old witch I am sleeping". "You are not" said I " you are sleeping with my daughter". They put her on the fire but there was no fire, I may say, that would do any harm to her on the first night at all. Said Mick Cleary "call your daughter now in the name of the Father, Son & Holy Ghost, and I will have her in spite of the world". So then I was sure I had her when he said that. The same people put her on the bed then, and she began to talk to them in the morning as well as ever nearly. That is all I have to say about that night. The night after then his father was dead and a man came to tell Mike Cleary that his father was dead. I went to the wake then, and when I came home in the morning the first thing I done was I went to the bed and spoke to her. She was grand then and there was no one within but her and Mary Boland. Then she was grand until the night after. We were taking a cup of tea then and he asked her to eat a little bread along with him and she said she would. He made a small bit and she ate two

bits of it. She would not eat a third and he said "Oh, I will make you take it", and he threw her across the fire. Thats all I know about it as I had to run away from the stink. I have no more to say but that it is the way to make a long story short that it is himself that burned her. Father Ryan told me to tell the truth about it when I was going to confession to him. It is the Father Ryan that is here in the Jail and not the Father Ryan of Cloneen. That is all I have to say.

Having concluded his statement he continued "Would your worships allow me home. I am only half a mile away from the barracks and I will come back any time you like. I am losing my eyesight below in the Jail. The Sergeant can see me every day because I am only half a mile away from him and if you would see your way to be decent with me I would be grateful to you."

Col Evanson - You will hear our decision afterwards. Mary Kennedy was next brought on the witness table for the purpose of making a statement but her words were seldom audible owing to her weakness and want of voice. She said that Bridget Cleary's father sent down for her on the Wednesday saying that she was suffering from a pain in the head. She went to Mrs Cleary and asked her "What was on her" and what way she was. She said she was very bad with a pain in her head & temples. She (Kennedy) replied "It would be nothing, with the help of God". "Oh, I don't know" said Mrs Cleary " I am very bad. He is making a fairy of me now. He thought to burn me about three months ago but if I had my mother I would not be in this way". She (Kennedy) said "Do not mind them and with the help of God it will be alright bye and bye". On the Thursday morning she (Kennedy) again saw Mrs Cleary and she said that she was grand and that she had lost the pain in her head. On the night of that date Michael Cleary talked about putting something out of the house, and when witness questioned him he said "You will see what I will put out". He added that he had not Bridget Cleary then for the past six months. He then took up a saucepan and a spoon and called upon John Dunne, Ptk Kennedy and James Kennedy to hold Bridget for him and he then forced the medicine into her mouth and said "swallow that you devil". He asked her was she Bridget

Cleary his wife, and she replied twice that she was. Her father came then to her and asked her was she Bridget Cleary of Ballyvadlea. He then said "Come quick, take her to the fire and we will make her tell her name". They then brought her to the fire, but there was no fire in it only a few embers in the grate. Witness continuing stated that she said to the boys "Now boys, don't burn" and they replied "never fear". Mrs Cleary was afterwards brought back to the bed.

(from "Irish Daily Independent".8th April 1895).

The Magisterial investigation was resumed on Saturday. The Clerk read the statements, and during the reading of the father-in-law's words Cleary's attitude was most remarkable. He smiled broadly at the reference to the burning and immediately the statement was finished he said "I would make an objection to that statement. There is not one word of truth in that statement and if I am going to get justice between them they are all one. Any man can say what he likes, but I want justice and if I am not going to get justice here I will get it in heaven. Not one word of all that is true. They are all one lot, and they are after doing their best against me, and the father is the worst after doing that on me. If I don't get justice here I will get it in another place". Cleary then turned round and addressed some inaudible remarks but apparently of an expostulatory character, to Pat Boland who sat at the back of the dock. Then addressing the Court again he said "It is all through their badness and dirt. I did not do it. Its themselves that did it and burned her".

Johannah Burke who occupied a seat near the witness made a smothered remark to Cleary who replied in an angry voice " I am satisfied wherever I am going. I am satisfied whatever way it goes. I am not cowardly like ye. I never laid a finger on her and never would".

Mary Kennedy then resumed her statement which had not concluded on Friday. She said Mrs Burke was gone for milk and the child with her. Johannah Maher came in then and she andI sat at the bedside with Bridget Cleary and when Johannah Burke came with the milk, herself and the child, she left the bottle of milk in the

window, and Bridget Cleary said "Will you give me a cup of it?". Mike Cleary was sitting down and said he would not that Bridget would take a cup of water. I said "what nourishment is a cup of water for a poor creature ?". So he took the bottle off the window and would not give her a bit of it. She said no more but she said to Johannah "If I had Tom Smyth & David Hogan they would settle what is between me and Mick". So Johannah and the child went for them and they came there and when they came there Mick Cleary came in himself to Bridget and told her they were be low at the fire and to get up now until they would see her. He then gave her two petticoats and she put them on her. He gave her a navy blue jacket and a white knitted shawl and he got her shoes and stockings. I said to her "Are you able to go on yourself ?". "Yes" she said, standing up against the bed. So he brought her up then and put her sitting on a form and she got up and pushed it up to the fire. Tom Smyth asked her what way she was, and she said she was middling, that he was making a fairy of her now. "Don't mind him Bridgie" said I to her "don't be that way". "I sent Han" said she "for milk and he would not give me a drop of it, and I never asked any milk" said she "without buying it" So I told her to hold her tongue, that it would be nothing and that she could drink it by and by. She said no more then. David Hogan and Tom Smyth stopped until after II o'clock in the night. Three of the boys came then and Mike Kennedy went up to Mr Anglin and did not come with them at all. When they came in they were talking. The boys said to Bridget "I am very glad to see you up". Two of them sat on the table and another sat on a stool in the corner and Johannah Burke got a sup of tea for the patient and then Tom Smyth and David Hogan went in and sat in the old man's bedroom. Michael Cleary, Johannah Burke and Bridgie were at the table for a long time until nearly one o'clock in the night, so I went inside and stretched at the side of the bed myself and I was not long asleep when I heard a roar "Mother, mother, Bridgie is burned". I ran to the door and I said "what ails ye, what is it ye are doing to the creature ?. Is it burning her ye are?". He (Michael Cleary) gave me a shoulder and knocked me on my side. Johannah Burke ran to me and pulled me into

the room. I looked out after a little while "If you come out any more" said Cleary "I will roast you down as well as her". I stopped sitting on a chair over by the door and I saw her in a blaze with a lamp oil. When I looked out again he caught her by the head and threw her on the floor, like you'd throw an old turnip, so he got an old bag and an old sheet and put her into it. One of her feet was up that way (prisoner lifting her hand) - God bless the mark - and he gave it a crack with the shoe of his foot and the shock of it went all over the house, and I nearly died with it. So he rolled her up in the bag and in the old sheet and left her in the middle of the floor and went to the door and opened it & locked it again after him. He stopped out about an hour and when he was opening the door, I heard him opening it I said "Oh God help us all, he will stick us with the black handled knife ~~out of his pocket~~ he has". He pulled the knife out of his pocket and came to the room door saying "Are you there Patsy Kennedy ?". He got no answer and then he said "Well I will call your name three times and if you don't answer me and come to me I will drive the knife ~~through~~ to the handle through you ". "Ah Patsy" said I, "answer him a corrah or he will stick you". So he answered at the third time. "Come out now here" he said " I have the hole nearly made" As I could not drive the devil", says he "out through the chimney I'll drive her out through the door". So both of them went, and they caught the corpse and when he brought her outside the door he locked the door on us. He said "now ye can't inform where I will put her". So they were about an hour out. When they came back he opened the door and he said "Now ye can't inform me where did I put her whatever". He caught the knife out of his pocket. He had the knife going with him "I'll make ye now" says he "take your oath or I'll drive the knife through ye". "Oh, you need'nt Mick" said I "drive the knife through us". "I am not" says he "in dread of anyone but Han" (meaning Johannah Burke) "Oh, you need'nt be in dread of Han at all" says I, " because neither Han nor us won't discover on you, for as sure, wherever you put her, God will show to the people where you put her". I and the two boys came home then and Mike Cleary stopped scraping himself.

-scraping the juice of the poor creature and the oil off his clothes. So I said no more until Patsy came down to me. Says I " a corrah go down to the police barracks and tell them what you have done". "No mother" said he "because the people would be calling me a prosecutor". "Well don't mind so" said I ,"and God will prosecute". I said no more. I finished at that until Mike Cleary came down to me "Mike" said I " if you were scraping your clothes or if you cut them off you , God will never let the stains go out of your clothes , the stains of your poor wife". "Ah Mary" says he "she was'nt my wife , and I will go to-night" says he " to Kildranagh Fort and will get her riding a grey horse and will cut the ropes and bring her home". So he got a lot of people for one or two nights but they would not go with him any more. That is all I have to say and sorry I am to have to say it.

Cleary exclaimed angrily "you did that well Mary". She replied - "I did so Mick". Cleary further said - "I hope you will do it in heaven as well as that". She answered :" I will with the help of God".

John Dunne then made the following statement :- " I went up to Michael Cleary's on Wednesday. I asked him what way was his wife. He said she was only middling and that the priest and doctor were with her. So I went up to see her to the bed. I spoke a few words to her at the bed. I said to her that she was not too bad. Cleary said "I have something here that will make her better". "What are them"? says I to him "They are herbs. I got them from a woman in Fethard" says he. I saw him give them to her. I remained there for an hour or something more. I went home then and Cleary sent word to me by a neighbouring woman to go up to the house - that he could not depend on the lot that was about him. A girl of the name of Mary Smith came to me and told me. I went up then and I was not there long till he came " I have something now" says he "that will cure her". "What have you" says I. "I have herbs that there is nine cures in. It will be very hard to make her take this, you must assist me with her and she will be cured then". We gave it to her then. So I sat down at the

fire for a few minutes. A young chap of the name of William Ahearne asked me home and I told him I would go. Cleary told me I would not go home as yet, that himself wanted me for another start. This was about 8 or 9 o'clock. James, William & Pat Kennedy came in."I think" says he after a start, "its time for us to give her this". So he had it in a pint and he had the pint against his breast. The four of us caught her. I cannot know what part of her any of them had but I had her by the head. It was very hard to make her take it. Cleary told me after taking it she would be brought to the fire. We raised her over it but we did not burn her. I thought it belonged to the cure. He told me it belonged to the cure. When we put her before the fire he asked her "In the name of the Father,Son & Holy Ghost was she the wife of Michael Cleary ?". She said she was and he said she should answer that three times. He asked her again and she said she was. He called Pat Boland then and he asked him to ask her "was she Pat Boland's daughter and Michael Cleary's wife ?". She said she was. He asked her three times. He laid her back in the bed. I sat at the fire and remained there for an hour or more. The four boys of the Kennedys went away. I took a cup of tea and went home. In the morning a man named Tom Lahy told me Bridget Cleary was left. "Where is she gone to ?", said I. "She broke away in the middle of the night, and there is no knowning where she went". I did not credit him and I went up to Cleary's house. I met Pat Boland on the road and he crying. I asked him "what ails you Paddy ?". "Bridgie is gone away" says he. "Where did she go", says I. "Ah, I don't know"says he . Michael Cleary was standing in the yard and I asked him "Where did she go ?". "I don't know", says he "Hannah" (meaning Johannah Burke) was bringing in some stumps. He went out against her. She called me. I was stretched in the bed and when I went out I saw her. I saw her in the field and two women with her". "Why did'nt you follow her ?". says I. "It was no use" says he, "ten men would not keep her". He told me some other fibs that I did not credit. Its not fit for publication. She was always talking about Kilnagranagh. He said she used to be meeting an eggman

down at my place on the low road, about a mile and a half away. "Well" said I, "there is no place there that I don't know and if she is there we will make her out". I went down and there was a boreen and a large furze ditch. I told him to go on one side and I would stay on the other. So we did and we went on until we came to Kildranagh House. We searched all round there and then we searched all the houses we got open. He (Cleary) went into the old kitchen garden. There was a small house there and we searched it. "She is not now" said I, "in Kilgranagh and there is nothing but fields now and we could see her. What must happen her ?", said I. "Ah don't ever speak of it" said he, "she was burned last night and it was I that burned her". "Ah you vagabond, why did you do it" said I. "It's not my wife I had" said he, "she was too fine a woman to be my wife". I told him to go now and give himself up to the authorities and to the priest and get himself punished, and said "you will have no living on this earth, your conscience tormenting you". Cleary said "I will cut my throat or will do something to myself before night". I told him "that's only nonsense, to think of doing that. It is better for you to go and give yourself up to the priest and the authorities". "Well, I will" says he " if you come with me". I went down to Drangan with him and met Michael Kennedy coming up the street against us. The three of us went into the Chapel yard. I walked into the Parish priest, and I told him, he told me to tell Michael Cleary to come in to him. I went out and I told Michael Cleary to come into the Priest. Cleary went in and went up the Chapel and met the coadjutor. He was crying and looked to be in great trouble. I remained in the Chapel yard. I saw him and the coadjutor coming out of the off part of the Chapel. He went up. The coadjutor put his hand to Michael Cleary and said - "Go on. it is this man I want to be talking to". "What's up with him?" said the coadjutor to me. I told him he had told me he had burned his wife last night and that he told me Boland had burned her along with him. I told Cleary it was a droll story, that if I had a wife I would not allow that anyone would burn her in spite of me. Cleary said :- "I burned her now and I am sstisfied to

suffer for it".

To Col Evanson - It was before he went to the Priest he told me all that.

Continuing Dunne said - I told the priest that Cleary said he burned her. "He is in a bad way" said the priest, "and it would be better to see after him" and he said, "we will see the Parish priest". The parish priest was talking in the yard before he went to the barracks. I saw the coadjutor coming out and a policeman after him. We went home then and the policeman followed us slowly. Cleary asked me then would I go look for her that evening. I told him I would not, that it was only moonshine. He said he was sure she was there (meaning the Fort) and that it was not she that he burned. We parted then and I went home. I do not know whether it is to Mrs Kennedy or not he went or home. He gave me several excuses about the burning of her. I have no more to say.

Patrick Kennedy stated - I want to tell the truth. On the I4th March I entered my uncle's house between 9 & IO o'clock, and they were going to give a drink to my first cousin there - John Dunne & Michael Cleary. They asked my brothers James & William and myself to hold her in the bed while they would be giving it to her. Cleary had a saucepan in his hand and a spoon. John Dunne caught her by the neck. I laid my hand on her arm in the bed to hold her and my brother held the other arm. John Dunne opened her mouth with a spoon - he put it into her mouth. She resisted against opening her mouth. Cleary put back the medicine in her mouth and slapped his hand on her mouth and asked her was it down. He asked her in the name of God two or three times was it down. The answer I heard her say was "Tis gone too far". He said "to take it and swallow it down, and swallow it down you old witch". John Dunne said if she would not swallow it to take her to the fire and she would answer him there. They took her to the fire - Cleary and him, myself went along with them but did not lay a hand on her though. There was no fire in the grate. Michael Cleary made her answer her name in the name of God three times. She answered. Her father then came to ask her name and she

answered the name. They lifted her then and laid her on the bed. Then myself and my three brothers went that night to his father's wake and funeral to Killenaule, leaving about I2 or I o'clock. She was sitting at the fire when we came to the house next night. David Hogan, Tom Smyth & Tom Anglin were at the fire and she was talking to them. We shook hands with her and welcomed her up. Then after I2 o'clock Hogan, Smith & Anglin left and Johannah Burke made some tea. I drank some of it. My two brothers stretched on the bed. Michael Cleary was at the table and his wife on a form with Johannah Burke. Michael Cleary was trying to make his wife eat a bit of bread. Myself went in and stretched on the bed. I was tired after coming II or I2 miles. The next I heard was a roar and I heard Johannah Burke and my mother say not to burn her. Cleary said if they would'nt shut their mouths and stay inside he'd stick them with the knife - that it was'nt his wife he had at all he said. It was an old witch he said he had. I heard him to say -"You will soon see her go out of the chimney". My mother went out and he knocked her on the floor. He threw his wife on the floor then, and said he did not intend to burn his wife at all - that he thought it was a witch was in it. He went out then and locked the door. 'Twas nearly an hour when he returned. I was stretched on the bed when he returned. He asked me was I there calling me out of my name, but I made no reply. He said he'd call me three times in the name of God and that if I did'nt answer he'd run the knife through me. So I answered him then. He asked me outside the door then to know would I go and bury his wife with him. I said I would not. He said if I did'nt come he would do away with me. I said I would if he would go to the churchyard to consecrated ground to bury her along with her mother. He said he had a hole dug for her. He stuck her into an old sack and an old sheet. He asked me would I go with him, and I said I would before I'd be killed. I went with him and he pulled a spade and a shovel out of an old furze bush, and threw her partly on her side. He pressed her with his foot down. I have no more to say Sir. I'm cracked after it. I am under the care of Dr Crean for six years. For to see my first

cousin burned with him. That is as true as God is above.

James Kennedy stated - On the I4th March when he went to Cleary's he asked Cleary how his wife was, and he replied "She is better I am after giving her herbs. I got them from Ganey over the mountain and they done her good". Cleary said that he was not going to his father's funeral - that his father was no loss to him compared to his wife, and when he suffered so much about his wife he would suffer more. When they were about to leave for the funeral Cleary said they could not go for a start. They held Mrs Cleary while the herbs were being given to her, and the questions were asked of Bridget Cleary. Michael Cleary then threw what remained in the saucepan behind the kitchen fire, and Mrs Cleary was held over the kitchen fire and the questions repeated. On the following night when he (James Kennedy) went to Cleary's house he asked Mrs Cleary how she was, and she said "don't you see I am grand". Cleary would not let them out when they wanted to go home. They said they were tired after a long journey. He locked the door and told them to stretch on Paddy's bed. They were not long asleep when he (James Kennedy) heard a screach in the kitchen and saw Bridget Cleary through the fire and Michael Cleary giving his mother (Mary Kennedy) a shove and knocking her. He (James Kennedy) cried out "For the love of God don't burn your wife". Cleary said she was not his wife, but an old deceiver who had been sent instead of his wife. She had been deceiving him for several days, and had deceived the priest that day, but she would not deceive anyone anymore, and he beginned with her and he would finish her. Johannah Burke said she would go to the barracks and get him arrested. He (James Kennedy) and his brother Michael said "Do what you like with her, but give us the key and let us out". Michael Kennedy said he would break the window. Michael Cleary then drew a knife and said he would take their lives if they attempted to leave the house until he got his wife back. They then went back to the bedroom where Michael Kennedy got a weakness-falling sickness - and Easter water was thrown on his face by his mother to revive him. Michael Cleary then went out for a start,

and when he returned he got a sheet out of his wife's bedroom and spread it on the kitchen floor. He (James Kennedy) next theard the noise of Bridget Cleary's body falling on the sheet. Pat Kennedy refused to go and bury the body with Cleary until Cleary threatened " to lay him out" if he did not go. On Saturday evening he (James Kennedy) next saw Cleary who appeared to be in terrible trouble, and was saying he would do away with himself for burning his wife. He said the place he would get her was Kylenagranagh Fort, that she was with the fairies and she told him so. She would be on a grey horse, and if he could cut the rope he could keep her again.

James Kennedy continued - He gathered a lot of us on Sunday night, and we went with him to the Fort. We did not see or hear anything there. We came home after I2 o'clock. We went for two or three nights. Some of us told him we would'nt go any more with him - that he was after killing his wife, and to go and give himself up to the police. He said it was not his wife he killed at all, but a witch that was sent in her place, and that his wife would return to him again. We told him he would be sorry for it if he did'nt go and give himself up, that we would be arrested one of those days. He said he would not, and that if he was arrested itself he would only be kept in for a few days, and if we were arrested for our lives not to speak of it, and when he came out he'd go to America and when he'd be there for a start he'd write home to bury her with her mother. I told him he'd never go, or that if he did he'd be brought back and that it was better to stand his trial and give himself up. He said not, and not to have any of us speak of what he had done until the day we'd die.

Michael Kennedy said he went to Ballyvadlea to give his mother some money. He then went up to Cleary's to ask his brothers were they going to the wake at Killenaule. They said they could not go for some time as Michael Cleary would not let them go until he gave some herbs to his wife. Michael Cleary locked the door, and while he was getting the herbs ready there was a knock at the door and after some time Cleary opened it and Simpson and his wife and Johannah Burke and her daughter came in. Sometime afterwards

Cleary spoke about bringing his wife down to the fire, and he saw three of them bringing her down. There was no fire at the time only a few whitethorn sticks. He then got a fit and when he recovered his senses he found himself in bed. He walked out and saw the crowd in the room. He sat down on the table and could not say any more about what happened in the house. His three brothers and himself went to Michael Cleary's father's funeral at Killenaule that night. He went back to his employer's place next day, and on Saturday went to Drangan. As he was about going home he met John Dunne and Michael Cleary going into the village. Before that he was after learning that Mrs Cleary was gone somewhere since the night before. He asked Michael Cleary if it was a fact but he made no reply. He went back to the village with them and into the Chapel yard. He saw Michael Cleary talking to the priest. He thought Cleary was out of his mind, and he went home with him. Two police kept them in view all the time. He asked him several times about his wife, but he made no reply. When they reached his mother's (Mary Kennedy's) house four policemen came in. There were crowds of servant boys and police searching dykes and "lates" for Mrs Cleary and he assisted in the search from the I6th until the 20th when he was arrested. He never heard a word about what happened to Bridget Cleary until he heard it in the dock.

William Kennedy corroborated his brother's statement as to being detained at Cleary's on Thursday night by Michael Cleary, and being present and assisting when the herbs were being administered to Bridget Cleary, and she was held over the fire. He was at Cleary's next night and stretched on the bed as he was tired after walking to Killenaule. He was awoke by hearing Johannah Burke cry out that Bridget Cleary was burning. He ran into the kitchen and asked Cleary what he was doing and he replied "what is it to you ?". He then asked "Is it burning your wife you are ?", and he replied, "What is it to you ?". They said to do what he liked to her but to leave them out. He said he would not and that anyone who attempted to leave he would put the knife through him. He (Kennedy) then got a weakness. The next thing

he heard was Cleary calling his brother Pat, threatening to put the knife through him if he did not assist him to bury her, and saying that he had a place for her. They took away the remains in a sheet. He saw Michael Cleary the next day and he asked him to go to the fort where he said he'd get her. Cleary collected a lot and they went to Kylenagranagh on Sunday night but they saw nothing there. They went a couple of nights but saw nothing any night.

William Ahearne said he was sent up to Cleary's on Thursday night by his mother to ask how Mrs Cleary was. The evidence of Mrs Simpson and his wife was correct about what happened that night. He had no more to say. He was no relative or connection of any of the parties.

The Magistrates retired and after half an hour's deliberation Colonel Evanson announced their decision.

He said :- We have most carefully considered the evidence in this most awful case, and its bearing on each of the prisoners. There are, no doubt, different degrees of culpability in the part taken by each of the prisoners before us, but notwithstanding this difference we are of opinion that there is a distinct question as to whather the occurrence on Friday night, the I5th March last, was not a legal continuance of the very grievious torture inflicted upon the deceased, Bridget Cleary, on the previous night, and therefore, we order the committal of all the nine prisoners now before us for trial at the next assizes to be held for the South Riding of Co Tipperary, on the charge entered against them.

(From the Irish Daily Independent, 5th July I895).

The trial opened at Clonmel Summer Assizes of the nine prisoners who stand charged with the awful murder of Bridget Cleary, on the I5th March last, by roasting her on a fire and otherwise barbarously illtreating her.

Mr Justice O'Brien, who conducted the assizes, addressing the grand Jury, referred to the general satisfactory state of the county as compared with some years ago, when a state of things

prevailed in the county which resulted in the ruin of one of the most prosperous towns in the United Kingdom. He then went on to deal with the witchcraft case and said - But if that is the case as regards ordinary crime the division of the Co Tipperary certainly has obtained the distinction of presenting under the category of extraordinary crime, an example that spread a thrill of horror and pity to the end of the civilised world. I allude to the case which will necessarily occupy so much of your official attention - a charge of crime of a terrible and portentous nature arising out of a superstitious belief in witchcraft. We have heard in modern times and sometimes in Christian communities, of the prodigious and almost incredulous form of cruelty that resulted in a person being burnt alive for witchcraft, and when I read and came to know the terror that these events excited in the minds of all human persons, when I came to read of women with piercing cries bursting from the pile of fire intended to consume them, intermingled with the execrations of the spectators who came to witness the crime, when I read of these unfortunate women with wild shrieks ~~protesting their~~ protestative of their innocence, sinking back in their agony into the flames that consumes - I read something of this late in the case that you and I have to deal with, and I am compelled to come to the conclusion that in the depths of human delusion and folly we are not yet entirely so far removed as we may suppose ourselves to be, because, although there is the great difference, that these dreadful crimes arising out of the belief in witchcraft - Crimes as I call them - were committed in the name of and form of law. There is that distinction undoubtedly in favour of the modern times that they are committed by individuals and not in the form of law. You will have to deal with a case of a very extraordinary and singular kind. When I say singular, I say singular in the specific example it affords of this curious phenomena of the human mind, not in the existence of such a phenomena at all, for this belief in witchcraft has been common in all countries and all times and has survived even in other parts of the United Kingdom in perhaps, forms equally as gross, though they may not have come under the cognizance of the law.

The delusion is one that has existed, as I have stated in all countries, and in all communities from very remote time and has not been confined to the vulgar or ignorant, but has extended to the educated and distinguished men of the world. Statesmen, philosophers, judges, Kings even have fallen under the domination of this extraordinary error. Even the names of Bacon and Shakespeare except. In one respect certainly, the crime and the developement that presents itself to us is distinguished from the features it has exhibited in other countries and other times. Instead of being encountered by the law it is encountered by the influence of religion, or thought to be encountered by the influence of religion, and it is apparently some extraordinary idea that it was possible by a curious and singular mixture of superstitious incantation of the names of certain things - it was possible to expel this witchcraft, and the consequences of that belief was that they produced the crime you will have to deal with. A charge of murder will be preferred agsinst several persons and charges of a minor description against others, all arising out of a transaction comprehending three days of this year. Certain dates which you will have to bear in mind, and that will occur to you in the evidence you will have to receive are, the I3th, I4th & I5th March. You will be under the necessity of distinguishing in the performance of your duty between the persons who took part in the transaction on at least two of these days, and I understand from the information supplied to me a charge of murder will be preferred against all the persons who took part in the transactions of the I5th March, whilst the minor charge relates to the previous day on which a greater number of persons were found to be present. That all arose out of the circumstances under which the life of a young woman, in the opening of her life was put to death - a young married woman who, suspecting no harm, guilty of no offence, virtuous, respectable in all her conduct and all her proceedings from these of all others who were bound to protect her, from the hands of her own husband, who swore at the altar to cherish and protect her, and from her own father, has met her death under

circumstances which remind us of the lines "Pleading like angels trumpet-tongued against the deep damnation of her taking off". She lived in a part of this country, it appears in the house with her husband and her father who is a man named Patk Boland. She had been married for several years, and had no family, and for some cause or another, her husband, a person named Michael Cleary, conceived the idea that his wife was under some preternatural influence which led to a transposition of her identity, that in fact she was not his wife but a witch, and from some idea that subsisted in his own mind, or on the evil instigation of others he appears to have conceived and attained the idea of adopting means, as I have said, partly by a combination of medicinal administration, of charms and incantations, and the use of sacred names to restore his own wife to what he supposed to be her original condition, and invited to his house in carrying out this singular purpose a considerable number of his relations and immediate neighbours, and it appears almost incredible that there should be such a degree of human delusion as that so many persons as 9 or II young and old, men and women, persons not incapable of symptoms of pity, or sympathy with suffering, should actually have been present when the extraordinary facts that will be related to you happened, and which ended in this woman's life being taken away. The nature of the duty that I have to perform and the nature of the duty that you have to perform on your part in connection with the criminal law according to the usual rule, forbids me entering in detail into circumstances of the fact that will, no doubt, come before me in complete and full investigation. I can merely discharge the duty which I have to discharge, and in which you have to render your part, by giving you some general instructions in the law.. There will be an indictment for murder against six persons who were present on the I6th when this woman's life was finally taken and she died. There will be a charge of murder against some, there will be a charge of murder at the same time preferred against a large number but including the same persons of maliciously wounding the person, namely wounding the person whose life was afterwards taken, and

there is still another indictment of a more general nature, and also for a minor offence, and indictment for assault which will be preferred against the whole company together - against all those who were made amenable at all events, and I have to tell you that the crime of murder which will be the subject of your enquiry is the crime of murder according to legal definition, which must be taken to comprehend all that falls within it of taking human life without just cause or excuse, and that in order to alter the character or quality of that crime into the more mitigated form of manslaughter the facts that tend to reduce it to the minor crime must be established by the party accused. I request you then to address yourselves to that onerous and important task which you have to perform, bearing in mind, that although there is a certain right reserved to the petty jury upon the trial to come to the conclusion if they see just reason, that the crime of murder may be changed into that of manslaughter, The grand Jury possesses in a bill no such authority at all. Your duty will be to find a bill on the charge of wilful murder or to ignore it, bearing in mind the definition of the law I have presented to you.

The Grand Jury retired and after more than an hour they returned to Court finding a true bill for murder against Michael Cleary, Patk Boland, Mary Kennedy, James Kennedy, and Patk Kennedy. They found "no bill" against James Dunne. As an indictment for wounding they found a true bill against the same parties and also against John Dunne, Michael Kennedy, William Kennedy & Wm Ahearne.

Messrs Ryan. Q. C. Curtis. Q.C. and Molloy. Q.C. appeared for the crown.

Cleary was then placed in the dock. He appeared in a well worn suit of clothes. He took his place at the bar with an active step but his appearance and manner indicated that he felt serious concern at his position. The charge was then read that on the 15th March last he feloniously, wilfully and with malice aforethought did kill and murder one Bridget Cleary. He at once replied "Not guilty".

On the application of Mr Crean, who acted as Solicitor for the prisoner at Petty Sessions, Mr Falconer was assigned as counsel.

Mr Ryan Q.C. stated the case for the prosecution detailing the circumstances of the crime. He said if the Jury were satisfied that the evidence warranted a verdict for not murder, but for manslaughter, it was their privilege so to determine. He had gone carefully through the case and he should have been glad if he could have felt it his duty to charge him not with the capital offence, but with the crime of manslaughter.

A respectable looking, intelligent looking young woman named Johannah Burke was then examined by Mr Molloy. She had a child in her arms and during a great portion of the time while giving her evidence she appeared greatly distressed. Her evidence was similar to that given at the Magisterial inquiry. It dealt in detail with the administration of drugs and herbs to the deceased woman, the violence inflicted on her by the prisoners and finally the taking of her out of bed and the placing of her over the fire for several minutes.

In further examination witness stated Cleary said he would bury her with his mother, and that he would go to Kildranagh Fort on the following Sunday night. There he would see her riding a white horse, and he said he would bring a knife to cut the straps with and rescue her from the fairies. After he came back he was very excited and said "She's burned now and God knows I would never do it only for Jack Dunne". I would never have forced my wife into the fire but for Jack. It was he told me my wife was a fairy". Witness added "He did tell Mike Cleary that because I heard him". Cleary loved his wife so well he would never have done it himself. He also said something about a belly-full of whiskey but I did not catch what he said. When Cleary went out he took a spade with him. Before witness left the house that morning prisoner told her he was going to America and that he would not see her wanting for a shilling, but see her and Mrs Cleary's father allright.

Mr Molloy - Did he say anything about his wife ?. Yes. He asked me to say that I was going out of the house to get something to make a fire, and that she ran out of the door against me and I did not know where she had gone to. He said he would go down to Cloneen and pretend he was looking for his wife.

Did he say anything about your going to Jail ?. Yes, he said if I was put to Jail to lie up and never say a word, and I promised.

Were you kneeling at any time ?. Yes, I went down on my knees and he took a knife and said he would cut his throat if he thought I would tell. I said "Well Mike, don't do anything for my sake, forI tell you before God and man until I go into my grave I will never tell". I meant I would never tell a sinner, and I took the oath through fear.

His Lordship - Was it through fear of what he would do to himself or what he would do to you ?. Through fear of what he would do to myself.

Witness then deposed to seeing prisoner washing his trousers to take the stains out of his clothes. Cleary and Simpson asked her to follow his (Simpson's) account of the whole affair. She took a false oath and she was sorry now she had done so. Simpson told her it would all end in nothing and that there would only be an investigation. She asked him what he meant by that, and he said they all would be examined one after another, and if they were all of the one word there would be nothing more about it.

Adjourned to next day.

The report states "news has reached Clonmel that the house of the Kennedy's near the scene of the occurrence was burned down maliciously last night, it is stated, by some of the neighbours, to prevent their return again to live in the district in case of there being acquitted."

(Taken from Irish Daily Independent, July 6.1895).

The trial was resumed yesterday(Friday).

Evidence was given in repetition of that tendered

at the Magisterial inquiry.

Dr Falconer then said that having regard to the testimony given already, he would, with the permission of his lordship, and the crown, withdraw the plea of not guilty of murder but guilty to manslaughter.

His Lordship said that was a matter for the Crown and Jury as well as himself.

Mr Ryan on behalf of the Crown agreed in the course suggested and his Lordship also assenting

The Jury found the prisoners guilty of manslaughter. The other prisoners were then indicted for wounding and common assault and their trial proceeded with.

Mr Justice O'Brien proceeded to pass sentence. Addressing Patrick Kennedy he said he regarded him as the most guilty of all except Cleary, taking all the circumstances into consideration, not merely his part in wounding this young woman, but also what appeared concerning his part in the removal of the body and its subsequent burial. Even his own unhappy sister, ~~who~~ was obliged to give evidence against him as the person who had the principal part in this portion of the tradgedy and, therefore, he would be kept in penal servitude for five years.

John Dunne was next sentenced, his Lordship saying that perhaps from him first emanated the idea of taking the woman to the fire. He was equally guilty with Patrick Kennedy and deserved the same punishment. He was not, however, a party to the transaction connected with the burying of the body. He was an old man and partly because the sentence to be passed upon him would consume a great part of the remainder of ~~his~~ life to be allotted to him, his lordship said he would not impose the heavier sentence but would sentence him to three years penal servitude.

Addressing William and James Kennedy, his lordship said they had also taken a principal part in the matter though not so great as the two prisoners just sentenced, and having regard to the fact that one of their brothers was sentenced to

a term of penal servitude, the law would be satisfied by a sentence on them of one and a half years imprisonment from the date of the committal.

His Lordship in sentencing Patrick Boland said a great misfortune had fallen upon him - as great as any sentence that could be passed - in the loss of his daughter's life, largely through his own act. He would mark his sense of his conduct in allowing his daughter's life to be taken by imposing a sentence of six months imprisonment.

Michael Kennedy, whom his Lordship said was the least guilty of all the prisoners, was also ordered 6 months imprisonment.

His Lordship addressing Mary Kennedy in a few pathetic words said he would not pass any sentence on this poor old woman. In the ways of the Almighty his sentence upon her was not so far distant and he would not abridge the remainder of her life by sending her to Jail. He would order her to be discharged notwithstanding her connection with this great crime, and he was not at all influenced in that course by the reparation that her daughter had made for her error in this business by the evidence which she had given.

Michael Cleary was then put forward for sentence. He appeared to be a man who fully appreciated his position. He broke down and shed tears.

Dr Falconer urged every circumstances possible in extenuation of the crime.

His Lordship then proceeded to pass sentence amidst a scene of painful silence. After a lengthened and impressive address he said - I impose a sentence such as will show the sense I entertain of your guilt and that is that you be kept in penal servitude for 20 years.

As soon as the sentence was passed some persons in thegallery exclaimed in an impulsive shout "Thank God".

The boy, Ahearne, was discharged.