

Irish Transportation Records, Eliza Walsh CRF 1841 W4 Film 46

Stamped Chief Secretary's Office Dublin

Mr Connor written up the side

To His Excellency Lord Ebrington Lord Lieu^t Gen^l and Gen^l Governor of Ireland
The humble Petⁿ of Eliza Walsh now a Prisoner in Tullamore Gaol in Kings County
Most Humbly Sheweth,

That your Petitioner has been tried and found guilty the last sessions of Birm for Perjury and sentenced to seven years transportation.

That Pet^{nr} being ill treated by a Boy of the name of John Brophy (the prosecutor in this case) she ran away from her friends, and their bad advice lodged Informations against him for Rape.

That after so doing his friends sent for Pet^{nr} and kept her in their House for some time, and desired her to keep out of the way, and that he should marry her. Pet^{nr} being young (not sixteen years old) did so. And in consequence of her not coming forward, he was let out of Gaol, and Informations lodged against her for Perjury.

That Pet^{nr} was taken and in Gaol for three months under said warrant. he having shunned, not wishing as Pet^{nr} believes to prosecute after the injury done by him to Pet^{nr} did keep out of the way. Until he was taken the first day of the last Sessions, and prosecuted Pet^{nr} and before he prosecuted Pet^{nr} he spoke to her in the Dock. and desired her to submit & he would marry her. after which she declined not knowing the difference pleaded not guilty.

That under these circumstances Pet^{nr} humbly hopes your Excellency will take her case into consideration and mitigate her sentence to confinement, and spare Pet^{nr} to an aged Grandmother, who has no one to care her in her old days but Pet^{nr}. She having lived with her since she was three years old. Pet^{nr's} mother having died at the time, and her father married and never looked after her but after the children of his present wife.

And for which Pet^{nr} shall ever pray.

Kings County

Report on the case of Eliza Walsh

Eliza Walsh was tried, and convicted, before me, at the last Parsonstown Quarter Sessions, for the crime of Perjury; and received sentence of transportation for 7 years.

It appears in evidence that she swore informations before Mess^{rs} J. Hackett & P. Grave two Kings Co^y magistrates, in which she swore that a rape had been perpetuated upon her by one John Brophy – a lad of 17 or 18 years of age. Eliza Walsh appears several years older. Being struck by certain inconsistencies in her story, the magistrates interrogated her closely, when she detailed very minutely the particulars of the supposed offence. She stated it to have occurred about half a mile from Parsonstown on the Banagher road, close to a particular grazing field, over the hedge of which she said that Brophy dragged her, & effected his purpose with great violence. She also alleged that he had communicated the venereal distemper to her. The magistrates having still suspicion of her testimony, adjourned the case for two days, and in the meantime caused inquiries to be made, & one of them (Mr Grave) went in person to see the spot where the crime was alleged to have been committed. It appeared that the offence c^d not have been committed there. From the nature of the ground, & the fences, it would have been physically impossible for the strongest man to drag a

woman into the field in question. It was also ascertained, beyond a doubt, that Brophy, on the evening in question, was distant two or three miles from this spot, in a totally different direction, confined to the house by a severe attack of inflammation on the chest, from which he was just recovering after several weeks' illness, & by which he was reduced to a perfect skeleton. Dr Baker, by direction of the magistrates, examined him carefully, & swore that he had not any venereal affection, nor was there any appearance of his ever having had any such. He deposed, at Sess^{ns}, that he believed Brophy to have been at the time so weak from his inflammatory attack, as to be physically unequal to the commission of the offence charged. – It appeared that Eliza Walsh knew an Aunt of Brophy's, whom she called upon, on the day after swearing her informations, and she there conducted herself with such levity, as to be ordered out of the house.

Hearing there of the inquiries made by the magistrates, she absconded, and concealed herself in Tipperary, till she thought the whole affair had blown over. But, on her return, she was arrested, & committed for perjury.

John Brophy, who appeared a quiet & respectable young man, swore that he was acquainted with Walsh, but had never courted her, nor taken any liberty with her & most distinctly denied any species of criminal connections with her. The alleged interference of his friends, to prevent her from prosecuting, was distinctly disproved by those friends. The two Magistrates, & Dr Baker, also stated the matter above detailed. Prisoner was defended by Mr Dowling; but produced no witness, even as to character. The jury convicted her, without hesitation, & with the full concurrence of all the magistrates present.

The memorial, recently forwarded by her to his Excellency, is exactly a repetition of the points lodged on her behalf at the trial; and they were then proved to be audacious falsehoods. I am convinced that she was never ill used by Brophy; & that she invented this capital charge, with the mere view of terrifying an inexperienced (& then feeble) boy into a marriage.

On the whole, I feel bound to report, to his Excellency, my firm belief that Eliza Walsh was guilty of deliberate & wanton perjury, endangering another's life; & that there are no mitigating, or even palliating, circumstances in her case. The lower classes unfortunately look on false oath, in by no means the serious manner which they ought; but I think that if perjury is ever to be punished with transportⁿ, this woman amply merits it.

J. Nelson
Asst Barrister, Kings Co^y.

7 Gardiners Place.

W 4 1842

Eliza Walsh

Perjury 7 yrs Tn

What is her age?

20 yrs

The law must take its course

Man L 17
Ass Bar an^d 19th initials