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Crime, Law Enforcement, and Punishment in Dublin, 1780-95
Ph.D. Degree Awarded


CRIME, LAW ENFORCEMENT, and PUNISHMENT in
IRELAND, 1780-95

A thesis submitted for the degree of Doctor of Philosophy
at the University of Dublin
CRIME,
LAW ENFORCEMENT,
and
PUNISHMENT
in
DUBLIN, 1780-95

A Thesis submitted for the degree of
Doctor of Philosophy
of the University of Dublin
September 1992

Brian Henry
CRIME
LAW ENFORCEMENT
PUNISHMENT

THESIS
2566

in
DUBLIN 1, 1980-95

A Thesis Submitted for the Degree of
Doctor of Philosophy
at the University of Dublin
September 1995

Diana Henn
Declaration

I declare that this thesis has never before been submitted as an exercise for a degree at Trinity College, Dublin or at any other university, and I also declare that it is entirely my own work. I agree that the Library may lend or copy the thesis upon request.

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Preface

The findings presented in the thesis are based on research carried out at Trinity College, Dublin, in the Department of Modern History under the supervision of Dr. David Dickson from August 1989 to September 1992. The aim of the study was to undertake a quantitative and qualitative study of crime, the police and justice in Dublin in the eighteenth century. The first step was to uncover a source that would most closely approximate contemporary crime reports and court records (the 1922 fire at the Public Record Office in Dublin destroyed such records). Several sources were examined and rejected before a satisfactory one was obtained. This was the *Hibernian Journal*, a legal-minded newspaper which was published three times a week in Dublin.

For intellectual and methodological reasons, the 16 years between 1780 and 1795 were selected as the period to be examined. In June 1780, while the Gordon riots were erupting in London, the Irish parliament passed the first general law against combinations to prevent industrial violence. Three years later, the ending of the American War of Independence saw the demobilisation of thousands of troops. With Dublin gripped by a subsistence crisis at the same time, the demobilisation sharply increased levels of crime in the mid-1780s. In response, the Irish parliament passed legislation empowering the government to establish the first centralised law enforcement agency in Dublin in 1786. The study here has examined crime and punishment in Dublin up to the abolition of the police in 1795.

It was necessary to read through every number of the *Hibernian Journal* over the 16-year period to build a sizeable sample. Thousands of crime reports, police accounts and court transcripts were gathered with the view to count crimes, arrests and verdicts. Dublin was a violent city: 390 homicides were reported, including 189 murders, 82 suicides, 34 manslaughters, 34 infanticides, 9 deaths from duelling, and 42 other fatalities, an average of 24.3 violent deaths per year. Repetitive crime was rampant: the *Hibernian Journal* reported a total of 53 rapes (seven of which resulted in death), 337 assaults, 158 riots, and 22 cases of forcible enlistment. Women, children and young apprentices were particularly vulnerable in a society where violent behaviour was not an abnormal phenomenon. Therefore, this study has examined crime particularly as it affected women. In general, property theft was the leading cause of crime: 3,628 property thefts and 1,263 prosecutions for property theft were reported.

Up to 1786, Dublin was policed by a weak parish-watch system. In the early 1780s, the Dublin Volunteers injected new life into it by establishing auxiliary forces. At the same time, the suburb of Blackrock organised a felons association to fight crime. However the
Volunteers collapsed in 1783, leaving the parish watch system doomed to oblivion. In 1784, a crisis in law and order shook the government to the core, and plans were then laid to establish a new police. In 1786, the Irish parliament abolished the parish watch with the passing of the Police Act. The new police experienced severe teething problems, which the opposition to the government seized on unrelentingly to build a base of popular support. The extraordinarily high cost of establishing the first centralised police force in the city became a major point at issue. The police commissioners were also obliged to enforce regulations which had little to do with the fight against crime. Certain key individuals in the police force, however, played a role in establishing a deterrent to lawlessness.

After the American War of Independence, Ireland resumed transportation: about 1,400 convicts were transported to North America from 1784 to 1789, an average of 230 convicts a year. When this policy of transporting convicts to the former colonies ended in failure, transportation to the new penal colony of Australia began in 1791. Death by hanging and even by burning were all too familiar events on the Dublin landscape: the Hibernian Journal reported 187 male hangings and 10 female executions, an average of over 12 hangings per year. Most public spectacles took place at Stephen’s Green, at the front of Newgate prison and at Gallows Hill near Kilmainham gaol. The mid-1780s saw the Dublin courts adopt harsh sentencing practices: in 1784 and 1785, a total of 46 felons were executed. About 80 per cent of the condemned felons who had been tried at the three Dublin courts in question were convicted of property offences, mainly robbery and burglary. New capital statutes were passed in the interest of private parties: the legislation establishing the Post Office in 1784, for example, resulted in the hangings of three letter carriers and five mail thieves. Overall, the study has concluded that levels of violence were substantially reduced in Dublin by the mid-1790s, from their peak in the mid-1780s.
Acknowledgements

Among the people whose assistance deserve the author's warmest thanks must be mentioned the Staffs of the Department of Early Printed Books and the Berkeley Library at Trinity College, Dublin, the National Library of Ireland, the Royal Irish Academy and the National Archives of Ireland.

The Office of Graduate Studies deserves special thanks for granting the author a *Trinity Award* to cover the cost of tuition fees in the third and final year of the research.

The most significant individual to whom the author is indebted is Dr. David Dickson who supervised the thesis. The project benefitted by the depth of his knowledge of the city and county of Dublin in the eighteenth century and the good will he extended consistently over the three-year period.

Individuals to whom he is indebted include Mr. Andy Bielenberg who at the London School of Economics suggested Dr. Dickson as a supervisor, Prof. W.N. Osborough, of the Law Department at Trinity College, who encouraged the author to take an interest in the legal aspects of the research, Mr. Peter Connell of the Computer Centre at Trinity College, who offered advice on the best way to develop a coding system at the data collection stage, and Dr. Raymond Gillespie whose suggestions on note-taking skills were invaluable.

Dr. James Kelly and Prof. Maurice O'Connell provided critical commentary on the earlier drafts of some chapters. In addition, Prof. O'Connell read the completed first draft of the thesis, paragraph by paragraph, and made both corrections for style and suggestions for clarity (responsibility for all errors is mine). Prof. D.S. Pugh, of the Open University, gave useful strategic hints on the project in its early stages. Mlle. Fabienne Pinguet put in many hours of work making double checks on some of the thousands of names in the sample. In addition, Mr. Aaron Rothschild encouraged an interest in the computing side of the project, and Mr. Stephen Murray made verifications of some source material.

Special thanks are due to the author's son Marcus, aged 15, who put up with years of a difficult regimen at home. The author's aunt, Mrs. Marion Wright, deserves a special mention for providing financial assistance throughout the whole of the project. Last but not least, the author's mother, Mrs. Rita Anne Armstrong, deserves the warmest note of appreciation for providing not only financial assistance but many kindnesses over the last five years. Without her moral support and encouragement, the thesis would not have been written.
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### Abbreviations

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<tr>
<td><em>Bolton Papers</em></td>
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<td>Comm.</td>
<td>Commission of Oyer and Terminer</td>
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<tr>
<td>DA.MO.YR.</td>
<td>Day/Month/Year (newspaper references)</td>
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<td><em>D.E.P.</em></td>
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<td>N.L.I.</td>
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<tr>
<td>P.R.O.</td>
<td>Public Record Office of England</td>
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<tr>
<td><em>Past &amp; Present</em></td>
<td><em>Past and Present ...</em> (London, 1952-)</td>
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<tr>
<td>R.I.A.</td>
<td>Library of the Royal Irish Academy</td>
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Statutes (Ire.)  The statutes at large, passed in the parliaments held in Ireland (1310-1800), 20 vols., (Dublin, 1765-1801).


W.H.M.  Walker's Hibernian Magazine
Chapter 1

Introduction

This is a study of crime and punishment, an inquiry into the lives not only of hardened offenders and petty criminals, but of watchmen and policemen, judges and lawyers. It is a study of violent behaviour directed against women and children, employers and apprentices, much of which never resulted in criminal prosecutions. It is also a study of state-organised violence, the hangings of men, the incineration of women, the forced deportations of thousands of convicts. Over the 16-year period between 1780 and 1795, the period under examination, Dublin was in a special age known for its renowned contributions to architecture, culture, and political thought. It was a time when trade and commerce, building and wealth, were concentrated in the city. As great as the period was, the social dimension of crime and punishment has never been explored in a systematic way.

Such a study benefits from the accumulation of a large body of work carried out in France and in England. In 1958 Louis Chevalier published an extremely influential book on crime in Paris, called Classes laborieuses et classes dangereuses à Paris pendant la première moitié du XIXe siècle. Chevalier argued that the environment of Paris had a terrible impact on the new migrants from the countryside, driving them to crime. According to Barrie Ratcliffe, Chevalier was influenced by both the Durkheimians in France and the Chicago School in the United States.¹ Such was the force of the “anti-urban bias” in his work, that it may have driven many historians away from studies of crime in Paris. Ratcliffe has maintained that social and urban historians have not addressed the contradictions in Chevalier’s work and have accepted his findings uncritically.²

Even though this book has become well-known, Chevalier remained first and foremost a demographic historian. His first major study of the nineteenth century, La

¹ Ratcliffe, "Classes laborieuses", p. 546.
² ibid., p. 552.
formation de la population parisienne au XIXe siècle, is rightly regarded "as a pioneering and still valuable analysis of immigration into Paris". This work is far less known, as is the fact that Chevalier was a founding member of the Institut National d'Études Démographiques (INED) in 1945, when he published the results of a study of population growth in North Africa in the first issue of INED's journal Population. He was put in charge of INED's section to investigate history; he maintained that censuses were "the best basis for social history". His belief in the value of demographic studies led him to study crime in Paris as he believed that historians of Paris had ignored the "dangerous classes".

Chevalier's development from a demographic historian to a crime historian is worth bearing in mind when considering historiographic trends in England. Many English demographic historians share common ground with English crime historians in that both have favoured a regional or local approach to the study of population change and criminal behaviour. Important differences still obtain between the two disciplines. Some crime historians in England have concentrated their efforts on examining sets of court records for particular counties that go back centuries. In the past thirty years, historians have examined these bills of indictments systematically. Many have tended to focus their work not specifically on an urban centre, but on a particular county where countryside and city are combined.

John Beattie, one of the founders of English crime history, first examined crime patterns in England by employing statistical arguments in an article in 1974. This was a ground-breaking paper refuting claims made by J.J. Tobias that criminal statistics generated in the nineteenth century were unreliable. Beattie's work had an immediate influence on crime historians, giving an object lesson to all practitioners on how to handle early modern criminal statistics, and how to relate them to the wider context of the period from which they are drawn. Published in 1986, Crime and the courts in England, 1660-1800 has examined the records of the court of assize in the counties of Surrey and Sussex over a period of 140 years. Beattie's initial examination of crime statistics took place in a general mood of optimism about the value of statistics for all quantitative historians.

In 1972, V.A.C. Gatrell and T.B. Hadden employed crime statistics to shed light on the standard of living debate. Gatrell and Hadden argued that crime statistics were a

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5 Ratcliffe, "Classes laborieuses", p. 548.
10 Beattie, John M., Crime and the courts in England, 1660-1800 (Oxford, 1986); see chapter 1 for a discussion of his sources and evidence.
measure of "the depth and extent of contemporary social tensions and unrest".\textsuperscript{11} It is no accident that the recognition of the value of crime statistics took place at this time, on the heels of a revolution in the employment of quantitative materials, particularly in the study of population changes. In 1965, D.E.C. Eversley, another pioneer demographic historian, urged fellow historians to investigate "the lives of individuals", but in contrast to Malthus, the founder of demography, Eversley argued that levels of subsistence should only be one of several variables to be considered in relation to the behaviour of numbers of people in masse.\textsuperscript{12} E.A. Wrigley and R.S. Schofield have examined 10,000 parish registers to study population changes in England, but such a massive undertaking would not be possible for crime historians.\textsuperscript{13} Nevertheless they have also developed a variety of techniques to overcome the statistical problems confronting them in the sources.

A debate has broken out among crime historians over the direction that crime history has taken, over the methodology, and over the value of the sources. First, not all work which deals with crime would be considered crime history. Joseph Starr's 1968 doctoral dissertation examined the administration of justice in Ireland for the eighteenth century.\textsuperscript{14} Four years later, Kevin Boyle wrote a series of articles on the legislation for, and the administration of, the new police in Dublin in the late eighteenth century.\textsuperscript{15} This category of research filled in important gaps in our understanding, but their approach to the subject matter does not make them crime historians as currently understood. Boyle, for example, only once mentioned crime in passing. Like Tobias, Boyle and Starr anticipated an explosion of interest in the subject of crime history, before the vast amount of statistics available were tapped.

In 1975, Douglas Hay, Peter Linebaugh and E.P. Thompson dramatically changed the way in which historians were to approach crime, with the publication of \textit{Albion's Fatal Tree}.\textsuperscript{16} This book influenced crime historians in a more profound way because it linked the study of crime to an empirical Marxist framework which attracted the attention of the new social historians who wrote "history from below". Hay's primary concern was in coming

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to terms with a contradiction in the system of justice between the eighteenth and nineteenth centuries, the former noted for its systematic brutality and the latter for its reforms. Moreover, this contradiction expressed itself in legal historiography as those "searching for the roots of the modern criminal law and the modern police usually devote most of their attention to the triumph of reform in the nineteenth century". Before Hay took up the work, Leon Radzinowicz had been examining the eighteenth-century English judicial system for about 25 years; he was noted for his sense of scholarly detachment. In contrast to the immediate notoriety of Hay’s work, Radzinowicz’s work had not been "quickly assimilated by historians".

Hay was one of several people who took up crime history, acting under the influence of some well-known social critics of society. In an immediate way, Hay was indebted to E.P. Thompson whose hugely influential work on the origins of the working class in England was only published seven years earlier in 1968. Indeed, an article by Thompson appeared in *Albion’s Fatal Tree*, which was then followed by a book. Hay was also indebted to George Rudé, whose classic study of the Gordon rioters in London changed the way historians wrote about the mob. Thompson and Rudé formulated radical ideas about social criminals and the outlaw *banditti*, which unleashed a wave of interest in crime history. At the same time, Hay maintained that a criminal conspiracy among the ruling classes ensured complete and silent loyalty to a system which legalised murder. In a challenge to his critics, Hay asked why the "hangers and gibbeters" had reigned supreme in the historiography, despite "fifty years of cogent criticism" by contemporaries.

*Albion’s Fatal Tree* has been extremely influential, but some of Hay’s disciples have split into separate camps over how far one can generalise about levels of violence and as to how far one can compare modern crime with past crime. Their differences highlight the difficulties crime historians face in coping with their sources. In the distant past, historians emphasised the anecdotal nature of crime, encouraging a belief that if one looks

hard enough in the past one can find untold tales of horror. In countering this fanciful approach, early crime historians devised a simple strategy: "to find a good court archive, work through it systematically, and produce statistically based studies". They often linked their crime data to population estimates, wage and price estimates, and a whole variety of other socio-economic indices. This approach presumes a high level of statistical and mathematical skills, not to mention a rigourous methodology demanding checks and double-checks on the hundreds of thousands of numbers generated. According to J. S. Cockburn, some crime historians have produced statistical data which were "demonstrably unreliable" and likewise produced tables that could not be checked in detail.

This has contributed to a set of false premises which has ill-informed the debate among crime historians over the level of violence in the past. Lawrence Stone has argued that "the English of today are very much less prone to violence than their medieval and early modern forebears". However Cockburn has argued that it is almost impossible to compare early modern homicide statistics with modern homicide statistics. So many variables and possibilities have been removed from modern homicide statistics that they cannot be compared to early modern homicide statistics with any degree of satisfaction. By way of example, an arm fracture today sends one to an orthopaedic surgeon, but the same fracture yesterday could easily have led to death. Does this imply that historians should include attempted murders in their homicide rates? If so, it would "fatten the increase in recorded homicides over the last fifty years by about 40 per cent". This is just one of many problems that Cockburn cites in arguing against making comparisons between crime statistics now and statistics then.

Apart from "the violence we have lost" debate, differences among crime historians have also centred on the subject matter that crime historians should examine. Should one examine the courts or the convicts, criminals or victims, parliaments or the mob? Linebaugh, one of the original contributors to Albion's Fatal Tree, expressed a great deal of anger at and disillusionment with those historians who have "doubted the existence of classes and even of the Industrial Revolution itself". In contrast, Linebaugh said "that Albion's Fatal Tree and Whigs and Hunters, far from initiating historical research, were
rather the culmination of a historiography that had considered crime within a broader framework of social history".31

In 1986, Joanna Innes and John Styles wrote an article which signalled a change in direction from the road carved out by Hay.32 Having discussed the delineation of three strands of thought in crime history, the authors indicated their dissatisfaction with Hay's approach by pointing to a "shift from a study of offences toward the study of the institutions and, more particularly, the processes associated with the administration of the criminal law ... called administrative history".33 In 1980, Innes and Styles contributed well-researched articles which explored the eighteenth-century credit system from different points of view. Innes exposed the role of the courts in allowing creditors to incarcerate debtors arbitrarily, and the poor treatment meted out to debtors in prison.34 At the same time, Styles examined the defective coinage which was at the heart of the credit system.35

In a more recent article about the history of the English workhouse, Innes criticised those crime historians who had become overly concerned about the punishment of serious criminal offenders. She noted that "little attention has been paid to the subsequent history of the use of short terms of imprisonment to punish petty delinquency".36 In response, Linebaugh chided Innes for failing to mention the factory or the enclosure movement, but it is not clear as to why he would have expected her to examine such subjects in that particular article.37

In Crime and Punishment in Eighteenth-century England, Frank McLynn has cast the crime debate in Marxist terms, as being an ideological debate between the historians on the "Right" versus those on the side of "Hay/Thompson". Apart from lumping conservative historians together, McLynn has lumped Thompson and Hay together even though they have somewhat different backgrounds and approaches.38 This tendency to overlook details is also evident in his rather thin chapter on law enforcement, in which McLynn failed to mention the influential London and Westminster Police Bill of 1785.39 It was this bill which Chief Secretary Thomas Orde adapted and modified in shaping the Dublin Police Bill of 1786.40 Beattie has pointed out that the City of London and the quarter sessions of

33 ibid., p. 384.
35 Styles, John, "Our traitorous money makers': The Yorkshire coiners and the law, 1760-83", in Brewer, An ungovernable people pp. 172-249.
39 ibid., pp. 17-35.
40 Statutes (Ire.) 26 Geo. III. c. 24 (1786).
Middlesex and Surrey opposed the bill, even though the London courts had more offenders on their hands than ever before. Apart from this oversight, however, McLynn's work has advanced our understanding of the complex processes at work in shaping the "Bloody Code", particularly in London during the eighteenth century.

One could argue that the subject of crime history has become bogged down in methodological problems because it has yet to find a set of accepted standards. As Beattie has noted, "there has been little agreement as yet among English historians about what the study of "crime" entails." Hay has observed that even contemporary legal definitions of crime "did not correspond closely to the norms of a large part, perhaps the majority, of the population". According to Hay, crime historians must therefore "situate historical crime in an intelligible context of class relations, collective mentalities, and economic structure".

But even if one were to situate crime in its proper context, Hay has warned against the "serious gaps in most of the quantitative studies", the "idiosyncratic categorisation of crimes", and the lack of "statistical sophistication in what are statistical arguments". In other words, crime history requires almost super-human abilities. Perhaps this was how it appeared until the publication of Beattie's crime history based on the court records of Surrey and Sussex. Beattie's work has opened up a renewed interest in a study germane to this thesis, the study of urban crime in a capital city.

In 1960, G. Sjoberg changed the way that historians were to look at pre-modern cities and at population changes within them. In Sjoberg's model, wealth was concentrated at the centre of pre-industrial cities while poverty was dispersed towards the fringes. D.V. Glass, a demographic historian who credited Sjoberg at an early stage for his insight, employed a robust statistical analysis of London in the seventeenth century to pinpoint where the lower classes, the servants and the apprentices, lived. Sjoberg's analysis, however, did not stand up well in light of subsequent advances in research on pre-industrial cities such as Dublin, where poverty became increasingly concentrated in the centre of Dublin, while wealth tended to move towards the fringes, well before Dublin became an industrial city.

In 1967, a year after the publication of Glass's article on London, E.A. Wrigley published his influential paper which uncovered dramatic changes in the demographic

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44 ibid.
45 ibid., p. 63.
growth of London up to the middle of the eighteenth century. Wrigley connected demographic patterns with changes in the behaviour of the lower orders who in aping their superiors established new patterns of consumption. By extending his examination into the behavioural patterns of the inhabitants of London, Wrigley opened up the historical debate to include a wider interdisciplinary approach, particularly to the discipline of sociology. Indeed, Glass's next article two years later contained as part of its title, the term "Socio-economic Status", which was a clue to the changes that were taking place among historians at this time.

Other urban historians were soon to follow in the wake of Wrigley and Glass. In 1979, Nicholas Rogers published an important article which examined the aldermen of London as "a broad cross-section of the greater merchant community" which dominated the society and economy of London in the eighteenth century. This work is of particular relevance to Dublin, because it could be argued the whole saga of the rise and fall of the new police in Dublin, represented nothing less than the first major crack in the waning power and influence of the aldermen of Dublin. Rogers described London's aldermen as "a city patriciate, bound by interlocking ties of kinship", a description wholly appropriate to Dublin's aldermen.

In 1982, L.D. Schwarz examined the middle classes of London, basing his study on London tax returns in 1798. It showed how estate developers imposed squares, parks, gates and beadles to segregate the wealthy, particularly shopkeepers, whose "presence attracted retailers, craftsmen, prostitutes, writers, criminals and many others". Compared to the work of Summerson and Craig, the Schwarz piece returned the architectural achievements of a Georgian city to the larger social canvas of Dorothy George and Constantia Maxwell, albeit with a quantitative analysis.

In some urban studies of London, the Irish question has been left very much dormant (with the exception of Linebaugh's recent work). In Dorothy George's pioneering social work on London in the eighteenth century, the question of crime and poverty, urban squalor and population numbers, were lumped together in the same chapter. Henry Fielding's prejudices exerted a powerful influence on George. A magistrate in London, Fielding believed that courts and victims alike were bending under

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52 ibid., p. 444.
54 Linebaugh, The London hanged, passim.
the weight of a misguided leniency towards offenders.\textsuperscript{56} Quoting from Fielding, George looked out over the teeming city, and "upon such a view the whole appears as a vast wood or forest in which the thief may harbour with as great security as wild beasts do in the deserts of Arabia and Africa".\textsuperscript{57}

Although London was brimming with foreigners, George singled the Irish out as "a police problem, a sanitary problem, a poor-law problem and an industrial problem".\textsuperscript{58} George then went on to elaborate on her famous "three Irish customs which were peculiarly unfortunate. First that of sharing their rooms with pigs and other animals. Secondly, was for the tenant of a single room to take in other lodgers as sub-tenants either permanently or for the night. Thirdly, was that of the Irish wake. Wakes generally led to fights and often to illness and death".\textsuperscript{59} Such superficial and sweeping generalisations no longer have a place in history because they disembodied people from their own conditions.\textsuperscript{60}

George undoubtedly influenced Constantia Maxwell, who published her pioneering book only 11 years later, \textit{Dublin under the Georges}. Indeed, Maxwell lumped together in one chapter the same elements, noting that "in the eighteenth century, Dublin, as well as London, had numerous elements of disorder, and riots and robberies were common".\textsuperscript{61} Like George, Maxwell made no attempt to quantify her findings. She said that "writers in the Irish newspapers were careful to point out that many of the footpads and other undesirables in Dublin were well dressed and spoke with 'English accents'".\textsuperscript{62} The evidence presented in this study does not support the view that crime in Dublin was being committed by English people.

The next generation of urban historians seem to have largely ignored many of the controversial social themes raised by George and Maxwell. In 1945, John Summerson published his influential work on London in the eighteenth century, a work which scarcely treated the issues of crime and population. Summerson only mentioned the "enormous death-rate in the lower classes" of London in reference to his own interest in building trends.\textsuperscript{63} Likewise, Maurice Craig whose pioneering work on Dublin was heavily influenced by Summerson, chose to sidestep Maxwell's preoccupation with the poor by telling a few anecdotes about them.\textsuperscript{64} In Craig's appendix, however, a graph of the population of Dublin was published, "constructed from an average of reputable estimates",

\textsuperscript{56} ibid., pp. 106-110.
\textsuperscript{57} Fielding, Henry, \textit{Inquiry into the cause of the late increase of robbers with some proposals for remedying this growing evil} (London, 1751), p. 76.
\textsuperscript{58} George, \textit{London life} p. 105.
\textsuperscript{59} ibid., pp. 123-124.
\textsuperscript{60} Linebaugh, \textit{London hanged} p. xix.
\textsuperscript{61} Maxwell, Constantia, \textit{Dublin under the Georges, 1714-1830} (London, 1946), p. 149.
\textsuperscript{64} Craig, Maurice, \textit{Dublin 1660-1860} (Dublin, 1980), p. 276.
which showed the ratio of London's population to Dublin's. Such a link between Dublin and London, even only in population figures, represents one of the last remaining vestiges of a bygone era. Indeed, historians of Ireland have moved away from a preoccupation with the Dublin/London comparison. Current historiography is more linked to urban centres in Scotland, or to north/south urban centres.

The historiography of transportation is divided unevenly along geographical lines; a few historians have examined the transportation of convicts to the Americas while a far greater number have looked at transportation to Australia. The period under examination here looks at transportation to both hemispheres. Between 1784 and 1789, convicts were transported to the Americas, and between 1791 and 1795 they were transported to Port Jackson. According to A. Roger Ekirch, British historiography on transportation to the British colonies "has never received much scholarly attention" whereas transportation to Australia has "inspired a significant body of research". As a result of the lack of historical inquiry into the transportation of convicts to the Americas, Ekirch has found that many historians "have assumed that punishment in England underwent a smooth transition from public spectacles of physical suffering to long terms of imprisonment".

Irish historiography on the subject of transportation, however, has benefitted greatly from the pioneering work of Audrey Lockhart. She has traced the social, legal, political and commercial history of transportation from 1703 up to the American War of Independence. Her work exposed the "unscrupulous" manner in which the servant trade was conducted in Ireland. She discovered that the kidnapping of young people and children from Ireland to the colonies had reached scandalous proportions in the mid-eighteenth century. While parliament passed laws to make it easier for merchants to transport convicts, it turned a blind eye to the ship masters who were spiriting away children from the Dublin quays.

Lockhart has yet to influence many Irish historians on the complex subject of emigration. In a recent study on the resumption of emigration from Ireland after the American War of Independence, James Kelly did not consider as to whether the transportation of convicts had been resumed. While his work has benefitted from an examination of the economic and political conditions which gave rise to emigration, his assertion that "emigration [from Ireland] in the 1780s ... had all the characteristics of a

65 ibid., Appendix 5, p. 341.
66 Mitchison, Rosalind and Peter Roebuck (eds.), Economy and society in Scotland and Ireland, 1500-1930 (Edinburgh, 1988), passim.
67 Ekirch, A. Roger, Bound for America, the transportation of British convicts to the colonies, 1718-1775 (Oxford, 1987), pp. 1-2.
69 ibid., pp. 73-75.
spontaneous exodus of the kind common" in eighteenth century would need considerable modification.  

Beattie has examined the transportation of convicts from England to the Americas and to Australia. He discussed how the ending of transportation to the Americas in 1775 affected levels of crime and attitudes towards other forms of punishment. Historians of transportation to Australia have inspired a great deal of research into Irish history. A.G.L. Shaw established that about 25 percent of the convicts transported to Australia were from Ireland. Shaw pointed out how Ireland transported a high number of political prisoners to Australia, particularly in the nineteenth century. Rudé's work on transportation to Australia focused attention on Dublin, also concentrating on the political prisoners transported from Ireland in the nineteenth century. Hay criticised transportation historians for emphasising special cases such as political protesters, and has expressed some reservations about the tendency of transportation historians to focus solely on the voyage and the colonial experience. His criticisms, however, may reflect his own lack of interest in secondary forms of punishments.

Charles Bateson has written a fascinating book on the maritime history of the voyages to Australia between 1788 and 1868. During this 80-year period, 158,702 prisoners from England, Ireland and many other countries were landed in Australia. His work on the ships leaving Cork between 1791 and 1795 have been incorporated into the thesis. Bateson's interest in the voyages have provided an invaluable clue in obtaining an understanding of what lay ahead of the hundreds of prisoners from Dublin sentenced to transportation, and why they resisted their sentences.

In a more recent book on the transportation of women to New South Wales, Portia Robinson devoted two chapters to a discussion of Irish women transported to Australia. Robinson found that "at least half of the transported women of Botany Bay had been born in Ireland", of whom a significant number were from Dublin. On the Queen, the first convict ship that sailed from Cork to Australia, 18 women out of a total of 26 women were from Dublin. Robinson has provided lists of all the names of women transported to Australia, an instrumental function of historical research. Her examination of the "criminal backgrounds" of women in Ireland seems to lack substance, tending to emphasise the

72 Shaw, A.G.L., Convicts & the colonies: A study of penal transportation from Great Britain & Ireland to Australia & other parts of the British Empire (Melbourne, 1977), passim.
73 Rudé, George, Protest and punishment: The story of the social and political protesters transported to Australia, 1788-1868 (Oxford, 1978), p. 3.
77 ibid., Appendix B-1, pp. 312-313.
reformatory aspects of transportation as a form of punishment. A debate that has refocussed attention on the criminal backgrounds of convicts is reflected in a number of studies by transportation historians. Lewis maintained that most convicts were criminals, while Nicholas said they were artisans and working people. Their arguments over the social status of convicts date back to Shaw's quantitative study of convicts transported to Australia published in 1966. The significance of this debate has been obscured by a plethora of pseudo-academic popular histories and biographies of convicts.

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When discussing crime, historians in Ireland have tended to focus their research on rural crime or marginal types of crime, such as the crimes committed by pirates in the late eighteenth and early nineteenth centuries; in other words, non-urban crime. In addition to neglecting urban studies, which in part is a legacy of Chevalier's work, historians in Ireland have neglected studying court records. In explanation, they have pointed to a perceived absence of court records in the wake of the notorious fire in 1922.

"High-resolution" pictures of crime history are not available in Ireland but, curiously, the sources and the methodology for obtaining low-resolution pictures have been "under-exploited". As mentioned, Starr and Boyle confined their research to an examination of the machinery of justice, but of course one must recall that their work preceded the historiographic influences of Hay. Likewise, Palmer's work on the Dublin police of 1786 has not been directly informed by the crime debate, even though his book was published as recently as 1988. In an earlier work, Palmer dismissed any analysis of crime by claiming that "the reasons for the proposed police reform lay in neither riots nor crime, but politics: namely, the growing strength of Irish nationalism".

In one of the only papers about Albion's Fatal Tree written by an Irish historian, the author gave only limited substance to his criticisms of some of Hay's arguments. Sean Connolly asserted that Hay had merely "focused renewed attention" on what historians have known all along about the eighteenth century. Furthermore, Connolly argued that

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84 Connolly, "Albion's fatal twigs", passim.

85 ibid., p. 117.
"coercion and legal terror had only a subordinate role in the maintenance of order", excepting the excesses of the 1790s. However he was not able to produce much in the way of substance or fact to substantiate this claim. His arguments were based on two court records, one in 1729 and the other in 1789-90. Although such a limited study was appropriate for the nature of his work, a published conference paper, Connolly may have exaggerated when he said that his sources represented a "survey of the operation of the criminal law in eighteenth-century Ireland".86

A less specific but wider range of urban historiography has developed in Ireland which has reopened a discussion of crime in Dublin. Sean Murphy has argued that "conflict in the [Dublin] city council and violence in the streets were very often related" in the latter part of the eighteenth century.87 Having elaborated on the largely political nature of urban crime, Murphy then appeared to contradict himself by stating that the Dublin police of 1786 was established "to deal once and for all with the problem of lawlessness".88 If this were the case, the obvious task facing Murphy would have been to discover who the offenders were, what sort of crimes they were committing, and whether or not the police were successful in dealing with them. In short, the question of the 1786 police has always been left in somewhat abstract terms.

Linebaugh has concluded that there obtains in Ireland "a paucity of research into Dublin plebeian culture".89 While he has not been informed by the more recent advances in our understanding of Dublin's rich history, one can sympathise with his caustic reactions.90 Linebaugh's methodology is suited to Irish historians, because he has demonstrated "that the literature describing the hangings was a credible source of historical information, for it had either been ignored or dismissed as ephemeral".91

In a study of the Old Bailey Sessions Papers, Linebaugh has discovered that the Tyburn hangings had turned into "the centre of urban class contention". From this under-exploited source, he made advances in our understanding of the identity of the hanged. One of Linebaugh's most relevant finding was that of the 1,242 people hanged at Tyburn in the 70 years between 1703 and 1772, at least 171 of them were Irish-born.92 In addition, of the 171 Irish hanged, about 60 percent came from Dublin.93 He has concluded that "their

86 ibid., p. 120.
88 ibid., p. 91.
92 ibid., p. 92.
93 ibid., p. 94.
migration to London was less an aspect of the town/country relation than it was the
town/town relations".94

According to Linebaugh, his sources "lay scattered and uncatalogued in libraries
throughout the English-speaking world". Comparable Irish sources have suffered from
similar neglect, as only one set of one newspaper appropriate to this research survives in
full during the entire 16-year period under examination, namely the Hibernian Journal. It
was one of the several opposition newspapers published in Dublin, but the others such as
the Morning Post and the Dublin Evening Post have not survived in full over this period.
Moreover, as Peter King has pointed out in his article on the Colchester crime wave of
1765, surprisingly few historians have employed newspapers as a source for studying
crime, although they are well-suited for this purpose.95

A wealth of material awaits crime historians willing to sift through newspapers, not
only for those like King who studied a particular crime wave, but also for those interested
in much longer surveys of crime history. In two recent studies covering large chunks of
time, John Styles and Jonathan Prude carried out quantitative surveys of crime
advertisements. Prude examined the nature of runaway advertisements, which "provide
brief but arresting portraits of people drawn mainly from the anonymous "lower sort".96
Styles took a macro-approach to his survey of crime advertisements, distinguishing
between three different types, those offering rewards, those seeking more information, and
proclamations.97

It is even more surprising that newspapers are not employed for the study of crime
in Ireland given the lack of official court records, but more importantly given the high
quality obtained in newspapers published in Dublin. David Dickson has pointed to the
strength of the printing and publishing industry in Dublin, calling it "most striking
dimension of the city's cultural dominance". He estimated that about 170 newspapers had
been established in Dublin in the eighteenth century, whose readership "before 1750 was
almost exclusively confined to Dublin".98 Many historians of Ireland have dipped into
newspapers, but their purpose has usually been to find particular stories to back up one of
their pre-conceived arguments, a somewhat non-scientific approach. The approach taken in

94 ibid., p. 95: table 5, "Occupations of the [171] Irish hanged at Tyburn, 1703-1772", apparently
represents the occupations of not only the 171 Irish hanged but also the occupations of an additional 42
people who were hanged from "elsewhere".
95 King, Peter, "Newspaper reporting, prosecution practice and perceptions of urban crime: The Colchester
96 Jonathan Prude, "To look upon the 'lower sort': Runaway ads and the appearance of unfree laborers in
97 Styles, John, "Print and policing: Crime advertisements in eighteenth-century provincial England", in
pp.55-111.
98 Dickson, David, "The place of Dublin in the eighteenth-century Irish economy", in T. Devine and David
this thesis has ensured that newspapers are treated with the same forensic respect as other sources.

Some historians have over-employed newspapers in dealing with aspects of crime, neglecting official sources where they might have served their purpose better. This is particularly the case among historians of British labour who have purported to carry out studies of illegal combinations in both England and Ireland. John Orth said with respect to this subject, that "an astounding number of reputable historians, when they refer to law at all, seem to prefer newspaper accounts to legal sources, although the latter are readily available in every law library, even in America".99 Orth only gave passing mention to the Irish Combination Act of 1780 in his work, without quoting it specifically.100 Its significance was therefore lost on him in the book. Although he was careful to point out how the Irish statutes were patterned on the English ones, he never once contemplated the reverse.

Labour historian C.R. Dobson, may not have done justice to his discussion of the history of combination acts in Ireland.101 Dobson's chief fault lay in not consulting Irish parliamentary records and Irish newspapers. When he did quote from a newspaper, it was not an Irish one, but an English one, preferring the received wisdom of London newspapers such as Lloyd's Evening Post. At such a distance, this led him into the trap of under-estimating the frequency of combinations in Ireland. Dobson's appendix of labour shows only seven labour disputes in Dublin between 1778 and 1800.102 In contrast, the Hibernian Journal alone reported 108 illegal combinations and 62 prosecutions for combination between 1780 and 1795. In sum, the study of crime history demands an intimate knowledge of the sources, their applicability and their limitations.

100 ibid., pp. 77-78.
102 ibid., pp. 154-170.
Chapter 2

Methodology

The principal aim of the thesis was to reconstruct crime rates in Dublin and to discover the sentencing patterns of the three Dublin courts in last quarter of the eighteenth century. Official court records, such as they were, perished almost completely in 1922. Therefore in order to carry out this task, the thesis needed to have a source which most closely approximated court records. After a number of substitutes were rejected, the alternative offering the most promise turned out to be a legal-minded newspaper called the Hibernian Journal. The newspaper published three separate numbers a week during the 16-year period between 1780 and 1795. Almost every number of the newspaper has survived, which is one of the most important considerations here. A few opposition and Castle newspapers were also examined, such as the Dublin Evening Post, the Morning Post, and the Freeman's Journal, which one contemporary described as "being all things to all Viceroy's". However the Morning Post has not survived well at all, and the other newspapers have suffered from a serious problem in the amount of missing numbers that appear in the library holdings. In addition, the other newspapers did not seem to cover crime and the courts in Dublin with the same degree of interest as the Hibernian Journal.

The 16-year period was chosen for important methodological and intellectual reasons. It was a period of great historical importance, with events such as the American War of Independence, the French Revolution, and the French wars taking place within its time boundaries. In 1780, the Irish parliament passed the Combination Act, which created a new category of criminal offences affecting all journeymen organisations. At the same time, the liberation of hundreds of prisoners at London’s Newgate prison during the Gordon riots in June 1780, had an indirect influence on law and order in Dublin. It was

1 H.J., 07.12.89.
2 Statutes (Ire.) 19 & 20 Geo. III. c. 19 (1780).
believed that some criminals who had escaped from London's Newgate prison had made their way to Dublin, whose gaol had been into a state of disrepair for about a decade.

In 1773, the city had embarked on an ambitious plan to build a new prison in Green Street at a cost of £16,000. Work on the new prison had apparently proceeded at a snail's pace, that is, until the Gordon riots, after which workers completed the prison within three months. Amid fears of a possible prison break of the kind seen in London, the prisoners at the city's old Newgate at the end of Thomas Street were hurriedly transferred to the "new" Newgate in Green Street in September 1780. Apart from completing the prison in record time, pressure was brought to bear on the Lord Mayor of Dublin "to summon a general meeting of ... parish officers" to tackle the problem of rising crime in the city streets a month after Newgate opened. Thus, 1780 represented a good starting point for an examination of crime, law enforcement and punishment in Dublin.

As an end point, 1795 was selected for two reasons. In 1795, parliament repealed the Police Act of 1786 which established a centralised police force in Dublin. This made for a logical end point, as this police force (called the new police) had a sharp impact on crime in Dublin for nine years. In addition, the mid-1790s saw an increase in political tensions, which eventually culminated in the rebellion of 1798. Attention increasingly turned on matters of state security, rumour and intrigue in these uncertain times. Overall, the 16-year period has a good symmetry: in the beginning were years of war, in the middle a long period of peace, and in the end a return to war.

An analysis of the *Hibernian Journal* has produced more than five thousand crime reports, more than two thousand court reports, dozens of lengthy court transcripts, police reports and follow-up investigations. This collection of reports has become the sample upon which the thesis stands. The thesis also examined a wide range of published contemporary material, partially to control for the principal source, and partially to provide more information. Every issue of *Walker's Hibernian Magazine*, a monthly journal over the same 16-year period, was searched. This magazine contained a small section on Dublin at the end of each issue, often listing various crimes and occasionally carrying a list of court reports. Also examined were the contents of two newspapers in different sub-periods. Other sources included two court transcripts published in pamphlet form, called *Trials at Large*, several pamphlets or accounts of famous trials, a collection of prisoners' petitions, relevant civil correspondence between Whitehall and Dublin castle, relevant published Irish parliamentary papers and debates, Irish statutes, and a private collection of the papers of Lord Rutland's Chief Secretary, Thomas Orde. In addition, an account book was consulted.

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4 H.J., 27.09.80.
5 H.J., 11.10.80.
6 Statutes (Ire.) 26 Geo. III. c. 24 (1786).
of the proceedings of a crime prevention association that was founded in Blackrock in 1782.

Before the *Hibernian Journal* was selected, several sources had to be rejected in the search for a good surrogate for court records. One such was the first Kilmainham gaol register: dating from c. 1797 to 1814, this 'register' contained four separate series of returns or registers. Awkward and often confusing, the four registers overlap in time, and the names of the same prisoners are found in as many as three of the registers. The first of the registers contain only political prisoners, while the second, third and fourth contain criminals as well. This indicates the bias of this source, as it covered a period rich in political history. The fourth register contained excellent detail about ordinary prisoners, such as height and age, and spanned the longest period, from 1803 to 1814; it sheds light on the most frequent type of crime committed in that period.

If any of these registers had been employed as the central data set for the thesis, it would have been the fourth one, but the evidently poor and confusing book-keeping was a strong argument against employing it. For example, in 1806, 91 gaps in the returns were discovered, in 1809, 21 gaps were evident, and in 1812, 701 were found, the worst example of apparently poor book-keeping. In the last example, the gaol-keeper jumped over 701 numbers between one name and the next and for no apparent reason. This inflated the population at Kilmainham gaol from 391 prisoners to 1,092 prisoners in 1812, a fabricated increase of 179 percent. This register also suffered from two missing pages in 1803. Worse, the registers contained only a limited amount of information, reducing its value substantially. In light of these problems, it was decided not to proceed any further with this source.

"Prisoners' petitions and Cases" was another source rejected as a surrogate for court records, although not without much hesitation. By comparison with the first Kilmainham prison register, the prisoners' petitions were relatively satisfying. Collected in 18 cartons, the source contains about 4,000 prisoners' petitions written over a period of about 45 years between 1780 and 1825. This is an invaluable source that is still waiting to be employed in a manner deserving of its richness. A typical petition is a handwritten statement on one or two sides of paper drawn up by a lawyer on behalf of a prisoner, containing information found on most bills of indictment such as the name of the petitioner, crime for which the petitioner had been convicted, the date of trial, the court in question, and the sentence passed.

A typical petition also contains a wealth of incidental information not found on bills of indictment. These included mitigating circumstances such as would justify possible reconsideration of the sentence passed on petitioners, information which was not available at the time of trial, detail about family members dependent upon petitioners, and the signatures of people supporting the petition. Some petitions are much longer and far more
detailed than others, and in a few cases, several petitions were submitted by the same person. The longer ones often contain eye-witness accounts of events leading up to specific crimes.

Thomas McNamee, for example, wrote a long petition about a riot at Finglas bridge which left two people dead in December 1787. Although sketchy reports of the riot appeared in newspapers, the petition remains the only detailed description of the episode and its aftermath. Most petitions contain brief but arresting portraits of people, such as the petition of John Philips, an Englishman who was hanged before his plea for mercy ever reached the Lord Lieutenant's desk. However, of the thousands of extant petitions, only about 60 were relevant to a study of Dublin between 1780 and 1795. Many of these have been correlated with reports in the *Hibernian Journal*. By way of example, the names of 30 women and two men were contained in a single petition in August 1782. Beside each name was a list of relevant information, including their crimes, a detailed description of their stolen goods (which was usually clothing), the name of the court at which they were convicted, and their sentence.

Margaret Savage was one of those mentioned in the 1782 petition, the only time her name appeared in this source. After her name, the petition reported that she stole 18 yards of black calico worth about £2, the property of Elizabeth Conway. In September 1781, the Dublin quarter sessions had sentenced her to prison for three years. When the Lord Lieutenant pardoned her on 21 August 1782, the clerks of the peace signed a document stating that Savage and the 32 others had "showed signs of reformation and contrition". As her name did not appear on any more petitions, one could draw the erroneous conclusion that she had mended her ways. The exact opposite is the case. Savage continued to be involved in crimes of property theft until she was convicted for an armed robbery at the Dublin quarter sessions and sentenced to hang at the front of Newgate prison on Saturday 17 November 1787.

On the same Saturday, the body of the Duke of Rutland was led in state procession through the streets of Dublin. As the cortege solemnly made its way to the North Wall, thousands of people hurried along the route to catch a glimpse of the many dignitaries in the train of the procession. Ironically, Rutland's funeral had been scheduled for the preceding day, but bad weather pushed it forward to a hanging day. This prompted the *Hibernian Journal* to report that Savage's "wretched situation seemed to have less effect upon her than

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7 Thomas McNamee to Lord Lieutenant, Oct-Nov 1788: National Archives, Dublin, Prisoners' petitions and cases, MS 22.
8 H.J., 02.01.88.
9 John Philips to Lord Lieutenant, January 1792: National Archives, Dublin, Prisoners’ Petitions and cases, MS 17.
10 Thirty female convicts, including Margaret Savage, and two male convicts to Lord Lieutenant, 27 August 1782: National Archives, Dublin, Prisoners' petitions and cases, MS 10.
11 Mary Purcell -v- Margaret Savage, Dublin Quarter Sessions (hereafter D.Q.S.), in H.J., 31.10.87.
the neglect of the populace, in not gracing her exit with their appearance on so deplorable an occasion".12

As this example indicates, the petitions do not provide enough information to study Dublin crime in the late eighteenth century, but this by no means rules the source out for another project with a different aim. And while the prisoners' petitions and cases have to be ruled out for purposes of constructing a sample, they have been employed here as an ancillary source, and more loosely as a test of reliability for the Hibernian Journal.

Some unofficial transcripts of eighteenth-century Dublin court sessions have survived 1922.13 In 1792, Vincent Dowling, a city printer, began to publish a series of Dublin court transcripts with the title Trials at Large. Dowling published 119 trials in two large pamphlets with the view to launching a profitable series of such publications covering the sittings of the city commission of oyer and terminer and the Dublin quarter sessions. It was an ingenious initiative, but never fulfilled its promise. If Dowling had produced the series over a period of some years, this would have constituted the principal source for this study. Dowling however encountered serious difficulties in producing even the first set of transcripts. Trials at Large may have left Dowling open to lawsuits due to the sensitive nature of the publication and the "liability to error and inaccuracy, under which he may have acted in a first attempt of this kind".14

Dowling apologised for a delay in publication "on account of the extraordinary number of criminals brought to trial" at the commission of oyer and terminer. The Hibernian Journal said the particular commission of oyer and terminer covered by Dowling "continued longer than any ... that has been remembered for these several years past"; the commission lasted 15 days.15 Dowling also experienced unexplained problems in the "printing department". These difficulties combined to ensure the failure of the project—thereby denying crime historians a chance to have a fairly unbiased source of information similar to bills of indictments. Nevertheless, the Trials at Large, such as they are help to point up the deficiencies of the Hibernian Journal as an exclusive source.

At the beginning, Dowling had been somewhat over optimistic as to the success of his venture. In the introduction to Trials at Large, he indicated his concern about the lack of reliable information on matters that went to very heart of civil society. Dowling said that published court transcripts "might render essential service to society and aid to the criminal laws". In particular, he cited six types of people who would benefit from such a publication: the "speculative man", the "good citizen", the "gentlemen of the legal profession", the "juror", the "falsely accused", and lastly the "criminal". In his remarks

12 H.J., 21.11.87.
14 ibid., part 1, p. 1.
15 H.J., 13.08.92.
about the benefits of such a publication, Dowling suggested that the legal profession in Ireland did not as yet have a sufficient body of court records upon which to draw for study and comparison. He said that Trials at Large would form "a copious common place-book of crown-law practice, in which, not only the material evidence on both sides will be faithfully stated, but all law arguments, or ingenious points that occur on such trials, correctly preserved". With a clear idea of the marketing potential of Trials at Large, Dowling expected that "his endeavour would reasonably reward his attention and trouble".

Why then did the publication not succeed and what lessons can be drawn from its failure? To answer this question it was worth comparing Trials at Large with the Hibernian Journal: a number of important differences would suggest that the failure of Trials at Large to succeed was owing principally to the intolerance of society in accepting such a frank exposure of criminal behaviour in their own midst, particularly over the issue of domestic violence against women. Trials at Large published the transcripts of three court sittings, the commission of oyer and terminer in July, and the Dublin quarter sessions for both August and October 1792. Meanwhile, the Hibernian Journal continued to report on court sittings not only for these two courts but also for the Kilmainham quarter sessions, albeit in a truncated way, usually limiting its reports to a one-line summary of trial indictments, giving the names of those mentioned in the indictment, their crimes, and the sentence passed. Even with this limited information, a comparison is possible.

With respect to the commission of oyer and terminer in July 1792, Trials at Large published the transcripts of 36 trials, while the Hibernian Journal for the same session reported seven additional trials; the Hibernian Journal however failed to report nine trials contained in Trials at Large. With respect to the Dublin quarter sessions in August 1792, Trials at Large published the transcripts of 52 trials, but the Hibernian Journal for the same session reported one additional trial; the Hibernian Journal also failed to report 26 trials contained in Trials at Large. With respect to the Dublin quarter sessions in October 1792, Trials at Large published the transcripts of 31 trials, the Hibernian Journal for the same session reported six additional trials; the Hibernian Journal however failed to report 17 trials contained in Trials at Large. In total, Trials at Large failed to publish the transcripts of 14 trials which were reported on in the Hibernian Journal; the Hibernian Journal failed to publish reports of 52 trials whose transcripts were contained in Trials at Large.

An analysis of the missing trials in both publications suggests that Dowling discovered only too late that his publication had offended the sensibilities of his readership. On the other hand, the editors of the Hibernian Journal seem to have been more sensitive to their readership than Dowling was. This is strongly suggested by the prosecution of Mary Amyott against her husband Francis, a trial which the editors of Hibernian Journal did not report, but which Dowling did (the Hibernian Journal reported trials both before and after the Amyott case). This was a curious omission on the part of the newspaper, because of all
of the trials heard at the Dublin quarter sessions in August 1792, the Amyott trial was the most intrinsically important for several reasons. A basic summary of the trial is necessary to see why the *Hibernian Journal* seems to have chosen to avoid it.

Mary Amyott prosecuted her husband Francis Amyott for assault, but far more was involved than a few cuts and bruises. The partners were polar opposites in almost every conceivable way. The trial itself was called a "very uncommon case". Mary Amyott was described as an "extremely handsome" and "beautiful young woman"; at 16 years of age, she had the power to make "any man who could see at all" fall in love. It was this youthful beauty that dominated the court, and eventually cost her the case. Mary was from a poor Dublin family of three brothers and some sisters who at least enjoyed each other's company. She came to her marriage "without a shilling fortune". Francis Amyott was as different to her as day is to night. Old enough to be her father, he was described as "a man pretty well stricken in years and well stored with experience of the world".

Second, he had travelled in social circles unknown to Mary. He was the King's Professor of the French Language in the University of Dublin, a position he had been elected to at the beginning of December 1790. Third, he did not come from Dublin. As his surname suggests, he was a French citizen from Paris. More importantly, he came from a different social strata of society. Trained as a medical doctor, Francis became a member of the Royal Irish Academy soon after his election to the Professorship at Trinity. Unlike Mary, who found happiness in the comfort of her family, Francis was a publicly demanding individual who courted the attention of a wide audience. Shortly after his election to Trinity, Francis organised an unusual "series of public lectures on the structure and study of the French language" in Dublin in mid-December 1790. In the course of his active social and professional life, Francis met Mary and married her almost at once.

On Sunday 29 April 1792, no more than a month or two after their wedding, a physical confrontation broke out in their lodgings in Fleet Street. Both received injuries, but Mary pressed charges for assault, alleging she was twice beaten about the head, face, arms and breasts, and then left out in the cold for two hours with nothing to cover her body. After hearing arguments on both sides, a jury acquitted Francis Amyott of the charges. Taken on its own, Amyott versus Amyott reveals nothing more than an old man's violent failure to recapture his youth, but if combined with other court transcripts in the same publication, it assumes a more ominous form. *Trials at Large* published the transcripts of several other similar trials, all starkly revealing a much larger failure, the comprehensive failure of the courts to protect the rights of women. While these cases of wife-beating and wife-murdering were reported separately in the *Hibernian Journal*, they

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16 Mary Amyott *v* Francis Amyott, D.Q.S., Aug. 1792, in Dowling, *Trials at large* part 2, pp. 16-43
17 *M.P.*, 06.12.90.
were taken together in *Trials at Large*, and in this combined form would have raised serious
questions about the protection of married women under the law.

It was precisely these highly embarrassing and sensitive questions which were
addressed in Amyott versus Amyott in the cut and thrust of legal arguments. On behalf of
the prosecutor, Counsellor William Caldebeck launched a two-pronged attack on the
defendant, stressing the moral obligation of society to protect wives from assaults by their
husbands. Caldebeck also accused the defendant of harbouring "savage" customs imported
from a foreign country, which did not respect the rights of women. Calling his client "a
beautiful, delicate, virtuous young wife", Caldebeck said he was "proud ... for the honour
of my country that the traverser is not an Irishman", asserting that Ireland was "celebrated
throughout Europe for their manly attachment to the rights of the fair sex". In short,
Caldebeck appealed to the judge and jury for their support in upholding the legal rights of
women, as a conviction of the defendant would send a message to France and other
European countries that cruel behaviour against women was no longer tolerated at law.

If Caldebeck expected the court to rise to the occasion, he was badly mistaken.
Counsellor William Walker, for the defendant, walked over his arguments, and in so doing
he was helped and encouraged by the judge and jury. Mary Amyott, however, was not
alone. In addition to Amyott versus Amyott, *Trials at Large* contained the transcripts of two
separate trials of husbands who had murdered their wives, and a third brief transcript of a
husband who had been previously convicted of murdering his wife, but at this commission
successfully appealed to the judge for a pardon of his conviction. It is reasonable to assume
that the legal arguments advanced against Caldebeck in Amyott versus Amyott would have
been of keen interest to those interested in upholding the rights of women in such a
threatening climate.

Counsellor Walker first tried to have the case thrown immediately out of court,
stating that women who bring their husbands to court were guilty of "perjury" and
motivated by "implacable resentment". Although allowing Mary Amyott to give evidence,
Denis George, the Recorder of Dublin, stated that "it was the general rule of law that a wife
cannot be evidence against her husband". This encouraged jurors and spectators at the trial
to treat Mary Amyott as a presumptuous mischief-maker. During the course of the trial,
they treated Mary Amyott to outright sexual innuendo, personal abuse which was tolerated
by Denis George. A juror taunted Mary about her refusal to have sexual relations with her
husband in the days before the attack. Richard Moncrieffe, a divisional justice of the police
who was a spectator at the trial, apparently laughed aloud in court at her refusal to have
sexual relations with her husband on the night of the attack. Such a public exposure of the
sexual lives of established members of society would have been cause for concern, but
more serious questions were raised about the willingness of the law establishment to
protect women's rights.
In his summing up, the Recorder Denis George discredited the prosecution by claiming that "domestic broils between man and wife are more frequently the offspring of caprice and mutual obstinacy than of any just foundation or sufficient cause ... in the present instance ... the wife had deviated from the injunctions of her husband, that she had slighted his authority, and resisted his lawful commands". Despite the weakness of the prosecution, the alliance of judge and defence counsel, and the taunts endured by Mary Amyott, the jury only returned their verdict of not guilty after 75 minutes of discussion, a sign that some members were not persuaded by the Recorder's summation of the evidence.

The omission of Amyott versus Amyott in the Hibernian Journal, the principal source for this study, suggests that we cannot adequately analyse the full extent of some areas of crime history in Dublin in the eighteenth-century, such as the domestic crimes of the middle classes, notably wife-beating. Thus the value of crime history as a discipline which "unlocks" the meaning of social history, operates within certain limitations here, owing to the lacunae in the sources available.19

Dowling appears to have run into printing problems very soon after the transcripts of the first court sitting were published. The transcript of the third and last court sitting in Trials at Large is marked by serious omissions, suggesting that Dowling experienced difficulty in getting this issue published. Trials at Large published the transcripts of all but the last six trials at the Dublin quarter sessions in October 1792. Sketchy reports of these trials were in the Hibernian Journal. One of the six missing trials would have been of some interest for readers of Trials at Large; it concerned a defendant named John Conran who had given testimony at the previous commission of oyer and terminer, which had been published in Trials at Large.20 An informer, Conran helped to send four men to the gallows. Only a month after the four men were hanged, Conran went on trial for robbery and assault, but the prosecution's case against him was dropped after the Recorder discharged Conran from court "by proclamation". This was reported in the Hibernian Journal, but it was missing from Trials at Large.21 In addition, the trial of Patrick Malone did not appear in Trials at Large, although his trial resulted in the only hanging at the Dublin quarter sessions for either the August or the October court sessions.22 In sum, Trials at Large could not form the principal source for a large-scale project because it disappeared after only three court sittings in 1792.

If Trials at Large had been launched ten years earlier, it may have survived for a much longer time. The Hibernian Journal, for example, experienced a sharp decline in the quality and quantity of its crime and court reports only a few months after Dowling brought

21 H.J., 10.10.92.
22 June Haughton -v- Patrick Malone, D.Q.S., in H.J., 10.10.92.
out his last number. In the first four months of 1793, the newspaper reported less than a dozen prosecutions for all types of crime. A number of factors may have caused this sudden swing away from crime reporting. As always, parliamentary news crowded out local news, but the effect was much more pronounced in 1793. Parliament sat from January to April in the previous year, but sat from January to August in 1793, an increase of four months. This affected the coverage of the three Dublin courts: the newspaper reported 184 court cases between January and August of 1792, compared with 64 cases in the same months in 1793, a decrease of 65 per cent. Furthermore, the number of reported prosecutions for property theft fell from 164 to 58 between 1792 and 1793 (see Table 1 below).

Meanwhile, the political climate in Dublin lurched towards a tougher and more aggressive government line, which was sometimes aimed at newspaper printers. Randal McAllister, the printer of the National Evening Star, was arrested by the police and committed to Newgate in April 1793. The evidence also indicates that Dublin Corporation seemed to tow the government's harsher line. For the first time, one of the police commissioners, William James, was elected to be Lord Mayor of the city in April. As for the courts, the number of reported hangings soared from eight men in 1792, to 17 men and two women in 1793, an increase of 11 hangings.

Despite a more repressive environment, the Hibernian Journal would still remain the best alternative as a source. Constantia Maxwell employed Walker's Hibernian Magazine in her work on Dublin, but even this monthly journal did not suit the purposes and aims of this work. By comparison, the Hibernian Journal reported on 2,456 trials in the 16 years between 1780 and 1795, whereas Walker's Hibernian Magazine only reported on 269 trials in the same period (a mere 28 were not reported in the Hibernian Journal). It must be said that Walker's Hibernian Magazine provided an indispensable source of supplementary information concerning many cases which the Hibernian Journal only briefly touched upon. Walker's Hibernian Magazine usually reported on Dublin in the last 1-3 pages in their monthly issue, but this section often contained little if any information specific to crime. In short, Walker's Hibernian Magazine did not provide enough information to obtain a proper sample.

With the elimination of prison registers, prisoners' petitions, unofficial court transcripts and monthly journals, we still lacked a principal source. An alternative had still to be tried: to conduct a search among the surviving newspapers of the day. Only the Hibernian Journal satisfied the demands of a project whose principal aims were to reconstruct crime and conviction rates on the same quantitative lines as other crime historians have done employing bills of indictments.

24 H.J., 15.04.93.
About 2,500 numbers of the *Hibernian Journal* in the 16 years between the years 1780-1795 were consulted. Every crime report, court case and crime advertisement in each number was counted. In all, descriptions of 5,178 reported crimes, 2,459 reported trials and 626 reported crime advertisements were obtained. This core sample was then transferred to an Apple Macintosh SE® computer in System B 1-6.0.4 on Microsoft Word 4.0®. Each report was typed along a line as long as 47 cm., of which the first 6 cm. contained a numbered code to designate some 14 different variables; the remainder of the line was worded to allow for names and brief descriptions. In computerised form, the numbered codes at the front of every line have proven invaluable for the purpose of conducting quick and efficient disaggregation procedures without having to resort to large main-frame computers. The format also of course has the advantage of string-searching as the most efficient means of cross-reference.

The material that is presented in the text of the thesis and in the tables is based on two core sets of data files, the reports of crime from both the city of Dublin and Co. Dublin, and the reports of trials from the commission of oyer and terminer, the Dublin quarter sessions, and the Kilmainham quarter sessions. In addition, the enumerated findings presented here have been solely collected from the one control source, the *Hibernian Journal*. Crime reports and court reports extracted from other sources, such as the prisoners' petitions and cases, *Trials at Large*, *Walker's Hibernian Magazine*, the *Dublin Evening Post*, the *Freeman's Journal*, and the *Morning Post*, have not been added to the core data sets. This measure was taken to prevent duplication. The hanged count is the only quantitative finding to which information from these other sources has been added. At the same time, every source has provided valuable non-quantitative material, and no qualitative information has been discarded.

The computation of the number of people who were hanged is the exception to the general rule. To arrive at an exact hanged count for the 16-year period, information derived from the prisoners' petitions and cases, *Walker's Hibernian Magazine*, and the *Dublin Evening Post* were incorporated into the hanged count. Only one hanging was reported in the prisoners' petitions and cases: in July 1784, George Cruise and Michael Hughes, who had been charged with murdering a watchman, pleaded for mercy on the grounds that Philip Duffy, who had just been hanged, had exonerated them.25 The *Hibernian Journal* reported some details of the murder, but in its account of the trial of Cruise and Hughes at the commission of oyer and terminer the newspaper did not report that Duffy had either been tried for the crime or had been hanged.26 Despite its omission from the *Hibernian Journal*, Duffy's name has been added to the hanged count, in addition to the names of the

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25 George Cruise and Michael Hughes to Lord Lieutenant, 23 July 1784: National Archives, Dublin, Prisioners' petitions and cases, MS 12.
26 Rex -v- George Cruise and Michael Hughes, Comm., in *H.J.*, 14.07.84.
Cruise and Hughes whose hangings were reported.  

Walker's Hibernian Magazine and the Dublin Evening Post often gave confirmation as to whether death sentences reported in the Hibernian Journal had been carried out. It is not clear as to why the Hibernian Journal did not follow up on their own reports of capital sentences. A thorough examination of Walker's Hibernian Magazine also turned up a few cases of people who had been sentenced to death which the Hibernian Journal had failed to report at all.

The hanged count also contains an added complexity as 46 hangings which should have taken place, were not reported as having done so; this is above and beyond the "reported" hangings of 197 felons. In other words, 46 death sentences were not accompanied by follow-up reports as to whether or not the sentences had actually been carried out. Furthermore, there is no reason to believe that any of the named 46 felons were not hanged. All 46 convicted felons had been sentenced to death on definite hanging dates, and no mitigating circumstances were reported at their trials, most of which took place at the Kilmainham quarter sessions. The central problem, of course, was the lack of consistent court reporting, particularly with respect to the Kilmainham quarter sessions. There were seven "unreported" hangings at the Dublin quarter sessions, 11 at the commission of oyer and terminer, and 26 at the Kilmainham quarter sessions.

In 1785 and 1786, for example, no follow-up reports appeared for the 15 males and three females who had been sentenced to death by the Kilmainham quarter sessions. A few of these felons might have been reprieved or put on transport vessels, but the possibility remains that many, if not all of them, were executed on Gallows Hill. While the exact number of people who were hanged by the three courts in this period will never be known for sure, the number would appear to fall between a lower boundary of 197 hangings and an upper boundary of 243 hangings. In addition, the hanged count only includes felons who had committed offences in Dublin and who had been sentenced to death by the Dublin courts: the King's Bench, the commission of oyer and terminer, and both the Dublin and Kilmainham quarter sessions. In 18 of the 197 reported hangings, it is not clear as to which of the four courts had convicted the felons who were reported to have been hanged, but the evidence seems to indicate that the Kilmainham quarter sessions had convicted most of them.

To ensure that the process of data collection proceeded smoothly, it was necessary to establish strict coding rules. In a given week, the same crime report or court case often appeared two or three times in the Hibernian Journal, with slight updating of information. To avoid needless complexity, the date of the Hibernian Journal in which a crime or court case was first reported became the target reference date, for the purposes of establishing a footnote. This is an important point to note, because a reference may serve as the starting date at which the crime or court case was first reported in the Hibernian Journal.

27 Hangings of George Cruise and Michael Hughes, in H.J., 28.07.84.
By way of example, the robbery of Stephen Gordon first appeared in the *Hibernian Journal* on 3 September 1781, although a follow-up report appeared on 5 September 1781. A report of the trial of Florence McCarthy for the robbery of Gordon appeared in the *Hibernian Journal* on 24 October 1781. To avoid duplication and to allow for easy statistical analysis, the reference date for the robbery of Stephen Gordon was coded as *H.J.*, 03.09.81., and the reference date for the trial of Florence McCarthy as *H.J.*, 24.10.81. Subsequent information on both the Gordon robbery and the McCarthy trial was added along an existing "line of information", but the starting date did not change in the core files; this was done to prevent confusion, duplication, and time wasting. Therefore, regardless of how complex a crime or court case might later turn out to be, each one has been given a single reference date. Quotes that appear in the thesis, however, are usually footnoted for the particular number of the newspaper from which they have been drawn, regardless of the starting date of the particular court or of the crime report to which they refer. In a few cases, indirect references to crimes and trials are made in previous issues to the starting date given in the data files.

Once sensible guide-lines were established, the next step was to ensure that as much information as possible was gleaned from the *Hibernian Journal*. Reports of crime, written by correspondents or paragraph writers, were usually buried in two places, under a section called "Dublin" on the third page, and under a section called "Postscript Dublin" on the fourth and last page. Crime reports were based on contemporary standards of objectivity. In June 1791, the *Hibernian Journal* reported the death of the son of a brewer as an accident: "a bundle or parcel happening by some means to slip, fell and came in contact with the trigger of a loaded gun that stood in a corner which immediately going off, shot the young man through the body". Although it seems improbable that this chain of events occurred, the report must be accepted as it stands. In most cases, crime reports consisted of 2-4 words describing the offenders, such as "five armed footpads", "two women genteely dressed", a "numerous gang of accomplices", or "notorious offenders", all of which descriptions were designed to present a frightening picture. Peter King has argued that this prevented the reader from locating the offenders within a "broader social context". Vital details such as age and occupation were rarely reported.

The crime and court indices are better understood as interlocking pieces of a jigsaw puzzle. Taken apart and disembodied, the pieces are stripped of the meaning they once possessed in relation to society. A burglary from a poor tradesman's cabin and a burglary from a merchant's villa represent one and the same offence in the indices. Both would have

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28 In the microfilm copy of the *Hibernian Journal*, 1787-1790, the pages of some numbers are inter-leaved with the pages of the following numbers; the fourth page of one number often appeared as if it were the second page of the following number. To avoid confusion, the reference dates were taken from the previous title pages, regardless of the numbers.
29 *H.J.*, 25.06.91.
30 King, "Newspaper reporting", p. 435.
been counted as burglaries, as opposed to theft from the rich or theft from the poor. To create artificial categories within pre-existing categories, the historian runs the risk of bending over backwards and falling. Categories have been created that conform to known and existing ones, a process which is necessary in order to make sense of the mass of material and to draw comparisons with the work of other crime historians. Categories only offer suggestions for historians searching to unlock the meaning of society in the eighteenth century. Categories demand interpretation and analysis of the quantitative evidence, which may reveal trends that contemporaries did not see. In the process of devising a sample, the crime and the court indices have been treated as separate entities--except in cases where links can be found. In general, it is not possible to link crime reports with court cases, therefore ruling out comparisons between the two indices.

Among the newspapers published in Dublin in the late eighteenth century, only the *Hibernian Journal* was appropriate for the project. None of the other newspapers has survived in full. To make sure that the *Hibernian Journal* was a tolerably reliable source of information (bearing in mind the contemporary standards of objectivity) a series of controlled experiments were designed, comparing reporting in the *Hibernian Journal* with that in the *Morning Post* and the *Dublin Evening Post*. Since neither of the control newspapers have survived in full over the 16 year-period between 1780 and 1795, the controlled experiments fell within certain fixed periods of time determined by their survival.

The *Dublin Evening Post* has for example survived during the last quarter of 1785, and during the last quarter of 1790. As with the collection of data for the *Hibernian Journal*, every court case and crime report was noted. The results in this comparison showed that the *Hibernian Journal* covered the courts far more completely than the *Dublin Evening Post*. During the last quarter of 1785, the *Post* reported 22 court cases, all of which were found among the 72 cases reported in the *Hibernian Journal*. During the last quarter of 1790, the *Dublin Evening Post* reported on 14 court cases, 10 of which were found among the 90 trials reported in the *Hibernian Journal*. In the same two periods, the *Hibernian Journal* covered 162 trials, while the *Dublin Evening Post* covered only 36 trials, a difference of 126 trials in favour of the *Hibernian Journal*.

A similar test was conducted with respect to the crime reports, a test which again demonstrated the superiority of the *Hibernian Journal* over the *Dublin Evening Post*. During the last quarter of 1785, the *Post* reported 25 crimes, of which 19 were reported among the 173 crimes in the *Hibernian Journal*. During the last quarter of 1790, the *Post* reported 15 crimes, of which 8 were reported among the 102 crimes in the *Hibernian Journal*. In total, the *Hibernian Journal* carried reports on 275 crimes, while the *Dublin Evening Post* only covered 40 crimes, a difference of 235 more crimes in the former.

The *Dublin Evening Post* thus did not fare very well in the experiment; the *Morning Post* however proved to be a newspaper more interested in crime and the courts. Every
issue of the *Morning Post* during the second quarter of 1785, and the last quarter of 1790 was examined. Indeed, this showed that the *Morning Post* covered the courts slightly better than the *Hibernian Journal* in December 1790, when the *Hibernian Journal* did not send their court reporter to the Dublin quarter sessions, a sessions whose 10 trials were reported in the *Morning Post*. On balance, however, the *Hibernian Journal* covered the ground better than the *Morning Post*. Of the two trials reported in the *Morning Post* in the second quarter of 1785, both were found among the eight reported in the *Hibernian Journal*. Of the 82 trials reported in the *Morning Post* in the last quarter of 1790, 68 were found among the 90 trials reported in the *Hibernian Journal*. In total, the *Hibernian Journal* covered 98 trials, while the *Morning Post* covered 70 trials, a difference of 28 trials in the *Hibernian Journal*’s favour.

Likewise a test was conducted comparing the *Hibernian Journal* with the *Morning Post* in their coverage of crime. In the second quarter of 1785, of the 34 crimes reported in the *Morning Post*, 19 were found among the 86 crimes reported in the *Hibernian Journal*. In the last quarter of 1790, of the 82 crimes reported in the *Morning Post*, 39 were found among the 102 crimes reported in the *Hibernian Journal*. In total, the *Hibernian Journal* covered 188 crimes, while the *Morning Post* covered 116 crimes, a difference of 72 more crimes in the *Hibernian Journal*. To sum up, the *Hibernian Journal* proved to be the publication most concerned with extending both its legal coverage over all three Dublin courts and its crime coverage over Dublin city and county. Nevertheless, these exercises reveal that even the *Journal* missed out or purposely omitted a minority of crimes and trials. Yet the most compelling of all reliability tests of the *Journal* is one which tests for internal consistency throughout; this is demonstrated by the results presented below.

Undoubtedly newspapers must always be a poor substitute for official court records. Many obstacles worked against newspaper coverage of crime and the courts, including the tendency on occasion of all newspapers to crowd out local news in favour of parliamentary news. This occurred particularly when parliament was sitting. In addition, the coverage of crime and the courts was lop-sided—the castle papers showed little interest in such issues. It thus fell to the opposition newspapers such as the *Hibernian Journal* to perform this public service. Opposition newspapers, however, operated in a precarious environment, often made worse by the extreme lengths some of them went in their opposition to government policy.

On Monday 5 April 1784, the *Volunteer Journal* published a number with a notoriously provocative front page, depicting a likeness of the Chancellor of the Exchequer, John Foster, hanging from the gallows and a veiled threat to tar and feather certain members of parliament, including Foster.31 On that same day, a crowd of people

31 Orde to Nepean, 7 Apr. 1784: P.R.O. H.O. 100/12/272, containing The Volunteer Journal; Or, Irish Herald, 5 Apr. 1784, no. 76.
invaded the parliament house in College Green, threatening Foster and other members of parliament who had recently voted against imposing duties on foreign goods. In the wake of the riot, Dublin Castle uncovered what it claimed was a plot to assassinate Foster and the same MPs who had been mentioned in the Volunteer Journal. This provided Dublin Castle, or rather John Foster, with the necessary ammunition to push a bill through parliament to make it easier for prosecutors to collect damages awarded by juries against printers who were found to have published libels. In addition, opposition papers suffered from lack of advertising revenue, due to the high stamp duties. In March 1785, parliament increased the advertisement tax, which Brian Inglis has said "was clearly discriminatory against the opposition papers, because proclamations and government advertisements, upon which the castle papers relied, were exempted". It is impossible to estimate the extent of damage such measures inflicted on newspaper coverage of crime and the courts, but it is reasonable to assume that some damage was done. Operating within these conditions, the Hibernian Journal had limited resources to pay journalists to cover court sittings, and presumably some misgivings about reporting cases involving members of society likely to take legal action.

Newspapers occasionally corrected mistakes, especially when they affected the reputation of members of the merchant class in Dublin. On 14 August 1787, William May, a writing master, stole a gold watch from the house of Sir Frederick Flood, pledging it at the house of Thomas Armitage in Skinner's Row, the largest pawn-broker in Dublin. In October 1787, the jury at the commission of oyer and terminer convicted May, but reduced the value of the watch to below five shillings to prevent the death sentence from being imposed. The commission thus sentenced him to transportation. In July 1788, he again appeared before the commission of oyer and terminer, pleading his majesty's pardon on the condition he transported himself out of Ireland. In some editions of the Hibernian Journal, however, a mistake occurred in the latter report of the pardon. The name of Frederick May was given, instead of William May, a mistake which was corrected in a subsequent edition which appeared on the same day.

The mistake was a serious blunder: Frederick May was a watch maker at 138 Capel Street, whose reputation obviously suffered as a result of the misleading court report linking him to the watch theft. Like all merchants, Frederick May's reputation was his most

32 Rutland to Sydney, 3 Apr. 1784: P.R.O. H.O. 100/12/261-264.
33 Orde to Whitehall, 13 Apr. 1784: P.R.O. H.O. 100/12/287-289.
34 Orde to Nepean, 7 Apr. 1784: P.R.O. H.O. H.O.100/12/268-270.
36 Linebaugh, The London hanged p. 82.
37 Sir Frederick Flood -v- William May, Comm., in H.J., 29.10.87.
38 William May pleads his majesty's pardon, Comm., in H.J., 02.07.88.
39 This mistake did not appear in H.J., 07.07.88.
precious commodity, particularly at law. In October 1788, he prosecuted Michael Delany at the commission of oyer and terminer for obtaining a silver watch from him under false pretences, which led to the sentencing of Delany to transportation. If the defence had been able to call May's character into question, his prosecution of Delany would have been at risk. If this were the case, his status in the community and his prospects would have been seriously undermined, making him an easy target for every thief in town.

Newspaper coverage of crime and the courts also suffered from inaccurate reporting and plagiarism, in line with contemporary standards of objectivity. Newspapers often contained almost identical reports of crimes and court cases, suggesting that plagiarism was endemic. This became a serious problem in the case of false reports circulating among several newspapers. In June 1782, an advertisement in the *Hibernian Journal* appeared, offering a reward for information leading to the arrest and conviction of the person(s) responsible for maliciously inventing a crime report which had appeared first in the *Freeman's Journal*. According to the advertisement, the crime in question, a highway robbery on the Naas road, never happened, but the wide circulation of the false report caused inn-keepers on the Naas road to lose custom, as travellers avoided the area.

Some reports may seem identical but often contain different bits of information, and in some cases, it is only by putting different publications together that a whole picture emerges. This happened, for example, in a case involving prostitution. In October 1788, *Walker's Hibernian Magazine* reported on the trials of 21 unnamed women for prostitution, while in the same month, the *Hibernian Journal* carried the names of about 21 women whom the police had arrested for charges unknown. By linking the two reports, it became clear which women were arrested for prostitution.

It is possible to compare research derived from newspapers with research derived from the court records of England, provided the comparison is kept within the framework of suggestion. Douglas Hay carried out research into the number of prosecutions for property theft in the county of Staffordshire from 1750 to 1800 by analysing the court records of the county. Hay made a graph of the number of prosecutions for theft, which has been roughly converted into a table here. As seen in Table 1, this has then been compared to the number of prosecutions for property theft derived from the reports of court trials in the *Hibernian Journal*.

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40 Frederick May, watch maker, 138 Capel Street; see Wilson's *Dublin Directory*, 1791.
42 *H.J.*, 10.06.82.
The standard deviation for the number of trials for property theft in Dublin was 55.5 over the 16-year period, while the standard deviation for number of trials for property theft in Staffordshire was approximately 26.3 for the same period. This indicates that evidence obtained from official court records deviates from the mean far less widely than evidence obtained from newspapers. In other words, newspapers are less consistent and more unpredictable in their coverage of the courts. However a simple line graph of the two trend lines shows a remarkable similarity. It suggests that the evidence derived from the *Hibernian Journal* is not far out of line with evidence derived from court records in the same period, thus bolstering the reliability of the source.

### Table 1

**Prosecutions for property theft: Staffordshire/Dublin.**

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<th>Col. 2: Approximation of no. of theft prosecutions in Staffordshire</th>
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</tr>
<tr>
<td>1785</td>
<td>64</td>
<td>82</td>
<td>1793</td>
<td>65</td>
<td>58</td>
</tr>
<tr>
<td>1786</td>
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<td>85</td>
<td>1794</td>
<td>72</td>
<td>63</td>
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<td>100</td>
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<td>1795</td>
<td>55</td>
<td>84</td>
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<tr>
<td>Sum</td>
<td>464</td>
<td>353</td>
<td>Total</td>
<td>1,116</td>
<td>1,262</td>
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</tbody>
</table>


Newspaper printers apparently did not systematically collect information on crime from contemporary court records. Their failure to consolidate information is all the more regrettable in view of the fire of 1922. Henry Grattan appears to have been the only contemporary who collected a few hard facts about crime in Dublin. In 1789, he asked Mr. Taylor and Mr. Allen, who were court clerks for the Dublin quarter sessions, to provide him with data on the number of examinations which had been lodged before city magistrates in the two years before and in the two years after the new police had started patrolling the streets of Dublin. He did this to refute John Fitzgibbon's arguments that crime had diminished with the establishment of the new police. In the end, Grattan produced two sets of figures before the House of Commons which showed that the number of examinations lodged, had increased dramatically in 1787-88.
The data provided by Taylor and Allen showed that 2,470 examinations (pre-trial indictments) had been returned to the Dublin quarter sessions in the two years, 1784-85, compared to 7,452 examinations returned in the two years, 1787-88; this represented an increase of nearly 200 percent. While the implications of the Grattan/Fitzgibbon debate are important, the official figures themselves may shed some light on the reliability of the *Hibernian Journal* as a source. The newspaper reported that 152 prosecutions took place in 1784-85, compared with 531 in 1787-88, an increase of 250 percent. Therefore the data derived from the *Hibernian Journal* only slightly diverged from the Taylor and Allen data, which demonstrates the validity of the newspaper as a reliable source.

Grattan's interpretation of the evidence, however, was politically motivated by his opposition to the police. In the parliamentary debate, Grattan did not take into account the effects of demobilisation after the American War of Independence. Dublin Castle, however, was well aware of the domestic tensions caused by the outbreak of peace. Transportation was immediately resumed in 1784. Dublin Corporation was also aware of an increase in crime. Arrests nearly doubled in 1785 compared to the previous year, suggesting that the corporation jolted the parish watch into action. At the same time, the Volunteers joined forces with the parish watch to uphold law and order in the unsettled early 1780s.

In broad terms, the introduction of the new police in 1786 may be seen as a response to the end of the American War of Independence, while the demise of the police nine years later may be seen as a response to the outbreak of the French wars. The effects of peace and war rippled through the courts in Dublin. However Grattan appears to have fixed his data into a set of rigid categories, maintaining that an increase in the number of prosecutions could not have been linked with a decrease in the number of crimes. It could indeed be argued that Fitzgibbon and Grattan were both correct. With respect to Fitzgibbon, the evidence strongly supports his arguments that the new police succeeded in sharply reducing crime, particularly in the Liberties. In other words, no matter how good or reliable the sample may be, it is not going to make a bad interpretation any better.

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46 *Parl. reg. Ire.*, vol. 9, pp. 399, 422.

47 For effects of demobilisation in England, see Hay, "War, dearth and theft", p. 140.
Chapter 3

Homicidal Violence

Dublin was undoubtedly a dangerous city in the late eighteenth century. As seen in Table 2, approximately 390 homicides were reported to have occurred, including 189 murders, 82 suicides, 34 manslaughters, 34 infanticides, 9 deaths from duelling, and 42 other fatalities, all in the 16 years between 1780 and 1795, an average of 24.3 violent deaths per year.\(^1\) The number of murders showed a decrease over time, implying that the introduction of the new police slowed homicides down. In the eight years between 1780 and 1787, 116 reports of murder occurred, but in the following eight years, 73 reports of murder occurred, a decrease of 37 percent. An increase in prosecutions for murder occurred in nearly inverse proportion. In the first half of the period, 38 prosecutions for murder were heard in Dublin courts, but in the latter half of the period, 50 prosecutions for murder took place, an increase of 32 percent; this suggests that the introduction of the new police encouraged more energetic prosecutions for murder. Of the 197 convicted felons who were known to have been hanged in Dublin city and county over the 16-year period, 17 men and four women were hanged for murder, which together represents 11 per cent of all hangings.

As measured by the number of murders, levels of violence were exceedingly high in 1780, when the *Hibernian Journal* reported 26 murders, or over two murders per month. Indeed, 1780 can be taken as a microcosm in an examination of homicidal behaviour in Dublin. Only four prosecutions for murder occurred in 1780, underlining the degree to which perpetrators of violence went unpunished in this period. Random killings seem to have gone unpunished and undetected. In February 1780, two unknown gunmen shot Dr. John Moore in the thigh in Dorset Street.\(^2\) Neighbours came to his rescue, but the killers

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1 I would like to thank Dr. Sean Connolly for critically reading an earlier version of this chapter.
escaped. Dr. Moore died of his wounds, giving rise to a gloomy report that said that "murder in this city has become so common, that it has lost all its horrors; every day teems with new instances of the most horrid barbarity".3

Table 2
Reported instances of homicide in Dublin.

<table>
<thead>
<tr>
<th>Years</th>
<th>Murder</th>
<th>Manslaug</th>
<th>Infant</th>
<th>Duel</th>
<th>Suicide</th>
<th>Other</th>
<th>Homicid</th>
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<tr>
<td>1780</td>
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<td>0</td>
<td>2</td>
<td>0</td>
<td>3</td>
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<td>19</td>
<td>4</td>
<td>2</td>
<td>0</td>
<td>4</td>
<td>3</td>
<td>32</td>
</tr>
<tr>
<td>1782</td>
<td>7</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>13</td>
</tr>
<tr>
<td>1783</td>
<td>10</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>4</td>
<td>0</td>
<td>19</td>
</tr>
<tr>
<td>1784</td>
<td>5</td>
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<td>3</td>
<td>15</td>
</tr>
<tr>
<td>1785</td>
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<tr>
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<tr>
<td>1787</td>
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<td>1</td>
<td>6</td>
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<td>22</td>
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<tr>
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<td>8</td>
<td>6</td>
<td>33</td>
</tr>
<tr>
<td>1790</td>
<td>19</td>
<td>3</td>
<td>9</td>
<td>1</td>
<td>8</td>
<td>7</td>
<td>47</td>
</tr>
<tr>
<td>1791</td>
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<td>1</td>
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<td>4</td>
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<td>1</td>
<td>1</td>
<td>4</td>
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<td>19</td>
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<td>1793</td>
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<td>7</td>
<td>2</td>
<td>21</td>
</tr>
<tr>
<td>Total</td>
<td>189</td>
<td>34</td>
<td>34</td>
<td>9</td>
<td>82</td>
<td>42</td>
<td>390</td>
</tr>
</tbody>
</table>


It does not appear that his killers were ever caught because two months later Dublin Castle was still offering a £50 reward for information leading to the arrest and conviction of the attackers.4 (If Dr. Moore had received modern medical treatment for his gunshot wound to the thigh, his chances of survival would have been far greater; this difference alone rules out any comparison between modern homicide rates and homicide rates in the late eighteenth century, unless attempted homicide were included in the modern rates.) The evidence suggests that the crime of murder was difficult to detect. In 1780 alone, the defendants in three of the four prosecutions for murder were watchmen or guards, suggesting that the process of detection was badly flawed and that only the most visible homicides could be detected. It also suggests that policemen may have been scapegoats for a public demanding justice, although sentences of death imposed on all three policemen were it seems never carried out, according to the court index.

3 *H.J.*, 28.02.80.
Almost all murders outside of the household had some motive, with the exceptions proving the rule.\(^5\) In October 1780, a gang murdered a Catholic priest with no apparent motive. Rev. Boylan was attacked by three men in Anglesea Street and died of his wounds two weeks later.\(^6\) His murder occurred five months after the Gordon riots in London, suggesting that the gunmen were conceivably motivated by sectarian reasons. Robbery, however, was usually the principal motive for murder in non-household killings. Doctors were particularly at risk of attack by robbers. The murder of Moore in Dorset Street was followed eight months later by the robbery of Dr. Francis Montgomery in Mabbot Street--of his hat, shoe and knee buckles, and surgical instruments.\(^7\) Montgomery was on his way home after visiting one of his patients, not far from Dorset Street where Dr. Moore had been gunned down, suggesting that a gang of thieves operated in this north-side area.\(^8\)

Murders within the extended household and the family were easier to trace than random murders. In December 1780, a coroner's inquest was held in the case of a man murdered in a lodging house near the upper Coombe, returning a verdict of murder by person(s) unknown. The inquest heard evidence that the deceased who had a heavy drink problem returned to his lodgings intoxicated. He lived in a "poor lodging room" with six other tenants who gave testimony at the inquest. The inquest heard that his landlady confronted him at the door, demanding his back rent--which he had spent on alcohol. A struggle broke out in which the man sustained a contusion on the right temple. None of the witnesses, however, saw the landlady deliver the fatal blow. Although testimony at the coroner's inquest implicated the landlady in the murder of her tenant, examinations were not lodged against her.\(^9\) Without charges being pressed against her, the coroner's inquest was not enough to bring about her formal indictment.

Indictments, however, were never easy to obtain in murder cases, particularly against family members, and even when examinations were lodged. In October 1780, a coroner was tipped off that the body of a woman who had been buried only a week earlier was the victim of a murder. Hugh Carmichael, the coroner, exhumed the woman's body from a freshly dug grave at a church yard in Killester, beyond the northern outskirts of Dublin.\(^10\) A coroner's inquest consisting of surgeons discovered marks of violence on her neck, shoulders and breasts, indicating that she had been strangled to death. Although the inquest established that she had been murdered, the verdict stated the murder was done by person(s) unknown. Afterwards, suspicions centred on the woman's husband, who was subsequently arrested and committed to Newgate.\(^11\) Examinations were lodged against the

\(^6\) H.J., 01.11.80.
\(^7\) H.J., 16.10.80.
\(^8\) W.H.M., Oct. 1780, p. 519.
\(^9\) H.J., 06.12.80.
\(^10\) H.J., 09.10.80.
husband, but apparently he was not brought to trial; this would suggest that neither the coroner's inquest nor the evidence was strong enough to indict him.

A jury presiding at a coroner's inquest had therefore the power to return verdicts as to the nature of a homicide in the event of murder; this could lead to examinations being lodged. To protect the integrity of the verdict, any tampering with the composition of the coroner's jury was cause for concern. In December 1780 one Mr. Simpson, who kept a china shop in Essex Street, was murdered at a public house on Essex Quay. The owner of the public house claimed that Simpson had slipped and fallen into a cellar in front of the public house. The publican, a Mr. Farrel, and a group of others, carried Simpson's body to his home on a bier after the alleged fatal fall into the cellar. Suspicions about Simpson's death arose, however, and a coroner's inquest was established. When Farrel heard about it, he sought to obtain a place on the coroner's jury, but the chief coroner turned his request down. "Composed of persons of credit", the jury at the inquest returned a verdict of murder, after which examinations were lodged against the publican. Meanwhile Farrel left town, and when a sheriff failed to find him at home, he arrested his wife and maid servant and committed them to Newgate.12 The fact that his wife and servant were taken to be accomplices in the murder of Simpson suggests that members of a publican's household could face prosecution following crimes or disturbances committed on the premises.

In 1781, the Hibernian Journal reported a total of 19 murders, down 27 percent on the year before. Only one out of a total of four prosecutions for murder in that year, resulted in a conviction, although the court settled on a verdict of manslaughter.13 This case involved a dispute between the crews of two coal vessels, in which one man died of wounds inflicted by a handpike.14 It exemplifies the high levels of violence that could occur among working people in Dublin, and the fact that the docks seem to have had more than its fair share of violence. Attracting far more publicity than the death of a collier was the murder of a female servant by her mistress: in May 1781, an unnamed dairy woman beat a 12-year-old servant named Molloy to death with a hammer in Charles Street. Arrested, the dairy killer was conveyed to Newgate.15 At her trial in July 1781, she was acquitted due to lack of evidence.16 Her acquittal did not go unnoticed. A writer condemned the acquittal in the Hibernian Journal, claiming the employer had paid money to buy off key prosecution witnesses, and he also denounced the commission of oyer and terminer for not demanding security from the dairy woman for her future good conduct.17 Although such commentators might express a sense of deep outrage at the murder of an apprentice, attacks on apprentices were not uncommon.

13 H.J., 03.09.81.
14 H.J., 24.10.81.
15 H.J., 18.05.81.
16 Rex -v- Dairywoman, Comm., in H.J., 23.07.81.
17 H.J., 25.07.81.
In 1785, after several years of a decline in the number of murders reported by the *Hibernian Journal*, the numbers jumped to 26, a sharp increase over the four murders reported in the *Journal* the year before. By September 1785, it was said that "simple robbery, where no violence or cruelty is used, may be reckoned almost a virtue". Indeed, three murders occurred in the previous month of August which received widespread publicity, the murder of a mother by her son with a razor, the murder of a stone-cutter by a labourer with a bayonet, and the murder of the son of the keeper of the cock pit in Essex Street by a watchman with a blunderbuss. While the last two have been treated elsewhere, an examination of the first reveals both the public opprobrium of murder within the family, and the bonding within a family clan in the face of outside intervention.

In August 1785, James Ennis slashed his mother to death and badly cut his father. Intoxicated at the time of the incident, Ennis attacked his parents at their home in Angel Alley with a razor blade after they refused him a meal. His mother ordered her husband, a barber by profession, to give their son a sound beating. Ennis then cut his father in the arms, thighs and body. When his mother stepped into the fray, Ennis slashed her once across the left arm, cutting her arteries and veins. With blood spurting from the wound, she went for treatment at an apothecary's shop in High Street, but the apothecary refused to administer first-aid. A surgeon and a clergyman arrived at the Ennis house, but such was the loss of blood that she died three hours after the attack.

As word got out of her murder, a wave of anger swept the Liberties. A angry multitude of people seized Ennis, but a sheriff rescued him from the crowd, conveying him to Newgate prison, where he was remanded until his trial. In contrast, members of the Ennis family rallied round James or at least sought to prevent his prosecution. Samuel Gamble, a linen-draper in High Street, was determined to bring Ennis to trial by paying for the costs of the prosecution. Some prosecution witnesses were forced to take out "articles of peace" against family relations of Ennis, who tried in vain to stop them from giving testimony. Family obstruction of the prosecution failed in the face of an overwhelming sense of public outrage at the murder of one family member by another. A jury found Ennis guilty, and the judge at the commission of oyer and terminer sentenced him to hang. On 15 October 1785, Ennis was hanged in front of Newgate prison, attended by a huge number of people.

If disputes among family members degenerated into deadly brawls, disputes among neighbours could also turn into vicious fights. It is suggested by the evidence that residents in local communities continuously turned against each other over minor non-life-threatening

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incidents. In March 1789, after a day's work, a brewery worker relieved himself at the steps of a cellar in Dirty-lane. Unbeknown to John O'Hoolahan, he was urinating on a man and wife who lived at the bottom of the stairs. Woken from his sleep, Anthony Dempsey surfaced from his open cellar to ask O'Hoolahan not to urinate on him. Intoxicated, O'Hoolahan "bade him ask his a--e", upon which Dempsey delivered O'Hoolahan a devastating blow on the temple; he died almost instantly. A coroner's inquest returned a verdict of wilful murder. In July 1789, after a jury found Dempsey guilty, the commission of oyer and terminer sentenced him to be hanged, quartered and beheaded. However counsel for Dempsey successfully pleaded an arrest of judgement, arguing that their client did not show a "premeditated design of effecting the death of the deceased". Dempsey's case then went before the King's Bench, which apparently reduced his conviction from murder to manslaughter. Dempsey's crime underscores the unassailable, that poor living conditions contributed in no small measure to high levels of violence.

In 1790, the number of murders reported in the Hibernian Journal surged upwards to 19 from 11 the year before, giving rise to lurid imaginations on the part of the middle classes. On Monday 4 October 1790, the body of a bricklayer was brought before a sexton at St. Kevin's church for burial, but after "overhearing some suspicious conversation" the sexton suspected that the deceased had been murdered. Before burying Hugh Donnelly, he called upon a magistrate to summon a jury to investigate the circumstances surrounding his death. It transpired that on Thursday 31 September 1790, Donnelly had spent the night at a funeral wake. On Friday, a chairman had taken Donnelly home from the wake "violently afflicted with a colic". To cure himself, Donnelly drank nothing but salt and water until he died on Saturday "in extreme agony". What brought on the fatal illness was never determined, but surgeon Smith reported that no marks of violence on Donnelly's body or signs of poisoning were evident. In answer to the sexton's suspicions, the inquest jury returned a verdict of natural death.

Such inquests may have allayed the fears of the middle classes, but the high frequency of deaths hardened the poor people of Dublin. In December 1790, a servant watering his master's horse at the slip near Barrack Street, discovered the body of a "decently clad" woman floating in the river inlet. Although he had enough sense to rescue her body from the mutilating effects of the River Liffey, he proceeded to dump it against a barrier wall showing no regard for human decency. That night, thieves stripped the corpse of its clothes. Throughout the following day, the body lay against the wall naked until neighbours threw some straw over it.

24 H.J., 27.03.89.
27 H.J., 20.07.89.
28 M.P., 07.10.90.
In the wake of this episode, the *Hibernian Journal* called on parishes to erect mortuaries "to preserve decency on such unfortunate occasions". Over the next five years, evidence drawn from the *Hibernian Journal* would indicate that the murder rate declined considerably with only 33 murders being reported between 1791 and 1795; this represents only 17 percent of the total number between 1780 and 1795. This suggests that the police were managing to bring the level of murder under control. But over the same period the court index shows 30 prosecutions for murder between 1791 and 1795, representing 34 percent of the total number of such prosecutions between 1780 and 1795. This would seem to suggest that the process of detection had also improved.

Apart from the crime of taking the life of another, the taking of one's own life was the second leading cause of homicide in Dublin. Both murder and suicide represent the clearest expressions of the high levels of violence in Dublin. Between 1780 and 1795, the *Hibernian Journal* reported 82 suicides, or an average of 5.1 suicides per year. There were 46 male suicides and 35 female suicides. Suicide often sheds light on such intractable social problems as unwanted pregnancy: in July 1781, a pregnant woman hanged herself at Louthlinstown, Co. Dublin, having been "got with child by a person in that neighbourhood". Women who suffered a loss of marriage prospects also committed suicide; it is not known if some of these were pregnant at the time. In April 1786, a woman jumped to her death in the Liffey while reportedly suffering from "a fit of disappointment in love". In August 1790, a woman poisoned herself to death, leaving a note stating that a recent love affair had failed.

Divorce proceedings also gave rise to suicides among women. In May 1790, a woman hanged herself after her first husband, a seaman who had disappeared years earlier, threatened to break up her second marriage. A letter he wrote to her caused a minor crisis when it got into the hands of her new husband. Rather than face divorce proceedings, she hung herself with a child's rocket, thereby leaving almost no mark of violence and temporarily delaying a coroner's verdict. Sudden business failures was also gave rise to suicide. In December 1789, a silk weaver referred to as "Mr. C." shot himself through the head. Previous to the suicide, several of his debtors had gone into legal bankruptcy, putting him in a vulnerable position; he could no longer sue these debtors, but his creditors could sue him for his life savings. Faced with the prospect of spending years in a debtor's prison, Mr. C. it seems viewed suicide as a preferable alternative.

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29 *M.P.*, 11.12.90
30 *H.J.*, 09.07.81; see also *H.J.*, 21.03.91.
31 *H.J.*, 17.04.86.
32 *H.J.*, 27.09.90.
33 *W.H.M.*, June 1790, pp. 574-575.
34 *H.J.*, 31.05.90.
Men and women who sustained heavy losses at Dublin's many gambling tables also took their own lives. In July 1787, a man shot himself through the chest 16 kilometres from Dublin after suffering heavy losses at a gaming casino. In March 1790, an alderman from the city of York named Farran shot himself after losing a considerable sum of money gambling in Dublin. In December 1790, a woman threw herself into the Liffey near Barrack Street, after gambling away her "little all".

Both the murder and the suicide rates tended to fluctuate quite sharply. In 1788, the Hibernian Journal reported 12 suicides, a doubling over the previous year. This seems to have given cause for public concern, particularly among chemists who did not want to become unwittingly involved in abetting such crimes. In July 1788, a woman asked for white arsenic at an apothecary's shop. After he observed "her to sigh heavily and look dejected", her request for the deadly poison was turned down. As a warning to other apothecaries to guard against future requests of this sort, the chemist reported the episode to the Hibernian Journal. In October 1788, there were reports of calls being made on parliament to pass legislation that would prevent people who had committed suicide from obtaining Christian burial.

Minor disputes which got out of hand gave rise to 34 reported deaths in the period. In December 1786, a clerk at the house of pawn-broker Thomas Armitage in Skinner's Row, accidently shot a woman who was waiting in a queue to pledge some items. (A parliamentary report indicated that the number of pawnbrokers actually doubled in 1787, and that turnover among them improved dramatically, a sign that the local economy was on the road to recovery that lasted for the next 10 years. Thomas Armitage's firm made an average of about 260 deals a week, amounting to £8,257 in 1787.) Armitage's clerk, who had just accepted a brace of two pistols in pawn, became impatient at an intoxicated customer who had entered the busy premises. Without realising the pistol was primed with powder and ball, the clerk fired one of the brace at the drunkard to frighten him into leaving the shop. However the pistol ball struck Mary Rourke, a fruit vendor, who dropped dead instantly; a coroner's inquest ruled accidental death. The lack of a murder verdict in this case suggests that society condoned dangerous behaviour of this sort. In July 1790, a woman threw a pan of dirty water from a window which landed on a pedestrian in Crawley's Yard. Fierce words were exchanged between the man and the woman; in the end, she threw the earthen pan onto his head, killing him. No coroner's inquest was

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36 H.J., 02.07.87.  
37 H.J., 29.03.90.  
38 H.J., 13.12.90; see also M.P., 10.12.90.  
39 H.J., 30.07.88.  
40 H.J., 24.10.88.  
41 Dickson, "The place of Dublin", p. 182.  
43 H.J., 27.12.86.  
44 H.J., 09.07.90; and W.H.M., July 1790, pp. 94-96.
convened in this case, which again suggests that society perceived violent behaviour as a normal phenomenon.

Infanticides claimed 34 lives, according to the *Hibernian Journal*. In contrast to murders and suicides whose rates fluctuated from year to year, the number of infanticides remained fairly constant throughout, with the exception of a single year when the number of infanticides soared. If 1790 is put aside for the moment, the *Hibernian Journal* reported a total of 25 infanticides or an average of 1.7 infanticides per year. In 1790, nine infanticides were reported. Over the course of the 16-year-period, not a single person was found guilty of infanticide, although a nurse was found guilty of killing an infant: Bridget Farrell, a wet nurse, was convicted of starving the child of one Mr. Tobin, a crier for the Chancery Court, in 1783. The Dublin quarter sessions sentenced Farrell to three months in gaol, fined her £20, and ordered her to be whipped three times from Kilmainham gaol to Mount Brown. Apart from assassination, infanticide appears to be the only type of homicide in which hired killers were employed to carry out the crime: in August 1781, a man prevented an infanticide by grabbing a woman hired to drown an infant on the banks of the River Liffey at Arran Quay. From an upper window overlooking the quay, the man happened to see "an extraordinarily masculine woman" pressing a bundle with her knee into the water. Hearing an infant cry, he ran outside to rescue a male child just in time. It turned out that the natural mother had employed the killer. Expressing its outrage, a mob rose up in Church Street, tied the infant killer with a rope, lowered her onto a coal vessel in the River Liffey at Ormond Quay, suspended her over the side of the vessel and ducked her repeatedly in the water, before allowing her to escape.

In July 1790, another hired killer succeeded in killing an infant in a field near Kevin Street by dashing it against the ground several times and breaking its bones. She then threw the lifeless body into a ditch. Justice Robert Wilson arrested both the hired killer and the mother who lived at Harold's Cross. They were remanded to Kilmainham jail to stand their trial. Despite the failure of Dublin's three courts to prosecute the two women or anyone else for infanticide, society condemned infant killers out of hand. In October 1794, the bodies of 10-day-old twins were taken out of the Poddle Hole, where they had lain for about two days. In response, a commentator in the *Hibernian Journal* condemned "their wretched and inhuman" killer for a crime "at the base idea of which the human mind revolts". In his study of infanticide in Ireland, James Kelly has said that "societal forces which prompted infanticide in eighteenth-century Ireland were many, but the most important was the pressure women were under to maintain a virtuous reputation".

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45 Mr. Tobin -v- Bridget Farrell, D.Q.S., May 1783, in *H.J.*, 05.05.83.
46 *H.J.*, 17.09.81.
47 *H.J.*, 09.07.90.
48 *H.J.*, 22.10.94.
49 Kelly, James, "Infanticide in eighteenth-century Ireland", in a paper given at a conference of eighteenth-century Irish historians at St. Patrick's College, Drumcondra, 1991.
statement is certainly true, but one could add that ingrained habits of violence enabled people to choose infanticide over less violent alternatives.

According to the *Hibernian Journal*, duelling led to the deaths of nine men, and to many more injuries, in the course of at least 87 duels that occurred during the period. Most duellers would have known that the chances of getting killed on the field were about one out of ten, a small risk compared to the great celebrity that the successful dueller attracted. Only one man is recorded as having made out a will before a duel, although the risk of death was in his case unusually high.50 Counsellor Dennis Kelly, who made out the will, was killed on 14 July 1790 by a single bullet in Merrion Square. William Whaley, an officer in the army, intended to kill Kelly for reasons which may only be surmised. Although politics seems the most obvious reason, Kelly's death may have settled some older scores involving the Whaley family. On 21 October 1786, Thomas 'Buck' Whaley, William's brother and one of most colourful characters in Dublin, was shot in the thigh by an attorney in a duel.51

Just a month before the death of Kelly, an attorney badly wounded an officer in a duel in Phoenix Park, lodging a ball in his groin.52 It is not known whether Kelly was connected to any of these attorneys, but it is known that the Whaley family had a notorious reputation in Dublin as 'hell-raisers'. It was a reputation that went back a generation. Thomas Whaley lived at No 86 Stephen's Green, South, a "palatial" house built by his father, Richard Chapell Whaley, who "was a magistrate and a notorious priest-hunter". Thomas Whaley devoted much of his time to gambling at Daly's Club, and in 1788 went on a much-publicised trip to Jerusalem on a wager. His mounting debts from gambling eventually ruined his finances, and he left Dublin for good before his death in November 1800.53

Not much is known about William Whaley, except from what can be gleaned from the newspapers accounts of his trials. In making out a will, Kelly must have known that Whaley wanted to kill him. After his death, Ann Kelly, his wife, prosecuted Whaley for murder, but no trial ever took place.54 At the request of the prosecution, the first trial at the commission of oyer and terminer was postponed in October 1790. Whaley was discharged after entering into a recognizance of £4,000, and two sureties of £2,000 each, paid for by another brother John Whaley and Samuel Faulkner.55 At the next commission in December, Whaley was acquitted for want of prosecution.56

50 *H.J.*, 16.07.90.
51 *W.H.M.*, Nov. 1786, pp. 613-616.
52 *H.J.*, 07.06.90.
54 *H.J.*, 16.07.90.
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Source: *Hibernian Journal, 1780-95.*

Whaley's success in avoiding prosecution for murder was typical of contemporary justice. In February 1792, Roderick O'Connor killed Henry Kerr in a duel on the North Lotts.\(^57\) At the commission of oyer and terminer in the following July, O'Connor was likewise admitted to bail after his trial was postponed; undoubtedly O'Connor was acquitted at the next commission.\(^58\) Despite the death of Counsellor Kelly, members of the legal profession continued to resort to duelling. On 4 December 1792, Matthew Dowling, a well-known attorney in radical circles was involved in a duel with Mr. Burrough, private secretary to the Lord Lieutenant's chief secretary, Robert Hobart. Dowling, whose second was Counsellor Archibald Hamilton Rowan, and Burrough sailed to Holyhead for the duel; neither sustained injuries.\(^59\) In February 1794, Counsellor Leonard McNally was wounded in the hip in a duel in Phoenix Park; his second was one of the Sheares brothers.\(^60\) It is evident that political disputes often spilled over into duelling.

\(^{57}\) *H.J.*, 29.02.92.

\(^{58}\) Rex -v- Roderick O'Connor, Comm., July 1792, in Dowling, *Trials at large*, Section 1, p. 9.

\(^{59}\) *W.H.M.*, Dec. 1792, p. 567.

Pistols were the preferred choice of weapons among duellers, but the weapons chosen in the vast number of other homicides ranged across a wide spectrum. As seen in Table 3, information as to the apparent method of killing was reported in 271 homicides; 119 were reported without details as to the method. In 56 homicides, the means of death were sharp instruments, including long knives, daggers, dirks, swords, and handpikes. Bayonets accounted for at least ten fatalities. Many deaths were caused by sharp instruments not designed as weapons but as tools. Butchers, curriers, and shoemakers, for example, needed a large variety of sharp tools to perform various tasks, but these tools often found their way into the hands of killers. Hatchets, slaughtering axes, barber razors, bill hooks, and tailoring scissors thus became weapons of destruction.

On 1 July 1793, Henry Grogan, a retired shoemaker, quarrelled violently with his wife. Taking up one of the knives he designed for his trade, Grogan chased his wife out of their upstairs lodgings into a tobacco shop in Watling Street. Wielding his knife, Grogan pulled it on a female customer who got in the way, slashing her across the face and breasts. Grogan then stabbed James Gordon, the owner of the shop, in the heart, after he had tried to protect his customers; he died instantly. Afterwards, Grogan "wiped the bloody knife in his coat, threw it away, and went up to his room to bed". 61

According to the evidence, Grogan was the first prisoner in Dublin to be indicted under the Murder Act, a piece of legislation which parliament passed two years earlier. 62 Offenders convicted under the act were punished in the same manner as those convicted under the Chalking Act or the Houghing Act. 63 On 5 July 1793, the commission of oyer and terminer found Grogan guilty of murder, and thus three days later he was hanged at the front of Newgate prison and his body was dissected by the surgeons. 64

Drowning was a means of death in 55 cases, the means often employed by infant killers and by people who committed suicides. Rivers and canals provided ease of access and prevented immediate detection. In September 1790, the body of a week-old infant was found floating in the Dodder river with 20 corking pins sticking out of its head. 65 Shooting was responsible for 51 deaths. Weapons included pistols and muskets, which were clearly offensive, but other less offensive weapons such as hunting rifles were responsible for some deaths. Rifles, becoming a common sight in the countryside, caused a number of fatalities in the suburbs of Dublin. In July 1794, John Farrell was indicted for the murder of Frank Farrell (no relation), both around 15-years-old. They were working on a building site near Stillorgan Park at the house of Dean Coote, when John fired a shotgun into the back of Frank, who died at Mercer's hospital two days later. At the commission of oyer

61 H.J., 05.07.93.
62 Murder Act: Statutes (Ire.) 31 Geo. III. c. 17 (1791).
63 Chalking Act: Statutes (Ire.) 17 & 18 Geo. III. c. 11 (1778); Houghing Act: Statutes (Ire.) 23 & 24 Geo. III. c. 56 (1784).
64 Rex -v- Henry Grogan, Comm., in H.J., 10.07.93.
65 M.P., 09.09.90.
and terminer, one Mr. Cody, master of the deceased, testified that John did not intend to shoot Frank, but "that he was only exercising as a volunteer". Apparently this convinced the jury who acquitted the defendant.66

Blunt instruments caused 26 deaths, including weapons that were designed to kill or injure but also including instruments that were designed as tools of a trade. Deaths were caused by such diverse weapons as the stock ends of muskets, hooked poles carried by watchmen, hangars, bludgeons, cudgels, and oaken sticks. As for tools, soldering irons, hammers, shovels, pokers, chisels, and lapstones were responsible for many deaths. The occasional household item could be brought into action as well, including pewter quarts and large keys. It is clear that a vast array of heavy iron objects were lying around homes, which in the hands of violent people became instruments of death.

In May 1791, William Whaley beat a coachman named James Purcell to death with a wooden cudgel in Denzile Street (this was the same Whaley who had killed Counsellor Kelly in a duel less than a year earlier, but now no longer in the military).67 On the night of 18 May, he hired a coach to take him from the Rotunda to his lodgings in Denzile Street. He paid Purcell 1s. 7dh., but took the money back and went inside his house when he "required to see if the money was good or not". Purcell shouted up to his window and rapped at his door for the correct fare, and in short order got water thrown onto him and a beating with a large knotted cudgel. Whaley called the police, and they were about to have him arrested when he drove off in his coach to his home in New Street. Purcell worked the following day, but he was dead within the week. A coroner examined the body and returned a verdict of wilful murder.

Whaley committed the crime only two weeks after parliament had finished sitting, which is significant because the Murder Act had taken force of law, an act the previous parliament, which had ended on 5 May 1791, had just passed.68 If he had been convicted under the terms of the Act, he would have been punished as a felon and not as a traitor, and therefore hanged within two days of his sentence being passed. His lawyers apparently prepared his case well, given that the case was not heard till October, five months after the fact. Furthermore, the judge at the commission of oyer and terminer had sworn a county jury to return a verdict, even though the crime was committed within the city. It is not known why this occurred, but a city jury would have probably been more sympathetic to the prosecution’s case.

The case against Whaley was doomed from the beginning: Clement Archer, a surgeon employed by the new police, directly contradicted the coroner’s report as laid out in the indictment. It stated that Whaley had murdered Purcell, "by giving him several mortal strokes, kicks and bruises on the head, neck, breast, belly, and sides". Archer, who

67 H.J., 27.05.91.
68 Statutes (Ire.) 31 Geo. III c. 17 (1791).
examined the body at the request of the coroner, claimed that Purcell could have died from "very bad putrid fevers in the neighbourhood"; he even blamed the death on the "great number of waistcoats" worn by the victim. Purcell's brother and several other witnesses testified against the defendant, but none of them could undo the damage inflicted on the prosecution's case by the police surgeon. Curiously, the victim had never lodged any examinations against his attacker. The jury took only three minutes to reach a verdict not guilty, and Whaley was therefore acquitted of murder a second time in just as many years.

While this case exemplifies the risks facing all taxi drivers in late eighteenth-century Dublin, the death happened less than a month after the murder of another taxi driver, which is suggestive of the copycat nature of some crimes. In the early hours of Thursday morning 21 April 1791, a chairman named John Gordon was mortally wounded in Great Britain Street; he died at his home in Smithfield on the following day. The incident began when Gordon and his partner, John Callaghan, picked up a fare in Hanbury Lane; the female was accompanied by Alexander Nesbitt, William Tyrell, and a man named Wise. When they set down the fare at a public house named Kearney's in Great Britain Street, near the corner of Denmark Street, a dispute broke out over the payment of the chair hire. Tyrell and the female had already gone into Kearney's, leaving Nesbitt and Wise to sort out the problem with the chairmen; Nesbitt gave them two shillings and a noggin of brandy, but this did not satisfy the fare. A violent brawl broke out which had fatal consequences: Gordon was stabbed in the back, just below the shoulder, with a long bayonet. Nesbitt and Wise attempted to run away, but a lamp-lighter named Denis Parkinson seized the two men and brought them to a police guard-house. Nesbitt was committed to Newgate prison, but Wise managed to escape from police custody. A coroner who examined the body of Gordon bound Parkinson over in a recognizance of £100 to prosecute against Nesbitt.

In July 1791, at the commission of oyer and terminer, the testimony of the prosecution witnesses went conclusively against the defendant. Callaghan and Parkinson both testified that Nesbitt had stabbed Gordon in the back; the dying deposition of Gordon was also read in court. For the prosecution, several witnesses including the owner of Kearney's, the public house, testified that one of the chairmen had knocked Nesbitt down and kicked him when down. A passer-by to the incident testified that it was Wise who had stabbed Gordon and not Nesbitt. After considering the evidence for two hours, the jury brought in a verdict of guilty. Because the murder took place two weeks before parliament had passed the Murder Act, Nesbitt was not indicted under it and thus the Lord Lieutenant respited his hanging on several occasions. As the whereabouts of Wise, the man alleged to

70 H.J., 27.04.91.
have committed the murder, remained a mystery, so Nesbitt was quietly hanged at the front of Newgate prison on Wednesday 2 November 1791.72

Hitting and kicking caused about 30 deaths, but even if indictments were secured, keeping the prosecution on track was never easy. In one trial, a witness refused to admit to a jury what he had admitted in his sworn statement to a magistrate immediately after a brutal murder. This is a good example of the pressures brought to bear on prosecuting witnesses in the case of a murder within the family: on 22 June 1794, John Echlin beat his wife to death in their apartment in Thomas Court. Alarmed by the struggle, John Groves entered the Echlin lodgings to find Elizabeth Echlin "expiring on the ground" with "violent bruises and contusions ... in several parts of the body". Elizabeth managed to talk to Groves just before she died, upon which he immediately lodged examinations with Thomas Emerson, divisional justice of the district. Groves pressed charges against Echlin for murdering his wife.

What Groves said in court, however, was rather different. At the commission of oyer and terminer a month later, Groves testified that John Echlin had beaten Elizabeth several times in the past, but that he had not beaten her on the day of her death. Groves also testified that the deceased told him just before her death "she had been beat abroad". This conflicted with Groves's sworn statement to Emerson, which was produced and read in court. Unmoved, Groves persisted in his prevarication and in anger at his cowardice, the court arrested him on charges of perjury. With no other prosecution witness, the court acquitted Echlin.73 No doubt this case is typical of the kinds of obstacles the crown faced in obtaining convictions for murder, as family bonding protected members of the domestic unit from prosecutions arising out of brutality and murder.

Many other people were killed or murdered where the apparent method of killing was violent. About 27 people died of asphyxiation and strangulation, and at least 10 people died in vehicular incidents caused by careless horsemen and carriage drivers. In one year, 1781, careless drivers killed four people in Dublin, as for example, a man who was run over by a chaise carrying the servants of the Lord Lieutenant. In compensation, the viceroy offered to make payments to his wife and family.74 Six people were poisoned to death, and just as tools were turned into weapons, so industrial solutions were turned into poisons in one case. In September 1791, a boy who worked at a button factory on Merchants Quay poisoned another boy with one such solution. He offered him a glass of spirits, but the spirits turned out to be a highly dangerous acid, vitriol, i.e. sulphuric acid. The victim "expired in the utmost agonies".75

72 H.J., 04.11.91.
73 John Groves -v- John Echlin, Comm., in H.J., 23, 07.94.
74 H.J., 25.07.81.
75 H.J., 28.09.91.
Women were the victims in 25 percent of all homicides in which the Hibernian Journal reported the identity of the victim. Domestic violence accounted for the deaths of 12 wives, representing over 12 percent of the total number of known female homicides. As we have already seen, the evidence from Trials at Large indicates that women had little protection from the courts. On 25 September 1791, Murtagh Gately, a farmer, struck his wife over the head with an iron hammer, knocking her to the floor at their farm at Yellow Wall, Co. Dublin. On 4 October, nine days later, Gately called in a surgeon to treat his wife's fractured skull. Prescribing bark, surgeon O'Connor came back to the house to discover that Gately had not administered any medication to her. She died on 9 October, 14 days after she sustained her injuries.

In December 1791, the commission of oyer and terminer tried Gately for murder.76 At the trial, it was revealed that Gately "had been in the habit of beating her [his wife] about the body". Gately was a violent and dangerous man: he had recently been tried and acquitted for assault at the Kilmainham quarter sessions in January 1791.77 At his trial for murdering his wife, an uncle of the deceased gave an eye-witness account of the brutal attack, and surgeon O'Connor gave damaging testimony about Gately's negligence in treating his dying wife. For the defence, a neighbour launched an attack on the character of both the deceased and her uncle. Jane Gately was "a woman of a most violent temper", and her uncle took "six head of cattle off the land" after her niece's death. Based on the conflicting evidence, the jury considered their verdict for almost an hour and a half, finding Gately guilty of murder, but at the same time they recommended him as an object of mercy. At this point, Justice Boyd urged the jury to find Gately guilty of manslaughter, upon which they retired for about two minutes, reducing their verdict to guilty of manslaughter. Boyd then sentenced Gately to be burnt in the hand (a figurative expression), to spend 12 months in gaol, and to keep the peace for seven years. Less than a year later, the commission of oyer and terminer pardoned Gately and he was free man.78

At the same commission which pardoned Gately, another wife-killer was put on trial, a trial which unfolded in a similar manner. Trials at Large published the grisly details of the murder of Anne Woods, and an examination of the case supports the argument that women could expect little help from the Dublin courts in the late eighteenth century. On Easter Monday 10 April 1792, a group of friends celebrated a wedding party in a soldier's apartment at 66 Barrack Street, but the celebration went badly wrong. John Woods murdered his wife by driving a large iron chisel through her spine at the base of her neck with such force that he severed her head from the backbone. It seems that previous to the attack, Ann Woods and William O'Brien, a regimental musician, had been talking quietly

76 Rex _v_ Murtagh Gately, Comm., in H.J., 12.12.91.
77 Rex _v_ Murtagh Gately, Kilmainham Quarter Sessions (hereafter K.Q.S.), in H.J., 19.01.91.
78 Murtagh Gately pleads his Majesty's pardon, Comm., July 1792, in Dowling, Trials at Large, part 1, p. 84.
on the stairs which separated the third-floor apartment where the party was held and the apartment where the Woods lived.

O'Brien and Ann Woods were old friends, a friendship that had aroused a jealousy in her husband for some time. When he discovered them on the stairs, he put into action a plan of destruction: Woods went to their apartment to get the hand-made chisel, a large tool which he employed in one of his jobs as a pump-borer for the Pipe Water Commission in Dublin.79 Meanwhile, O'Brien went back to the party, leaving Ann Woods alone on the stairs waiting for her husband's return. After the murder, Woods left the chisel next to her body with the steel side smeared in blood. While a woman cradled the victim's limp head in her lap, a policeman took Woods into custody for ten hours before he was bailed. Meanwhile, "as the blow was intended for him", O'Brien pressed charges against Woods for murder.

In defence, Woods employed the most expensive legal team in the city, Counsellors Leonard McNally, William Caldbeck and John Philpot Curran. At trial, the prosecution Counsellors Stanly and George J. Browne, were unable to keep the focus on Woods, but instead it centred on the friendship between O'Brien and deceased. For the defence, the arresting policeman and a female neighbour testified to "the connection between his wife and O'Brien". In addition, two "eminent distillers" named John Edwards and James Trant provided Woods with good character references. Trant claimed that Woods was "of a gentle and humane disposition". Both had previously employed Woods as a plumber.

At the trial, Justice Downes displayed a remarkable sympathy for Woods. In his summing up, Downes played down the premeditated and deliberate way in which Woods had carried out the crime. Downes claimed that O'Brien and the deceased provoked Woods by their "act of criminal intercourse" on the stairs. Implying adultery, Downes claimed their actions were enough to send Woods "to the most frantic pitch of rage and indignation". Downes then repeated the testimony of a friend of Woods, testimony which was objected to by O'Brien, that Woods threw the chisel at his wife in a "random manner in the dark", thus killing her. Downes then claimed that Woods had committed the crime "in a state of temporary madness". With the judge on their side, counsel for Woods achieved their desired result as the jury, after retiring a short time, returned with a verdict of manslaughter. Downes then sentenced Woods to be burnt in the hand and to gaol for six months.80 This case starkly demonstrates that high levels of violence and a sexist judiciary exposed women to brutal domestic attack without adequate legal redress.

Violence was not evenly distributed across the city or across the population. Some places were far more riskier than others. Women were more prone to violence in the family home than they were elsewhere. One of the most violence-connected activities in Dublin

79 H.J., 13.04.92.
was the annual bull-fight celebrated on St. Stephen's Day. Judging by the pattern of homicides, this was clearly a male-only preserve. In 1787, the small village of Finglas Bridge unwittingly played host to the traditional St. Stephen's day celebrations; it turned into an ugly confrontation which left two people dead and many injured. On 26 December 1787, a group of journeymen butchers from the city went to Finglas to beat a bull with dogs, but failing to find an animal for their sport and much in liquor, the hooligans became violent on the way back to Dublin.

At Finglas Bridge, the butchers chased most townspeople into their houses and cabins, but the wife of Nicholas McCann did not make her escape in time. With the butchers in hot pursuit, she managed to get to the door of James McClean where her husband was. As soon as McClean opened the door to admit her, the gang burst into the house. What followed is not clear but it seems that David Bobbitt, one of the journeymen butchers, stabbed McClean with a bayonet, but in the struggle which ensued Bobbitt himself was killed with a bill hook. The others ran out of McClean's house towards the bridge, but McClean, McCann, Thomas McNamee and others ran after them. When the gang regrouped on the bridge, a confrontation broke out leaving Thomas Leggatt dead with a sword wound, but what exactly happened is not clear. Afterwards, McClean and a number of others were taken to the Meath Hospital (the county infirmary) for their injuries, but justice of the peace Robert Wilson transferred McClean to Kilmainham gaol to stand his trial charged with murdering Leggatt. Surgeon Rooney continued to treat McClean for his wounds at Kilmainham.81

In July 1788, the commission of oyer and terminer acquitted Nicholas McCann of the murder of David Bobbitt.82 At the same sessions, the commission put McClean and McCann on trial for the murder of Thomas Leggatt. William Shaw testified that he saw McClean stab Leggatt with a bayonet. A jury acquitted McCann, but sentenced McClean to hang.83 He was later reprieved and sentenced to transportation. With justice seen to be served in the case of Leggatt, the butchers wanted the same in the case of Bobbitt. In August 1788, examinations were lodged against Thomas McNamee for the murder of Bobbitt.84 In October 1788, the commission of oyer and terminer heard the trial, but it came on too late for many residents from Finglas Bridge to give testimony. Having waited till late in the afternoon and had returned to their homes in the mistaken belief that the trial would take place on the following day.

Nine other trials were heard before McNamee's came on, including three murders, one attempted murder, and several robberies and burglaries. This is an indication of the rapid pace of many criminal trials, which not only tired out the witnesses, but would have

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81 H.J., 02.01.88.
82 Rex -v- Nicholas McCann, Comm., in H.J., 02.07.88.
83 Rex -v- Nicholas McCann and James McClean, Comm., in H.J., 04.07.88.
84 H.J., 07.11.88.
tired out the jurors as well. By the time McNamee's trial was taken, only two character witnesses remained to give testimony, a country magistrate named Smith and a property owner named Bayly, who declared an interest in preserving law and order in north Co. Dublin. Despite their testimony, the commission found McNamee, (who was under 18) guilty of the murder of David Bobbitt, sentencing him to hang on 8 November 1788. Following the conviction, McNamee wrote a petition to the Lord Lieutenant pleading a royal pardon. At the same time, a letter to the Lord Lieutenant appeared in the *Hibernian Journal*, outlining the merits of McNamee's defense. At the last minute, his hanging was respited for two weeks. In December, McNamee was granted a pardon. The failure of the prosecution to secure a capital conviction over the deaths of two butchers had the desired effect. It is not clear if bull-fighting ended at Finglas, but the newspapers did not report such events in Finglas again.

Violent riots continued to be a feature of the annual bull-fight on St. Stephen's Day. Two years later, a group of working people, perhaps some of the same ones who had been to Finglas Bridge, were successful in their purchase of a bull. They organised a bull fight behind a high stone wall in a vacant field near the new Custom House. Some people who opposed the cruelty of the sport asked Sheriff Vance to put an end to it. Aware of the potential for violence and ill with a cold, Vance was reluctant to proceed against the large crowd of men and boys assembled for their sport. But police divisional justice John Carleton insisted that Vance stop the bull fight. In the event, both Carleton and Vance went to the bull ring at the head of a column of soldiers. Vance and his men marched directly through the gate into the enclosure, putting a stop to the bull fight. Vance then arrested eight people, which sparked a major confrontation between the spectators and the soldiers. Angry spectators poured out of the ring and into the streets, pelting the soldiers with stones and oyster-shells. In response, Vance ordered his men to open fire on the unarmed crowds, killing one man opposite the Custom House. More volleys were ordered as the crowds followed the soldiers in Abbey Street, where three more unarmed men were shot dead. In all, four men were killed: James Mahassey, Patrick Keegan, Farrel Reddy and an unnamed man.

On 27 December 1790, Alderman Howison held a coroner's inquest at an infirmary in Jervis Street. Howison exonerated the soldiers, stating that they were acting under the orders of Vance and Carleton. In February 1790, the King's Bench heard the trial of

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86 Thomas McNamee to Lord Lieutenant, Oct-Nov 1788: National Archives, Dublin, Prisoners' petitions and cases, MS 22.
87 *H.J.*, 07.11.88.
88 *H.J.*, 10.11.88; see also *H.J.*, 19.11.88.
91 Unnamed man: *H.J.*, 01.01.90; *H.J.*, 04.01.90.
Sheriff Vance, charged with the murder of Reddy. Family and friends of the deceased had no money to obtain proper legal representation, but they were able to organise a fund-raising meeting at St. Mary's (Church of Ireland) parish hall, where £50 was collected to obtain the legal services of Counsellor Archibald Hamilton Rowan, whose total bill came to £130 in the end. In his autobiography, Rowan said that firing on unarmed men was "a most diabolical exercise of power".92 The jury, however, after deliberating only one minute acquitted Vance of murder.93

In summary, high levels of violence permeated all layers of Dublin society. It was a society still getting to grips with the vast array of weapons and industrial tools that made inter-personal violence an easier if not a more acceptable mode of behaviour. Alternatives to killing were remote. Working men beat their wives to death with industrial tools, ordinary people fired bullets into their own brains, upper class men shot their peers in duels, women drowned their unwanted infants, all of which society accepted with a remarkable calm as if any other alternative was unthinkable. It is revealing that in one of the few suggestions made in the face of this human suffering a voice cried out for extra parish mortuaries to cope with the deluge of bodies. No voice, however, called out for legislation banning weapons. Society in Dublin had still to wait for humanitarian, enlightened and evangelical influences that would make casual violence and consequential killing seem less acceptable.

93 Rex -v- Sheriff Vance, King’s Bench, in H.J., 03.03.90.
Chapter 4

Repetitive Violence

The level of violence in Dublin is measured here by examining the large number of reported rapes, assaults, riots, and forcible enlistments of young men by recruiting serjeants. The *Hibernian Journal* in the years under study reported a total of 337 assaults, 53 rapes (seven of which resulted in death), 158 riots, and 22 cases of forcible enlistment. Women, children and young people were particularly vulnerable in a society where violent behaviour was not an abnormal phenomenon. All forms of violent behaviour carried the potential for death, but the crime of rape carried the most fatal potential; 13 percent of reported rapes resulted in death. In the eight years between 1780 and 1786, 36 rapes were reported, in the following eight years between 1787 and 1795, only 17, a reduction of 53 percent.

In 1780, 1781 and 1782, the *Hibernian Journal* reported 21 rapes, representing 39 percent of the total. Warnings to women began to appear in the paper: in May 1781, the residents of Mecklenburgh Street placed an advertisement warning women about the dangers of rape near a particular house at which rapists lay in wait. Directed to the high sheriffs, the advertisement said that "neither age nor condition prevents assaults".1 It was not a problem confined to one area. Many parishes formed associations to combat rape and other crimes in 1781. While this campaign succeeded in slightly reducing the incidence of rape, the formation of the new police force in 1786, seems to have reduced rape substantially.

Rape led to death in seven incidents, according to the *Hibernian Journal*. As seen in Table 4, 20 rapes were reported to have occurred in 1780, 1781 and 1782, an average of seven a year (one rape victim was also murdered which has been included in Table 2). In October 1780, Catherine Walsh, a "pedlar" woman, was raped and killed in Slane Road near Chapel Road. A youth joined the Hibernian Journal: "They have given the same affliction, but no rapist will be convicted. She was stripped and left dead. Let your readers observe this. It is a great object of concern."

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1 *H.J.*, 04.05.81.
near Clogher Road. A month later, Mr. Gorges Lowther arrested a man named Roger Giveny for the crime, but no report of his trial appeared.\(^2\) To avoid detection was one of the obvious motives for murdering raped women. In December 1790, a young woman went missing in Summerhill. After a search, friends discovered her body in a kitchen of a house under construction in the prosperous neighbourhood. She had gone there to ask for sticks to kindle a fire, but was raped and murdered with the "grossest violence ... to avoid discovery".\(^3\) Performing perverse rituals was another reason for murder in rape cases. On Monday morning 7 July 1788, a sick killer dumped the body of a partially dismembered woman on George's Quay. She was stabbed repeatedly with a small sword, her breasts and ears were cut off, and her body pushed down the embankment walls into the Liffey where it lay unmoved by the tide. Alderman John Exshaw conducted a coroner's inquest, returning a verdict of wilful murder.\(^4\)

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<td>12</td>
<td>9</td>
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Many rapes and murders were of course not reported out of personal fear or out of embarrassment particularly in cases that would have affected members of the family and friends. One rape case that went unreported at the time was publicized many years later: in January 1778, a 16-year-old girl, was raped and murdered in Coleraine Street. This was

\(^2\) *H.J.*, 09.10.80.

\(^3\) *H.J.*, 31.12.90.

\(^4\) *H.J.*, 11.07.88.
made public knowledge 12 years later, but only when a similar crime occurred on the same spot. On 10 February 1790, the body of a young woman was found in the waste ground to the west front of the Linen Hall, between Coleraine Street and the upper end of Church Street; she had been raped and murdered. At that point the Hibernian Journal chose to report the previous rape and murder. In the first incident, the girl had been a heiress of "considerable fortune" whose parents decided against reporting the crime since they wanted to protect the marriageability of their unmarried daughters. Their refusal to report the crime, however, also suggests that they had little confidence in the old parish watch system to protect their daughters from further attacks. The report of the 1790 crime would seem to indicate that families of such victims had more confidence in the new police.

Even when rapists were caught, convictions against them were difficult to obtain. According to the court index, 23 trials for rape took place, but only five of these could be traced back to the crime index, suggesting that a small percentage of rape victims took legal action. By the failure to link 18 rapes in the court index to the crime index, it suggests that the sample derived from crime index represents only a fraction of the real number of rapes. Meanwhile, of the 23 trials for rape, only nine people were convicted, and of those nine only two were hanged for separate rapes.

Some rapists avoided convictions by intimidating their victims before trial. In November 1784, four men broke into the house of one Mrs. Spear and raped her, her maid servant, and another woman in Temple Street just west of Mountjoy Square. Justice Francis Graham arrested two of the rapists, committing them to Kilmainham for their trial. Spear and another woman named Bray lodged examinations against the men. In December 1784, at the commission of oyer and terminer, Mrs. Spear and Bray contradicted their earlier examinations against three men indicted for rape, claiming that they had not been raped. Suspecting that Spear and Bray had been "tampered with" by the defendants, the court remanded the prisoners back to prison to stand trial again; the court also indicted the two women for perjury. It is unlikely that the rapists were ever punished.

In June 1788, William Crane, Mathew Denison and another man raped Elizabeth Knox in James's Street; the three men were arrested and committed to Newgate to stand their trial. Knox, however, did not appear in court to testify against Crane and Denison at the next two sessions of the commission of oyer and terminer, and therefore they were released by the court. That Knox did not testify against her attackers suggests that the system of justice did not protect victims from intimidation after the attack.

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5 H.J., 12.02.90.
7 Mrs. Spear and Bray -v- Rapists, Comm., in W.H.M., Dec. 1784, pp. 742-743.
8 Mrs. Spear and Bray -v- Rapists, Comm., in H.J., 17.12.84.
9 H.J., 27.06.88.
10 Elizabeth Knox -v- William Crane, Mathew Denison, and other, Comm. (postponed twice), in H.J., 29.10.88; and H.J., 10.12.88.
According to the *Hibernian Journal*, victims of rape or bystanders were reported to have taken some sort of deterrent action in about 20 of the 54 rapes. Two examples illustrate how victims or bystanders fought back. In July 1787, a man servant chased a rapist away from his intended victim in Long Lane, and the newspaper added that his heroism earned him the hand in marriage of the woman whom he had defended.\(^{11}\) This suggests that newspapers encouraged bystanders to come to the rescue in rape cases. Victims themselves were also known to put up fierce struggles: in June 1788, a woman stabbed one of her two attackers through the chest with a knife in the fields between Goldenbridge and Drimnagh.\(^{12}\) It was no accident that the intended rape victim was armed, because earlier in the same month a young girl had been raped and stabbed to death directly across the River Liffey in Phoenix Park.\(^{13}\)

In one case, the victim of a rape was "encouraged" to press charges against her alleged attacker in a criminal court, because the victim's father was apparently motivated by the prospect of winning damages against him in a civil court. In the summer 1789, Captain Robert Kindillan had an affair with a local Dublin woman named Elizabeth Egan. Together with a servant named Ann Carrol, Egan's servant, they stole away to the resort town of Douglas on the Isle of Man. When they returned to Dublin, Barnaby Egan pushed his daughter to press charges both against Kindillan for rape and against Carrol for aiding and abetting the rape. A warrant was issued for the arrest of Kindillan to stand trial at the commission of oyer and terminer in October 1789, but Kindillan disappeared from the scene temporarily. In November 1789, Kindillan surrendered himself to magistrates to stand his trial at the commission in the following December. At his trial, the jury acquitted him and Carrol.\(^{14}\) This, however, was not the end of the matter. In the autumn 1791, Barnaby Egan won £500 in damages from Kindillan at the Court of Exchequer.\(^{15}\)

In another case, the husband of an alleged victim of rape pressed charges against her alleged attacker to push him into total bankruptcy and a debtor's prison. In February 1791, John Travers successfully sued Denis McCarthy, his servant, for having "criminal conversation" with his wife Grace Travers (née Lysaght), at the Court of Exchequer.\(^{16}\) Damages of £5,000 were awarded against McCarthy, a "poor, abject, illiterate chaise-boy", aged between 12 and 15. The court sentenced him to the Four Courts Marshalsea in Bridgefoot Street until the damages were paid. This was to prevent McCarthy from coming into contact with Grace Travers again, but it also denied him any opportunity to earn a

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\(^{11}\) *H.J.*, 31.07.86.

\(^{12}\) *H.J.*, 30.06.88.

\(^{13}\) *H.J.*, 02.06.88.


\(^{16}\) John Travers -v- Denis McCarthy, Court of Exchequer, in *W.H.M.*, Feb. 1791, pp. 189-191.
livelihood. In prison, McCarthy was supported by a man who took him on as his servant; otherwise he would have perished for want of any subsistence. In April 1795, Denis McCarthy petitioned the Irish parliament, seeking relief from his debt of £5,000 still owing to Travers.\(^{17}\) McCarthy's petition was considered by the House of Commons in a bill for the relief of insolvent debtors, which implies that he was released from the Four Courts Marshalsea at that stage.

Not all servants who took liberties with their mistresses suffered as much as McCarthy did. In March 1790, a wealthy family discharged one of their footmen after he fell in love with their daughter.\(^{18}\) Distraught, the footman wrote a "flaming love letter" to the object of his desire, promising to visit her at home one evening. In response, she warned her father of his impending arrival. With a group of friends, he waited covertly for the footman's arrival; they surprised him, and beat him with a horsewhip.\(^{19}\)

Such acts of violence against servants were not uncommon, but legal redress was rarely forthcoming. Only if finances were made available would servants be able to press charges against their attackers. On 29 April 1792, Edward Wingfield Dowse and Robert Darlington violently assaulted Henry Neill, a defenceless servant. Both were wealthy property owners: one was an agent of Lord Powerscourt and the other a fox-hunter. In December 1791, Neill's master, a Mr. Patrickson, who probably put up Neill's legal fees, ordered him to stand guard over a rabbit warren, "with directions to shoot all dogs he should see". Neill did as he was told and shot one of Darlington's dogs. Four months later, Darlington and Dowse attacked Neill in front of a drinking house on the Scalp. Dowse hit him with the butt end of his whip, inflicting irreparable damage to one of his eyes. For over two weeks, surgeon Andrew Cranston attended Neill, but he lost permanent sight in the eye. At the trial, William Caldbeck, the prosecuting counsellor, said that the law provided "for the equal protection of every order of subject, and which warranted not the rich to tyrannize wantonly over the poor".\(^{20}\) They were sentenced to two weeks in gaol and fined one mark each, and paid only £50 to Neill in compensation for the loss of his eye.

Violence was perpetrated not only against servants but against young people who stepped out of line. On 22 September 1793, about five members of the Egglesoe family, who were cabinet-makers and upholsters, and a clergyman, travelled in a party to Booterstown to spend the day and have dinner at the house of one Mr. Boyle. During the day, one of the group, James Ryan, sang some indecent songs; one can assume that alcohol flowed at the Boyle residence. On the trip back to Dublin, the party split into two groups with Ryan and the women in a coach followed by the other men in a four-wheel

\(^{18}\) H.J., 31.03.90.
\(^{19}\) M.P., 31.03.90.
\(^{20}\) Henry Neill v Edward Wingfield Dowse and Robert Darlington, Comm., July 1792, in Dowling, Trials at large Section 1, p. 208; see also H.J., 25.07.92.
In the carriage, Ryan "behaved otherwise indecorously and troublesomely", making "some indecent familiarities" to Mrs. Peter Egglesoe: he put his legs under her petticoats. When they arrived in College Green, she complained about Ryan to her son and husband in the chaise. This precipitated a violent confrontation.

Henry Egglesoe, her son, pulled Ryan out of the carriage, struck and kicked him several times, and broke his leg with a blow of a stick. Peter Egglesoe, her husband, and Rev. Mr. Byrne looked on during the attack. For the next three months following the attack, Ryan remained in "very dangerous" condition. Ryan was unable to walk without crutches for at least a year after the incident. He also lost his job that had given him an income of £30 per year. In December 1793, the commission of oyer and terminer found Henry Egglesoe guilty of assaulting Ryan, but acquitted Peter Egglesoe and Byrne of aiding and abetting the attack. Egglesoe's sentence was not reported, but judging from similar cases he probably was sentenced to two weeks in gaol and fined one mark.

Following this conviction in a criminal court, Ryan sued Henry and Peter Egglesoe at the Court of Exchequer for £500 in damages on 2 August 1794. After hearing the evidence, the court ruled in favour of Ryan, saying that "the offence ... could not justify so violent an assault". Ryan won £100 in damages. This judgement suggests that the criminal and civil courts began to take a more aggressive approach to assaults than the previous decade, and were determined to curb the violent appetites of the city. Defeated by Ryan, the Egglesoe family were not defeated in their prosecution of a petty thief. On 14 August, 12 days after his humiliation in the Court of Exchequer, Peter Egglesoe prosecuted one Ann Foy at the Dublin quarter sessions for the theft of a chair valued at 10 shillings; she was sentenced to transportation for seven years. A comparison between Foy's punishment and Egglesoe's is suggestive of the values of society: to beat a man nearly to death was deemed less offensive than to steal a chair from a prominent tradesman.

Rape victims encountered many obstacles in the courts: in one case a woman was denied a conviction as a result of technicality over court jurisdiction. In February 1792, Thomas Hurley and John Kerr, captain and first mate of a passenger ship, raped Mary Mullen off Ramsgate harbour after she boarded their vessel in Dublin. In July 1792, the commission of oyer and terminer acquitted Hurley and Kerr because the crime was not committed within the court's jurisdiction. If Mullen had proceeded any further with the prosecution of Hurley and Kerr, it would have involved pressing charges against them in the particular jurisdiction which covered Ramsgate harbour. This would have cost far more money than she had already spent, making it an unattractive option. Apart from an

22 James Ryan -v- Henry and Peter Egglesoe, Court of Exchequer, in H.J., 06.08.94.
23 Peter Egglesoe -v- Ann Foy, D.Q.S., in H.J., 15.08.94.
24 Mary Mullen -v- Captain Thomas Hurley and First Mate John Kerr, Comm., July 1792, in Dowling, Trials at large part 1, p. 62.
indication of the risks women took in travelling, the case sheds light on the difficulty women experienced in seeking legal redress for crimes committed in their travels between Ireland and England.

Age was a handicap in obtaining convictions when young girls testified against their attackers in court. In August 1788, Mary Sparks, under the age of 12, pressed charges against Henry Greenagh for raping her on the Upper Coombe. In October 1788, at the commission of oyer and terminer, the father and mother of the child cast doubt on their daughter's character, claiming "the child would as soon tell lies as truth".25 Not wishing to contradict the parents, the jury acquitted Greenagh of raping Sparks.

Age was also a handicap in cases where victims were too young to provide sworn testimony in court against their attackers. In May 1795, Moses Murphy, a servant, raped Maria Larkin, aged 11 or under, in the presence of Barbara Walsh, another servant, in the house of Thomas Fleming, one of four divisional justices in charge of the new police who lived in Smock Alley.26 After the incident, Murphy absconded, but the child, or her sponsors, pressed charges against Walsh for being present, aiding and abetting Murphy in the rape. In July 1795, at the commission of oyer and terminer, Larkin appeared in court without her mother who had disappeared before the trial. Seizing the opportunity, Counsellor Leonard McNally, for the defendant, contested the admissibility of sworn evidence from a child under the age of 12. Agreeing with McNally in principle, the court ruled that Larkin could "tell her story" without taking the oath. In effect, McNally had won an important concession by forcing the crown to rely for its main evidence on testimony that could not be sworn on the Bible.

The girl told the court how begging for bread one afternoon Murphy and Walsh had called her into their master's house, in which Murphy repeatedly raped her on a carpet in front of a fireplace in the kitchen, with the full knowledge of Walsh, who could hear her screams from an upstairs room. Walsh came downstairs after one of the first attacks reportedly to warn her "never to mind the blackguard". Afterwards, she was made to sweep the kitchen and put coals on the fire. Walsh then forced her to spend the night by locking the door of the house. On the following afternoon, Larkin managed to return to her mother's lodgings in Copper Alley, but the girl did not immediately tell her mother of the attack until symptoms of a sexually transmitted disease appeared on her body. Her mother, a shirt mender for soldiers at the garrison, thought it was a "scalding", but surgeon Bell recognised the illness for what it was, treating it with a "course of mercury". Bell provided medical evidence in court, describing her disorder as "dreadful".

Larkin kept her composure during most of the trial, but lost it at the thought of the punishment which awaited Walsh if convicted. Larkin exclaimed to the jury, "do not touch

her, because it was the man that did it all to me”. Her outburst and her mother's absence from court suggest that victims of rape were not eager to prosecute due to the severity of capital punishment. In the end, the jury acquitted Walsh of the rape. Her acquittal sheds light on the harsh realities confronting juries. Here was a defendant who stood condemned of deplorable crimes, yet the system of justice demanded that the jury not convict Walsh without sworn testimony. To convict her would have opened the door for malicious prosecutions based on hearsay evidence. Perhaps the jury had in mind the popular maxim that it is better to acquit nine guilty people than to convict one innocent person. Larkin's position as a beggar also throws into sharp relief the extent of food shortages caused by the rising grain prices in 1794-6. Parents were obviously aware of the grave risks that their children took in begging on the streets of Dublin, but without enough money to buy bread they had little choice but to send their young ones in search of food.

It is both a singular circumstance and an indication of the violence perpetrated against young girls that following the trial of Walsh for her role in a rape, the same commission heard the case of Sarah Delany, aged 50, who was charged with being present, aiding and abetting a person unknown in the rape of Ann Mathews, aged 10, in Essex Street in May 1795. Some of the similarities and differences between the Walsh case and the Delany case are noteworthy. Both victims were young girls from deprived backgrounds in the city. Delany, who kept a fruit stand at the corner of Parliament Street near Essex Gate, entrapped her youthful victim by promising "her apples and plums, and goose-gobs, if she would not tell her father or mother". Unlike the Walsh case, however, both the victim and her mother testified at the trial against Delany. Indeed, Mathews was old enough to give sworn testimony at the trial, which was supported by the sworn evidence of her mother. Like Larkin, Mathews seems to have contracted a sexually transmitted disease, because it was reported that surgeon Houston examined her after the rape. Finally, both rapes occurred at around the same time.

Before reaching their verdict, one Mr. Pollock, who was a clerk of the crown, and a juror, inspected Mathews' lodgings across the river in St. Michan's parish to determine her social status. They would have been interested to know whether or not she was a prostitute, but she lived in squalor with a blind father and a destitute mother. Their report speaks volumes about the family's work ethos, their credit worthiness and their religious spirit that bound this close-knit family together in the midst of dire poverty: the Mathews family consisted of three people, an unsighted father, a former Custom House porter who went blind as a result of carrying heavy loads, her mother, and Ann whose "general employment was to lead her father about the streets" of Dublin.

27 Maria Larkin -v- Barbara Walsh, Comm., in H.J., 08.07.95.
On the first and second floors of their house in a lane near Ormond market, the family kept pigs and poultry for market. They lived on the third floor, which was sparsely furnished with a stool and a bed without its feathers, having been sold by them to meet their bills. In response to the report, the jury raised £30 for the family, citing the spirit with which the mother instructed her daughter "in the duties of religion". Unlike Larkin, Mathews had not been abandoned by her family, an important consideration in the jury's assessment of the character of the prosecutor. This suggests that the crown faced greater obstacles in obtaining convictions on behalf of abandoned children. After Mathews and her mother had testified, the jury returned with a guilty verdict and the court sentenced Delany to death. On Wednesday 22 August 1795, Rev. Mr. O'Brien read prayers to the condemned woman in the first-floor chapel at Newgate; she then walked through the chapel window onto the "fatal board" where she was "launched into eternity".29

Many victims were young girls who like Maria Larkin were abandoned by their parents and left to their own devices. Brothel keepers organised the most vulnerable children into a fast-growing sex trade, the source of much of the homicidal violence in Dublin. Brothel-keepers employed brutal tactics to exploit their sex workers. In February 1781, a prostitute was murdered in the Temple Bar area, after which the parish watch called in a brothel keeper and other suspected persons for questioning.30 In October 1781, a 17-year-old woman from Belfast was murdered at her lodgings in Stephen Street. A coroner's inquest returned with a verdict of wilful murder.31 It turned out that the Belfast sex-worker refused "to accommodate" Ann McDonagh, a brothel keeper who exploited a stable of prostitutes in Little Booter Lane. Angry with the murders of two sex workers within nine months, local residents attacked McDonagh's brothel, but this apparently had little impact. In July 1782, McDonagh beat a street prostitute so badly that she lost one of her eyes.32 This suggests that the parish watch system was not strong enough or willing to tackle the problem of prostitution. This could also be said about the new police. In April 1791, a crowd of people destroyed one "Mother" Beatly's house of ill fame in Ross Lane after a girl had been decoyed into it. When policemen intervened to prevent further damage, the mob pelted them with stones.33 In July 1791, soldiers pulled down at least four brothels in Fleet Lane and Crown Alley after one of the local bullies working in the sex trade taunted them.34

30 H.J., 16.02.81.
31 H.J., 15.10.81.
32 H.J., 08.07.82.
33 H.J., 27.04.91.
34 H.J., 27.07.91.
Four years later rioters attacked brothels over a two-week period in response to the rape (discussed above) of Ann Mathews in Essex-street on 25 May 1795.35 On the first night, crowds attacked brothels in Strand Street, and on the following night brothels in Liffey Street. Four nights later, they attacked houses of ill-fame in Trinity, Cope, Fleet, and Townsend Streets.36 A week later a brothel in Great Ship Street was attacked.37 Other similar riots in the summer of 1795, are suggestive of a change in attitudes towards high levels of violence against children and young people. On 11 August 1795, a woman attacked a child in Fleet Street, but residents rushed to the child's defence. In the riot that followed, chief constable John Atkinson arrested the woman on the spot.

In the middle of the affray, Atkinson got word that another disturbance was in progress in Crane Lane over the forcible enlistment of two young men by recruiting serjeants at a rendezvous house. A crowd had managed to free the pair from the hands of the serjeants, but a riot broke out in the process. When Atkinson arrived on the scene, a detachment of soldiers opened fired on the crowds and wounded a man and a child.38 By the end of the night, Atkinson had arrested several people, including the female assailant in Fleet Street and five rioters in Crane Lane, indicating the dilemma facing the police who at one instant were arresting an object of popular anger, at the next arresting men who had sought to countermand the actions of the hated press gang. It also exemplifies the aggressive behaviour displayed by the military in recruiting young men for the French wars, a campaign which touched off a considerable amount of tension in the local community. (The military forces were also putting down food riots: in June 1795, soldiers had been posted at the city food stores to prevent looting of corn and flour.39) Reports of such incidents suggest that they were spontaneous, but it is always possible that they were being orchestrated for private and political motives.

The many brothels in the city, particularly in the Temple Bar area, were the scene of violent behaviour perpetrated against the most vulnerable members of society. Young women, many of whom had migrated to Dublin from the surrounding counties, were exploited as sex workers for clients who preferred girls because they were more likely to be free of disease. Women who were enlisted in the sex industry could expect little sympathy. Convictions for the raping of prostitutes were difficult to obtain and if they were obtained sentences were seldom carried out. In May 1786, Richard Moncrieffe, who was to become a divisional justice of the new police five months later, arrested Mary Neal, aged 12, Morgan Donnelly, Thomas Keating and James King. The latter three were charged with

35 H.J., 13.07.95.
36 H.J., 13.06.95.
37 H.J., 15.06.95.
39 H.J., 10.06.95.
raping and robbing Mary Hogg, a prostitute, near Ringsend. In August 1786, the Dublin quarter sessions convicted and sentenced them to hang, but their sentences were never carried out, according to the Hibernian Journal.

In July 1788, the commission of oyer and terminer heard the trial of Maria Lewellin, a brothel keeper, for aiding and abetting in the rape of the same Mary Neal as above. Before the trial, Robert Edgeworth, one of Lewellin's sex workers, managed to organise the arrest and imprisonment of John and Anne Neal, her mother and father, to prevent them from testifying at the trial. (Apparently, Anne Neal died in Newgate prison as a result of abuse at the hands of the gaol keeper George Roe.) Despite Edgeworth's attempt to prevent the prosecution of his one-time boss, Mary Neal's testimony was sufficient for the jury to convict Lewellin, who was sentenced to death. The safety of her conviction was called into question after allegations came to light that Neal had been a habitual sex offender. Indeed, Neal was actively engaged in criminal activity, most likely prostitution, for years before the Lewellin case, according to the crime index. As mentioned, in May 1786, Moncrieffe arrested Neal for a "felony" just one day before he arrested Donnelly, Keating and King, suggesting that Neal had some connection to Mary Hogg, whom the three men raped and robbed.

Allegations that Neal was a prostitute were probably substantiated, because the Lord Lieutenant pardoned Lewellin on the morning of her scheduled hanging in November 1788. Even though Lewellin was pardoned, a conviction did arise from the Lewellin case. In December 1788, the commission of oyer and terminer convicted Edgeworth of "subornation of perjury", a reference to his organising the arrest of the mother and father of Mary Neal. The court sentenced him to a year in gaol, two times at the pillory, and also fined him. Angry crowds turned out at the pillory opposite the Tholsel on both occasions. At the first punishment, Edgeworth's head and hands were locked into stocks on a purpose-built platform, providing the crowds with a good target for their rotten eggs and snow-balls. In July 1789, Edgeworth was pilloried a second time, which turned into a confrontation between the crowds and the military. Crowds threw "rotten eggs, oranges,
potatoes, old shoes, brickbats, dead cats, mud, and filth of every sort" at both Edgeworth
and the soldiers who were keeping them away from the platform.49

After the introduction of the new police in 1786, the number of reported rapes declined sharply, and indeed no rapes were reported between 1792 and 1795. It is not known what effect the police had on rapes which occurred within the family, but at least one serious case of domestic violence occurred: in July 1792, at the commission of oyer
and terminer, William Byrne was indicted for murdering his wife. While it transpired that
no murder had taken place, the crime he had committed could have led to death.50 Byrne
had beaten his wife Anne with such force and frequency that when she suddenly fled from
Dublin to Dundalk without telling her neighbours of her whereabouts, one of them was led
to believe she had been murdered. Anne's mother and sister, who came to her rescue,
apparently duped a neighbour into pressing charges against the husband for murder. It thus
would seem that they believed that a male, named Michael Walsh, "was the only person
who could bring him to justice".

On the day of the trial, Anne walked into court-room to the surprise of the judge
and jury, and it was necessary to establish her identity. The testimony of Bernard Madden,
a neighbour who knew Byrne for only a year, indicates just how badly Anne Byrne
suffered from her husband. Madden said, he had "frequently seen her with black eyes from
the ill-usage of the prisoner and has no manner of doubt but this is the woman". Madden's
statement indicates that he and the other neighbours were aware of the beatings, but were
not prepared to press charges against her husband for assault. After the court was satisfied
that no murder had been committed, Byrne was acquitted of the charges. Before
discharging him, however, the court warned him to "take your wife home and treat her in a
more becoming manner".

Women who were beaten by their sons were also at risk from intimidation and
pressure if victims took legal action. In August 1792, Letitia Morgan prosecuted her son at
the Dublin quarter sessions for an assault, but may have come to regret her action. She
pleaded with the judge "not to oblige her to give evidence against her unfortunate child".51
Denis George, the Recorder of Dublin, threatened to levy a fine on her if she did not
testify. She then told the court how her son Charles Morgan, a watch-maker, struck her on
the forehead with an iron poker, inflicting a serious injury.

At the time of the assault she "gave him no other provocation whatsoever, than asking
him why he poked out the fire". Furthermore, Morgan "threatened to stab his sister for
reproving him for his treatment to his mother".52 Morgan offered no defence for his
behaviour nor showed any remorse, walking away from the dock "muttering new threats

49 H.J., 13.07.89.
50 Michael Walsh -v- William Byrne, Comm., July 1792, in Dowling, Trials at large Section 1, p. 60.
51 Letitia Morgan -v- Charles Morgan, D.Q.S., Aug. 1792, in Dowling, Trials at large Section 2, p 84.
52 H.J., 24.08.92.
against his aged parent”. After the jury found him guilty, George sentenced him to six months in gaol, and to keep the peace for seven years. This was a harsh sentence by the standards of the day, suggesting that the court wanted to make an example of Morgan. By comparison with the leniency shown towards wife-beaters, this sentence indicates that the courts drew limits at mother-beating.

Whatever about outright physical attack, Dublin society seems to have tolerated low-level intimidation against weaker members of society. This sometimes took the form of a public humiliation by means of paid advertisements in the press. In the 16 years between 1780 and 1795, the *Hibernian Journal* published advertisements impugning the character of 10 wives, one daughter, 14 servants, and 10 apprentices. They were individually singled out for improper conduct, misbehaviour and an assortment of petty crimes. Although this character assassination usually went unanswered, two wives responded in kind against their husbands by placing counter-advertisements. In September 1784, William Wilkinson warned shopkeepers not to give credit to his eloped wife. Sarah Wilkinson, however, charged her husband as a wife-beater and a thief, who had deserted his wife and four "destitute" children.

An almost identical set of advertisements appeared in 1789: John Redmond warned shopkeepers not to give credit to his wife. Driven to the necessity of defending her character publicly, Jane Redmond defended her character in a counter-advertisement: "As there is nothing of so much consequence to a woman as her character, I hope I shall be acquitted in the eyes of the world in justifying mine." Her reply is suggestive of the internal pressures bearing on married women in a society which tolerated public humiliation of them.

The *Hibernian Journal* reported 337 incidents of assault, but the same newspaper reported 406 prosecutions for assault: 69 more assaults are listed in the court index than incidents of assault in the crime index. Apart from a dramatic growth in litigation, an analysis of the court index reveals a pragmatic approach to the drafting of indictments. On 8 April 1785, Anne Parvisol prosecuted her father for assault, but according to her counsellor she should have prosecuted him for incest. She was destitute, and with the little money that had been donated to her, had only enough resources to cover the costs of a counsellor for the day of the trial at the Kilmainham quarter sessions.

Anne Parvisol said that her father Robert Parvisol, a hatter in Prussia Street, had carried on incestuous relations with her for three years, turning her into "the most wretched miserable object in God's creation". When she had become pregnant by him, he had turned

53 *H.J.*, 24.08.92.
54 *H.J.*, 01.09.84.
55 *H.J.*, 03.09.84.
56 *H.J.*, 09.09.89.
57 *H.J.*, 11.09.89.
his back on her. Rumours of his crime began to circulate in their neighbourhood, just north of Oxmantown Green. In anger, he threw her out of the family home, and without any means to support herself, she went to live across the river with an ex-servant in Dirty Lane. On 4 March 1785, she returned to the family home, but her father beat her on the front doorstep and then kicked her into the street in full view of neighbours. After the assault, she lodged examinations against him for assault, which led to a trial at the Kilmainham quarter sessions on 8 April 1788.

Four days before his trial, Parvisol paid for the publication in many of the local newspapers of a long letter (26 inches) and of a sworn deposition, denying the allegations of assault and incest, and making all sorts of personal attacks on the character of his daughter, with the intent to prejudice the public, the judge and the jury. That the newspapers were willing tools in the prejudgement of his own trial is an indication of the mercenary editorial standards of the day. Before the trial, John Toler, chairman of the Kilmainham quarter sessions, cleared the court-room of all women, which may have included some witnesses for the prosecution. Toler then charged the jury to consider only the indictable offence before them, which was assault, and not to consider any "other circumstance", which undoubtedly was a reference to the incestuous relations of the defendant. On behalf of Anne Parvisol, Counsellor Smith said that the indictment should have been laid for incest because he had "the clearest and most indisputable evidence" upon which to obtain a conviction. In the end, Parvisol was found guilty of assault, and sentenced to a fine of one mark and to gaol for 30 days. With Parvisol in gaol, his daughter would have been able to gain access to the house, one of her main objectives.

That 69 more assaults occurred in the court index than in the crime index could also be a function of the source itself. Many of the assaults that went to court, such as the Parvisol case, involved the wealthier sections of the community. Thus, the absence of more assaults in the crime index suggests that the *Hibernian Journal* did not cover some of the assaults involving poorer sections of the community. Assaults in poor neighbourhoods occurred with such frequency that to report all of them would have been repetitious by contemporary standards. Thus, reported assaults on working people are noteworthy. As mentioned, high levels of violence were specific to particular places. Women who travelled faced a great risk of being assaulted in the course of being robbed. After a dairy woman was robbed of a few shillings between Kilmainham and the Black Lion turnpike, a thief noticed her gold ring. He took her whole finger into his mouth, biting on it to remove the

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59 At least two newspapers published Parvisol's letter and deposition: see *H.J.*, 04.04.85, and also *Freeman's Journal*, 02-05 Apr. 1785.
60 *M.P.*, 09.04.85.
62 Up to 1783, *Wilson's Dublin Directory* listed Robert Parvisol's address as 32 Prussia Street. From 1784 to 1794, the directory stopped printing his name and address. In 1795, it listed his address as 34 Manor Street, a continuation of Prussia Street.
ring. After he swallowed the ring, she knocked him to the ground with his large oak cudgel. She is reported to have then forced him to vomit whereby she retrieved her ring. As the thief was stunned by the blow, this allowed enough time for some local residents to convey him to Kilmainham prison. This Gothic tale may highlight the risks women took in travelling alone.

Highwaymen were not alone in attacking women, as burglars were also known to assault them in the course of their work. On the evening of 3 November 1788, James and John Wade burgled the house of Warden Flood in Summer Hill, a burglary which went badly wrong, leaving a pregnant servant named Jane Brady near death. John Wade, a postillon who knew Flood's servant, came to the house, offering her a shilling and a glass of spirits. A few minutes later, James Wade, a journeyman paver, and several other men burst into the house, where they confronted one Mrs. Kelly and Brady. Kelly, far advanced in her pregnancy, was thrown to the floor, while Brady was thrown on top of her. Both were forcibly held down in that position while the gang ransacked the house, stealing wearing apparel, linen, and other articles, and 29 guineas. After the burglary, the gang fled across the river towards the Liberties, but an observant policeman foiled their escape.

Observing two men with a large bundle between eight and nine o'clock in the evening, Martin Davis, the policeman, challenged the brothers as to the suspicious parcel. Not satisfied with their reply, Davis arrested James Wade in High Street with the bundle, while the other brother escaped to his lodgings in Church Street. Meanwhile, James Wilson, chief constable of the Rotunda division, two policemen, and John Gorey, a relation of Jane Brady, all went to the lodgings of John Wade in Church Street to question him about his whereabouts that evening. Not satisfied with his answers, Wade was arrested and conveyed to the office of police divisional justice Thomas Emerson, who committed both brothers to prison to stand their trial for burglary. At trial, Kelly, the pregnant woman was described as dangerously ill. After the Recorder of the Dublin quarter sessions summed up the evidence, the jury deliberated for 15 minutes and returned a verdict of guilty. Sentenced to death, the Wade brothers were hanged on Saturday 10 January 1789. In the Wade case, the police played a crucial role in bringing the culprits to justice, suggesting that the police reduced levels of violence in Dublin.

According to the Hibernian Journal, the level of violence as measured by the number of assaults fell sharply over the 16-year period. In the eight years between 1780 and 1787, the newspaper reported 238 assaults, but in the eight years between 1788 and 1795, the same newspaper reported only 99 assaults, a reduction in reported assaults of 58 percent. In contrast, the court index shows a steep increase in the amount of litigation over

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63 H.J., 05.07.86.
assault. In the first half of the period, the *Hibernian Journal* reported 65 prosecutions for assault, but in the last half of the period the same newspaper reported 341 prosecutions for assault, an increase of 425 percent. This indicates that with the introduction of the new police, Dublin became a far more litigious society. Apart from the legal profession, many other members of society benefited from the increase in court activity, particularly the weaker elements. This is suggested by the increase in the number of prosecutions against masters accused of assaulting their apprentices. In total, six masters were put on trial, but five of these were prosecuted in the 1790s.

Thomas Ward beat his apprentice Andrew Carty, aged 12, over a two-day period, beginning on St. Stephen's day 1793. At one point Ward almost killed Carty with a sword. Surgeon Rivers, who treated Carty for several days following the attack, described his condition as "extremely ill". As a result, Carty pressed charges against his master Ward for assault. In July 1794, the commission of oyer and terminer heard the testimony of Carty, in addition to corroborative testimony from James Carty, his father, against Ward. After the jury found Ward guilty, the judge sentenced him to six months in gaol.65 Ward successfully pleaded a royal pardon at the following commission of oyer and terminer on 30 October 1794. Having only served three months of his sentence, Ward was discharged immediately out of court.67 This indicates that despite the great increase in litigation, the courts were not unsympathetic to the wealthier members of society at the receiving end of some of this new-found interest in prosecution.

In summary, the introduction of the new police brought about an increased awareness of the legal options for victims of assault. According to the crime index, high levels of violence fell sharply, as suggested by the fall in the numbers of rape and assaults. In the early 1780s, women were the victims of many violent attacks, while the old watch parish seemed to offer them inadequate protection. Indeed, the horrific attacks on women may have been an important contributing factor in the setting up of street associations and the municipal organisation of the Volunteer movement which took over some police functions from the parish watch. This vigilante approach was no substitute for good police work. Assaults on women and children became less and less acceptable in an apparently more litigious society. Even though the courts gave a slap on the wrist to some of the convicted perpetrators of violence, the amount of litigation reveals a society no longer willing to tolerate high levels of violence.

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65 Andrew Carty -v- Thomas Ward, Comm., in H.J., 23.07.94.
66 *H.J.*, 30.07.94.
Chapter 5

Industrial Violence

Disputes between journeymen and craft employers in the city often turned into violent confrontations resulting in damage to property and injury to people. The *Hibernian Journal* reported cases of murder, rape, assault, and arson, perpetrated against master craftsmen, importers of foreign goods, women, and journeymen. These crimes were committed by the labouring poor who were sworn to secrecy under oaths of allegiance. John Orth has pointed out that "combination and conspiracy were always closely related".¹ Crimes were thus committed with impunity. It was the conspiratorial nature of the increasingly violent and destructive conflict between the employers and tradesmen that alarmed legislators, prompting them to pass laws against the embryonic trade unions which came to be known as combination committees.

From the point of view of the manufacturers in the city who were competing for market share both at home and abroad, and often under less than desirable political conditions, the growth of industrial violence within their midst was seen as a cancer that needed to be surgically removed. As seen in Table 5, the master craftsmen were unsuccessful in defeating the organised strength of the combination committees, but not for lack of trying. Throughout the eighteenth century the Irish parliament passed a number of trade-specific laws against combination, but these did not prevent the growth of the combination committees.² In 1780 parliament took a quantum leap in its determination to protect the very survival of Ireland's nascent industrial base. The Combination Act of 1780 was the first general law against combination in either Ireland or Britain.³

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¹ Orth, *Combination and conspiracy* p. ix.
² ibid., pp. 203-204, which contain a partial list of legislation against combinations in Ireland in the eighteenth century.
³ *Statutes* (Ire.) 19 & 20 Geo. III. c. 19.
Recognising its importance over 25 years ago, Maurice O'Connell pointed out that the Irish Act of 1780 "was the first parliamentary measure in the British Isles to deal with combinations in general". This act came about partly in response to the evidence presented to a parliamentary committee, chaired by Sir Lucius O'Brien, in which a majority of the 18 merchants and master-tradesman witnesses testified to the growing strength of the journeyman committees in many sections of trade and manufacture in Dublin. For example, Alexander Clarke, a master tailor, opined that "the journeymen are now the masters, and those formerly deemed masters their slaves". Clarke's statement is suggestive of the frustration felt by many masters in Dublin in making decisions on the future direction of their businesses in line with advances in technology and working practices. If their decisions were frustrated by the opposition from the journeyman committees, then how could they proceed? The driving urgency contained within this question was at the heart of 19 & 20 Geo. III. c. 19.

Table 5
Reported incidents of industrial violence and combinations, and trials arising from the same.

<table>
<thead>
<tr>
<th>Years</th>
<th>Ind. Vio.</th>
<th>Trials</th>
<th>Years</th>
<th>Ind. Vio.</th>
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<td>1791</td>
<td>8</td>
<td>5</td>
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<td>16</td>
<td>Total</td>
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To deal with the journeyman committees, the employers persuaded the Irish parliament to pass the Combination Act. According to Douglas Hay, "the private manipulation of the law by the wealthy and powerful was in truth a ruling-class conspiracy, in the most exact meaning of the word". Conspiracies are formed, however, when other

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6 Hay, "Property, authority and the criminal law", p. 52.
methods have failed. In his analysis of the Combination Act, O'Connell overlooked the conspiratorial nature of the O'Brien committee. This led him to exaggerate the implications of the combination law and to underestimate the strength of the journeyman committees in getting round the law. O'Connell maintained that the "masters aimed at nothing less than the destruction of the organized power of skilled labour ... compromise was out of the question". Even if they wanted to, the masters knew they could not destroy the journeyman committees. As the evidence indicates, the journeyman committees had been on the scene for at least 20 years. In addition, the combination act of 1780 was not a capital statute, that is, those convicted under the Act could not be sentenced to death. What was the aim of the legislation, if it was not to destroy organised labour? It was to reduce the conflict between masters and journeymen which had reached an exasperating level in the third quarter of the eighteenth century.

The journeyman committees operated behind a veil of secrecy, so it is not possible to trace their early development in the way that it has been possible with the guilds. An examination of Peter Linebaugh's research into the journeyman committees of London in the third quarter of the eighteenth century, sheds some light on the size, organisation and high levels of violence of the journeyman committees there. Linebaugh discovered that in the English capital "Irish workers were the most numerous of the non-London-born Spitalfields weavers [who were hanged]". Linebaugh analysed a dispute in the weaving industry that left many weavers dead on the gallows. Because silk was the "fabric of power and class command" in the eighteenth century, Dublin weavers found that their skills were in demand in London. Many of them came to London for varying lengths of time, retaining connections with their former journeyman committees in Dublin. They shared information on wage rates. In the 1760s, the London journeyman committees issued a book of wage guidelines to present to the employers, and this allegedly drove up wage rates so high that employers who could not pay the higher wages left London.

Journeyman committees enforced the book of wages by both peaceful and violent means. Linebaugh has uncovered evidence linking the journeyman committees in London with those in Dublin. In 1768, the English government intercepted a letter from Dublin addressed to the committee of silk weavers in London. In the letter, 17 silk weavers from Dublin thanked their counterparts in London for supplying them with the most recent wage rates. "The letter ... was part of a larger correspondence between Dublin and Irish weavers in London. It is full of pride, determination, mutualism and useful warnings". Linebaugh's work is suggestive of the strength and organisational skills that obtained

8 O'Connell, "Class conflict", p. 106.
10 ibid., p. 278.
among the Dublin journeyman committees by the time of the Irish Combination Act of 1780.

Even with the best of evidence, the conspiratorial nature of the journeyman committees would make their historian's job a difficult one. Linebaugh noted the lengths to which the journeyman committees would go to keep secrets. "The working people of London developed a common linguistic culture that may be called 'thieves' cant', as long as it is realized that this was not the property of a small sub-culture of 'criminals'. It lent the weavers protection against invigilation by outsiders and police informers". According to Linebaugh, the Irish workers invented a genre of cant, the execution ballad. This indicates that among the Irish workers, violence was so often met with violence that they developed their own songs about it. Newspapers emphasised the secrecy and the violence employed by the journeyman committees.

Sean Murphy has said of Dublin that "as the eighteenth century wore on, the guilds progressively developed the character of political clubs and their original primary function of regulating trade and crafts diminished accordingly". This begs the question as to what body took over that original function, the most important and decisive one of regulating trade and wages. Murphy partly answered his own question when he noted the widespread existence of "illegal 'combinations of journeymen' or nascent trade unions" as early as 1759. Only one answer seems possible--the power of regulating wages passed from the guilds to the journeyman committees.

Apart from reporting violent incidents connected with combinations, the Hibernian Journal rarely reported on the size, organisational skills and command structure of the journeyman committees in Dublin. Exceptions were rare, but occasionally they occurred. As a result of a well-planned raid by the city sheriff in January 1781, the Hibernian Journal learned of the size and organisational skills of the committee of journeymen carpenters. Sheriff Thomas Andrews, justice William Worthington and a group of Volunteers raided a house where the committee of carpenters met, seizing a chest full of their documents, registration books, resolutions and bye-laws. The chest was turned over to the masters for their inspection. In the chest were found the names of 1,900 journeymen carpenters who had been engaged in combination activity dating back 20 years. This confirms Linebaugh's argument for London that the journeyman committees became far more active in the 1760s. Furthermore, the evidence is suggestive of the organisational strength of the journeyman committees. A membership of nearly 2,000 carpenters was no mean feat for the committee who organised them.

11 ibid., p. 274.
12 ibid., p. 324.
13 Murphy, "Municipal politics", p. 79.
15 H.J., 09.02.81.
After the raid by Sheriff Andrews, a reward was offered for information leading to the arrest, prosecution and conviction of the journeymen carpenters on the committee as well as for the keepers of houses where the committee met. Such keepers were "to be punished as those who keep common bawdy-houses". The need to publicise a reward was a measure of the degree of the loyalty among the committee members, and of the difficulty in obtaining convictions against them.

Employers began bringing journeymen to court almost immediately the 1780 Combination Act was passed. Just after the raid on the carpenters, the commission of oyer and terminer heard several cases of combination involving skinners. In March 1781, the commission convicted 37 master skinners for organising a combination. Each of the 37 men were sentenced to a month in gaol and fined £5. The harshest sentence was meted out to John Morgan, a butcher who was convicted of forging an affidavit and warrant in the name of Alderman Nathaniel Warren. In the dispute which gave rise to the prosecution, Morgan had illegally punished an unnamed journeyman skinner by putting him on board a tender in the harbour for refusing to join the combination committee. Morgan was sentenced to 12 months behind bars, to two pilloryings and to be whipped twice, a tough sentence designed to send a message to the committees not to take the law into their own hands.

At the same sessions, the commission convicted Patrick Clancey, a keeper of a public house, of allowing the committee members to met in his house. After the conviction, the court sentenced Clancey to three months in gaol and to a pillorying. This case indicates the degree of support the journeyman committees had in the meat industry, the lengths to which butchers would go to intimidate non-committee members, and the support which they had among publicans. Under the initial wave of prosecutions under the Combination Act, many journeymen and a few publicans were sentenced to prison, to the pillory and to be whipped on the streets of Dublin. For the next few years, according to the newspaper, the employers seemed to have shown less inclination for undertaking prosecutions.

In the mid-1780s, the Irish parliament passed tough new legislation which had a bearing on the activities of journeymen organisations, including the Police Act, the Riot Act, and more severe versions of the Chalking Act. The Riot Act of 1787 made it a capital offence both to administer oaths and to engage in unlawful assemblies of more than

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16 Rex -v- 37 Master Skinners; Rex -v- John Morgan; Rex -v- Patrick Clancey, Comm., Mar. 1781, in H.J., 05.03.81; also see W.H.M., Mar. 1781, p. 167.
17 Police Act: Statutes (Ire.) 26 Geo. III. c. 24 (1786); Riot Act: Statutes (Ire.) 27 Geo. III. c. 15 (1787); Chalking Acts: Statutes (Ire.) 13 & 14 Geo. III. c. 45 (1774); Statutes (Ire.) 17 & 18 Geo. III. c. 11 (1778); Statutes (Ire.) 23 & 24 Geo. III. c. 56 (1784).
12 people. In some paid advertisements in this period, employers threatened journeymen with the Chalking Act, an act whose punishments grew more severe over time.\(^{18}\)

The evidence also indicates that a new pattern of prosecutions against journeyman committees began in the mid to late 1780s. According to the *Hibernian Journal*, in the eight years between 1780 and 1787, employers only took 11 cases involving journeymen to court, but in the eight years between 1788 and 1796, they took 40 cases involving journeymen to court, an increase of 264 per cent. In March 1787, Samuel Baird prosecuted 18 journeymen pin-makers at the commission of oyer and terminer for preventing him from going about his business, for administering illegal oaths, and for regulating wages. It was the beginning of a long and complicated legal process that would have made other employers think twice before prosecuting journeymen. First, the trial of the pin-makers was delayed on two occasions, perhaps because two other trials for combination involving seven hosiers and eight calico printers came on at the commission in July 1787.\(^{19}\) Finally in October, the commission heard Baird's case, finding all 18 pin-makers guilty: 14 were sentenced to one year in prison and fined £10, four were sentenced to two years in prison and fined £20.\(^{20}\)

In January 1788, the pin-makers started their prison sentences in Newgate, but none of them served their full term, nor did they experience the worst excesses of gaol life. With 205 prisoners in Newgate at the time, the pin-makers managed to get the best accommodation. George Roe, keeper of Newgate, complained to a parliamentary commission that he was out of pocket £4 after nine pin-makers took over one of his most expensive two-bedroom suites. Roe also threatened that he should have "bolted them and put them in a dark cell".\(^{21}\) This indicates that the journeyman committees could exercise their muscle even in the prisons.\(^{22}\)

Prison life, however, did not prove amenable to the pin-makers. In July 1788, the committee published a letter in the *Hibernian Journal* which contained a demand for the release of the men from Newgate.\(^{23}\) They argued that with almost a third of Dublin's 60 pin-makers in prison, the remaining two-thirds could not meet the demand for pins, resulting in a "large importation of English pins". They appealed to the Lord Mayor "to remit the remainder of the confinement and restore them to their afflicted families". This is exactly what happened. In September 1788, Lord Mayor William Alexander granted bail to

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\(^{18}\) *Statutes* (Ire.) 13 & 14 Geo. III. c. 45 (1774); *Statutes* (Ire.) 17 & 18 Geo. III. c. 11 (1778); *Statutes* (Ire.) 23 & 24 Geo. III. c. 56 (1784).

\(^{19}\) Sam Baird -v- 19 Pin-makers, Comm. (postponed), in *H.J.*, 05.03.87.


\(^{22}\) Within a year of making these threats, George Roe was himself dead of an "apoplectic fit", see *H.J.*, 18.03.89.

\(^{23}\) *H.J.*, 30.07.88.
the 14 pin-makers who had been sentenced to gaol sentences of one year.24 Meanwhile, the four remaining pin-makers petitioned Dublin Castle for remittance of their sentence.25 In December 1788, the Lord Lieutenant ordered their release from prison; they had served half of their gaol sentences.26 This case is suggestive of the covert power of the journeyman committees in Dublin; they got their way in Newgate, and had the ear of both the Lord Mayor and the Lord Lieutenant.

The Combination Act of 1780 encouraged journeymen to bargain for wage increases, shorter hours, and improved working conditions through the general quarter sessions. In 1789, the Hibernian Journal reported an attempt by the journeymen tailors to bargain for wages through the courts, but the negotiated settlement was resisted by the master tailors. From February to November 1789, the journeymen tailors sought an increase in wages through the Dublin quarter sessions. John Lestrange, on behalf of himself and several journeymen tailors, petitioned the quarter sessions of the city of Dublin for an increase in wages and a decrease in working hours.27 In February 1789, the quarter sessions ruled in favour of the journeymen, awarding them a wage increase from 12 shillings to 14 shillings a week, an increase of 17 percent. In addition, the quarter sessions ruled in favour of a reduction of one working hour in the winter half year.28 Meanwhile, news of the award reached other sections of the labour market outside of Dublin. Construction workers at the Royal and Grand Canals went on strike, forcing employers to raise their wages to 17 pence a day.29

In May 1789, the master tailors refused to abide by the decision of the general quarter sessions, and successfully appealed to the court of King's Bench by which a conditional order was granted for a writ of certiorari to remove the Lestrange's petition. With the certified writ from the King's Bench postponing the ruling of the general quarter sessions, the master tailors refused to pay their journeymen the increased wages ordered by the quarter sessions.30 In the end, however, the King's Bench ruled in favour of the journeymen in November 1789, ordering the masters to pay wage increases backdated to February when the quarter sessions ruled in favour of Lestrange. It was thought that the master tailors had "a large arrears to pay"; legal costs for the two sides was estimated at £500 in total.31

Some industrial disputes seem to have resulted in court actions. In July 1792, Thomas Casey and William Trevor, two journeymen shoemakers, were indicted under the

24 H.J., 17.09.88.
25 Anthony McKinley, Michael Rorke, Hudson Hampden and Richard Barber to Lord Lieutenant, December 1788: National Archives, Dublin, Prisoners' petitions and cases, MS 23.
27 Petition of John Lestrange before the D.Q.S., May 1789, in H.J., 27.05.89.
28 H.J., 27.05.89.
29 W.H.M., June 1790, pp. 574-575.
30 H.J., 29.06.89.
31 H.J., 13.11.89.
Combination Act after they attempted to obtain an illegal wage increase of 40 per cent from Samuel Dixon, a master shoe-maker on Ormond Quay.\textsuperscript{32} This was more than double the wage increase awarded to the journeymen tailors by the Dublin quarter sessions in 1789. Dixon was unsuccessful in obtaining a conviction of the two men, but events turned in his favour two years later. In December 1794, Dixon successfully prosecuted John McArdell, a journeyman shoemaker, for seeking to impose an illegal wage increase; the commission of oyer and terminer sentenced McArdell to gaol for six months.\textsuperscript{33} Overall, journeymen shoemakers faced an uphill battle to obtain wage increases in 1794. Inflation was driving up the cost of living, and indeed the journeymen argued that the cost of living was so high that they could no longer support themselves and their families without obtaining a large wage increase.\textsuperscript{34} In May 1794, about 50 master shoemakers offered a £50 reward for the prosecution and conviction of journeymen shoemakers who had been involved in the industrial action.\textsuperscript{35} In December 1794, Lord Mayor Richard Moncrieffe issued a proclamation against the journeymen shoemakers engaged in the dispute.\textsuperscript{36}

The journeymen shoemakers encountered severe legal obstacles in their bid to obtain a wage increase, but not all journeymen faced such still opposition in this period. In July 1795, the journeymen tailors succeeded in negotiating another wage increase to three shillings per day. They had again petitioned the quarter sessions for a wage increase and a decrease in their hours of work. On this occasion, the masters accepted the decision of the quarter sessions.\textsuperscript{37} In January 1796, the silk weavers and the ribbon weavers likewise negotiated wage increases, given "the great rise on every necessary of life".\textsuperscript{38} This indicates that the Combination Act had indeed reduced levels of violence by encouraging employers and journeymen to settle their differences peacefully.

In debating the proposed 1780 Combination Bill, the employers complained about the protracted history of industrial violence in Dublin. In testimony provided to the O’Brien parliamentary committee in 1780, Andrew Reynolds and Richard McCormack, both master weavers with long experience, said that an "extensive combination" drove women and non-Dublin journeymen out of the weaving industry in 1765. Reynolds recalled that 300 women had once worked in the weaving industry in Dublin, but he knew of only one still working, "and this on account of her grandfather having been a weaver". Similarly, McCormack said, "then all the Munster-men and all the women were at once turned out of the trade ... this produced a scarcity [of labour], and established the power of their

\textsuperscript{32} Samuel Dixon -v- Thomas Casey and William Trevor, Comm., July 1792, in Dowling, Trials at large, part 1, p. 157.
\textsuperscript{33} Samuel Dixon -v- John McArdell, Comm., in H.J., 19.12.94.
\textsuperscript{34} H.J., 30.04.94.
\textsuperscript{35} H.J., 02.05.94.
\textsuperscript{36} H.J., 17.12.94.
\textsuperscript{37} Petition of journeymen tailors, D.Q.S., in H.J., 22.07.95.
\textsuperscript{38} H.J., 11.01.96.
journeyman committees". Reynolds pointed out that he had known the journeyman committees to "punish some men, by putting them on a horse with their face to the tail, as so led about the town; others have been made to ride what they call a stag, which is a pole on men's shoulders ... they are frequently beat and abused, and their wives also". Reynolds said that the journeyman committees now favoured the tactic of "swearing" non-Dublin journeymen out of the trade.

In the 1780s, the journeyman committees employed threatening behaviour or "swearing" on a regular basis. According to the Hibernian Journal, low-level violence flared up in 1780 and 1781. In May 1780, about 200 single-worsted weavers, who were seeking a wage increase of 16 shillings for sizing and drying the pieces of cloth, marched to a master's house where they threatened to "swear him out of trade". A reward of £20 sterling was offered by 11 master weavers who maintained that the wages of single-worsted weavers were far higher in Dublin than in other parts of Great Britain or Ireland.

Likewise, the tape and garter workers attacked a master's home. In May 1780, tape and garter masters advertised for "additional apprentices [to work on] swivel looms, such as are universally used in our trade in Manchester, and other parts of England". In June 1780, journeymen attacked the homes of three tape and garter masters, James Collison in Dolphin's Barn, Thomas Flint in Cork Street, and Francis Dillon in Bell-view, breaking their windows and firing shots into their houses. The journeyman committees were evidently intent on resisting the transfer of new technology from Manchester to Dublin. After the attack, the tape and garter masters withdrew their offer of seven shillings per week to those weavers made redundant by the combination. This dispute, more importantly, highlights the terribly modern changes effected under the Combination Act, in that the employers had granted redundancy payments to journeymen who had been put out of work by an industrial dispute.

In the two above incidents in May 1780, both journeyman committees organised a march on the premises of their respective masters, with the intent both to frighten them by force of arms and to damage their property. This remained a standard tactic throughout the period. Journeyman committees, however, did not lack imagination, keeping a wide arsenal of tactics at the ready, including the sending of anonymous letters. In May 1780, a committee sent an anonymous letter to a sugar house in Hanbury Lane owned by Galan and Maziere, "describing what sort of men ought to be employed in the several parts of the business, and threatening the lives of those who should deviate from that order".

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40 H.J., 12.05.80.
41 H.J., 10.05.80.
42 H.J., 12.06.80.
typical response by the employers, Galan and Maziere offered a reward of £20 for information leading to the arrest and conviction of the author of the letter.

In the anonymous letter, a production manager named James Shiel was singled out, because he was "in a rank which the author of said incendiary letter thinks he has attained too soon". Shiel had two options, either to quit working at the Hanbury Lane sugar house or to face the wrath of the committee.43 Shiel took the latter option. A few days afterwards, two committee members followed him from Hanbury Lane to the Poddle, where they assaulted him and threatened to strangle him to death if he did not leave Dublin. In response to the attack on Shiel, 20 sugar bakers from Dublin, four from Cork, three from Belfast, two from Waterford, one from Derry, one from Ross, one from Newry, and one from Dundalk, joined together in offering a reward of £50 to whomsoever would provide information leading to the arrest and conviction of the authors of the anonymous letter. Offering rewards collectively was a typical response of the masters, although it was more a sign of their weakness than their strength.

Between October and December 1780, an industrial dispute over wage rates among the tailors caused increased levels of violence. In October 1780, journeymen tailors marched on the house of Alexander Clarke, a master tailor in Chancery Lane who had given testimony to the O'Brien committee, breaking his windows with stones; (he was to be the first man to be tarred and feathered in 1784). The journeymen tailors were demanding an increase in wages from 12 shillings to 14 shillings per week. To defend their bargaining position, master tailors invoked the Combination Act, "which puts it totally out of the power of the masters to pay more wages to the journeymen, than what the justices at the general quarter sessions order".44 In a paid advertisement, the masters also offered a reward of £50 for the prosecution and conviction of any master who paid more wages than agreed, and likewise a reward of £10 for the prosecution and conviction for any journeyman who received more wages that was agreed.

Master tailors argued that "the high price of labour, which is at present a national evil, drives the trade out of the city and kingdom". The masters then appointed a clerk to register the names of journeymen willing to work for 12 shillings per week from their hiring hall in Back Lane.45 To protect the new recruits, the masters threatened to prosecute any committee members who attacked them under the Chalking Act.46 This was the first time since the passing of the Combination Act of 1780 that the Chalking Act was invoked. The Chalking Act, as it stood in 1780, put those convicted under it both on the gallows and on the dissecting table. With such legislation, the employers now had both the carrot and

43 H.J., 22.05.80.
44 H.J., 09.10.80.
45 H.J., 18.10.80.
46 Statutes (Ire.) 17 & 18 Geo. III. c. 11 (1778).
Violence flared up at the end of October 1780, when the journeymen tailors attacked the house and workshop of Daniel Doyle in Fishamble Street, a master who had hired one of the new recruits. They broke into Doyle's house, assaulting him, his wife and their maid servant. They then entered his workshop, where they assaulted William Keating, a new recruit who had not joined their combination. After the brutal attacks, a surgeon declared that the lives of Doyle and Keating had been in danger. Not satisfied with one attack in a day, the tailors' committee then moved in an eastward direction to the home and workshop of James Cullen in Fleet Street. After beating "in an unmerciful manner" Cullen's journeyman, they dragged the fellow away. His fate remained unknown.

In response, both the Dublin and Liberty Volunteers publicly pledged to track down the culprits in the most recent violence. A week later, Sheriff Andrews accompanied by the Dublin and Liberty Volunteers, staged a raid on public houses controlled by the journeyman committees. They arrested John Field and one Conorey, as well as 10 other committee members. In the raid they also discovered an arms cache. This ended the dispute which had spread to 23 workshops in all. No prosecutions occurred either under the Combination Act or the chalking, suggesting that the masters and journeymen had settled their differences on their own terms with no need to call upon the courts. The role of the Volunteers in this dispute was typical of their hostile attitude towards the methods employed by the journeyman committees. With reference to the Volunteers, O'Connell has said, "the struggle with the journeymen was one in which the middle classes stood firmly on the side of the masters".

Occasionally some of the committee violence took on a more ruthless edge. In January 1781, journeymen skinners led an arson attack on a skin-dressing mill in Co. Dublin that had just been built "at considerable expense", suggesting that innovations in machinery were the targets of some journeyman committees. Thomas Johnson, who owned the new leather tuck-mill, cited losses of £200. A group of master glovers and skinners offered a reward of £50 for information leading to a prosecution and conviction of the arsonists, and Dublin Castle offered a reward as well. In April 1781, a committee set fire to the Hanbury Lane sugar house owned by Galan and Maziere, the same sugar-baking house which had defied wage demands made in an anonymous letter a year earlier. Firemen put the blaze out before it spread to the mill.

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47 H.J., 30.10.80.
48 H.J., 30.10.80.
49 H.J., 13.11.80; and H.J., 15.12.80.
50 H.J., 01.12.80.
52 H.J., 05.01.81.
53 H.J., 27.04.81.
According to the evidence in the *Hibernian Journal*, individual violence subsided for the next few years. Violence, however returned with renewed energy soon after the arrival in Ireland of the Duke of Rutland, the new Lord Lieutenant, in the spring of 1784. This coincided with a Commons' debate on protecting duties. Launching a violent non-importation campaign, the journeyman committees organised a coordinated programme of assassination and assault, claiming the lives of several people. On Monday 5 April 1784, 10,000 people reportedly marched from the Tholsel to College Green, demanding protection from foreign imports. Some of the demonstrators invaded the House of Commons, where they "harangued and threatened" the life of John Foster, the Chancellor of the Exchequer and the leading opponent of the campaign to impose penal duties on imported goods. A detachment of military soldiers dispersed the rioters from the parliament house. This interpretation underlines the industrial character of the events of 1784, and is somewhat at odds with those who have almost exclusively emphasized the role of the guild politicians such as James Napper Tandy.

After the invasion of the House of Commons, a group of silk weavers were alleged to have conspired to assassinate Foster, Sir John Parnell, Sir Lucius O'Brien, Hercules and Robert Langrishe, John Moneck Mason, and John Fitzgibbon. Their principal target, however, was Foster. It turned out to be a false alarm, but the conspiracy seemed real enough at the time. Sometime in late March or early April, the Duke of Rutland received several anonymous letters threatening the assassination of the seven members of parliament. One of Dublin Castle's informers, a master manufacturer in the Liberties, provided information to Rutland on the assassination plot. On Sunday 11 April at noon, William Dalton, Michael Duff and Robert Hannigan were arrested at a public house on the Coombe. They were separately questioned by Judge Robinson of the King's Bench and Alderman Willoughby Lightburne, at Chief Secretary Orde's apartments in Dublin Castle. The three men related a bizarre story to their questioners as follows.

On Wednesday 7 April 1784, John Andrews, Isaac Gold, Thomas Kennington, William Busby, as well as Dalton, Duff and Hannigan, all of whom were silk weavers, allegedly met together to plan the assassination. In a sworn statement, Dalton claimed he had obtained a case of holster pistols, shot and powder at Elwood's public house on the Coombe, and that he would have been paid 100 guineas for the assassination. Dalton, Duff and Hannigan, however, failed to keep their appointment with Andrews, Gold,
Kennington and Busby, the masterminds behind the plot. The information of Dalton, Duff and Hannigan was enough for the King's Bench to grant a warrant for the arrest of the remaining four. Andrews was arrested in a dawn raid on Monday 12 April, but the other three managed to escape. Under questioning, Andrews denied any involvement in the assassination plot, and refused to provide the government with any more information. With insufficient evidence to obtain indictments, Dublin Castle was unable to contemplate a prosecution Andrews, but he was kept in prison all the same.

On 12 May Sir Samuel Bradstreet, the Recorder of the Dublin, protested in the House of Commons at the continued detention of Andrews at Newgate prison, where he "was denied the admission of his wife, relations, and friends, or the use of pen, ink, and paper, or the receipt of any letter or intercourse whatsoever".62 This prompted the King's Bench to release him on bail from Newgate three days later.63 In the end, Andrews had the last laugh. In October 1784, the Kilmainham quarter sessions convicted Dalton of conspiracy, and he was sentenced to be whipped.64 Andrews, who prosecuted Dalton, raised enough money to buy a new pair of shoes for the executioner who carried out the whipping.

The "assassination" conspiracy may have been faked, but the anger in the Liberties at the failure of parliament to pass a "moderate" protectionist bill in March 1784 was real enough. James Kelly has estimated that 20,000 Irish people emigrated to America in 1784, the crisis year. With unemployment at 25 per cent in Dublin, many of the emigrants would have been artisans, journeymen and manufacturers unable to secure work in the Liberties.65 For those who stayed, the combination committee of weavers planned a summer campaign of violence the likes of which had never been seen before in Dublin. It was aimed at master weavers who imported English product and at the journeymen they employed. In June 1784, the committee began a campaign of tarring and feathering, lasting till the end of the summer.

On Saturday 19 June 1784, 100 committee members armed with pistols and swords marched to the house of Alexander Clarke in Chancery Lane, a master weaver who was the target of previous abuse. After 10 members forcibly broke into his home, the crowd frog-marched Clarke "almost naked" to the Tenter Fields in Marrowbone Lane (see plate 1). Here the remainder of his clothes were removed, and his body was covered in tar. Just as they were about to pour a sack of feathers onto his tarred body, sheriff Smith with a party of soldiers rescued him from the mob.66 Immediately after the attack, Dublin Castle issued a proclamation, offering £500 for information leading to the arrest and conviction of those

62 D.E.P., 13.05.84.
63 D.E.P., 18.05.84.
66 Rutland to Sydney, 21 June 1784: P.R.O. H.O. 100/13/159-160.
responsible. Clarke and the Corporation of Tailors placed an advertisement in the *Hibernian Journal* which offered a reward of £110. Clarke maintained his innocence of importing or selling foreign cloth, claiming that he only sold Irish-made cloth.

Despite the offer of rewards, the committee felt confident enough in their organisation to continue with the disturbances. On Saturday 26 June 1784, a journeyman tailor named Boyle was snatched from his house in Usher’s Court, taken to the Tenter Fields, stripped of his clothing, tarred and feathered. The journeyman committees had apparently widened their campaign to include working journeymen who did not obey their dictates. Boyle was then led in procession through the Liberties until a detachment of soldiers rescued him. In the aftermath, Boyle refused to lodge examinations against any committee members. The government stationed a special unit of soldiers at the court house in the Liberties with the consent of the Earl of Meath.

This was seen as a blow to the Volunteers corps, some of whom expected to be called upon to station their men in the Liberties. The non-involvement of the Volunteers is suggestive of their declining influence and their shrinking membership. The Volunteers had been principally composed of members of the middle class. After 1782, however, the Volunteers became more of a grass-roots organisation under the growing influence of Tandy. In short, the Volunteers were no longer held in the same esteem. Thus when Dublin corporation organised a temporary magistrate’s office in Werburgh Street in July 1784, it was manned with one of their trusted sheriffs and a party of soldiers.

All the same, these safeguards did not prevent more acts of violence. On 14 July 1784, Sheriff Kirkpatrick attempted to rescue a woollen draper named Plowman whom a crowd had attacked at his house or shop in Winetavern Street. It is not clear why the mob wanted to tar and feather him, but it is clear that Kirkpatrick was badly injured. He had gone to the scene unaccompanied by any of the soldiers stationed at temporary magistrate’s office in Werburgh Street in the mistaken belief he could disperse the crowds single-handed. Kirkpatrick was “immediately knocked down and cut on the head with a hanger so desperately that for some time his life was thought to be in imminent danger”. This prompted Dublin Castle to increase the size of the military detachment and at the request of

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67 It is possible that Alexander Clarke was the government’s informer: in August 1784, Thomas Orde mentioned the name of one Clark as an informer; see Orde to Whitehall, 21 Aug. 1784: P.R.O. H.O. 100/14/80-82.
68 *H.J.*, 25.06.84.
69 *W.H.M.*, July 1784, p. 413; also see *H.J.*, 28.06.84.
70 Rutland to Sydney, 30 June 1784: P.R.O. H.O. 100/13/167-169.
71 Orde to (Whitehall), 4 Aug. 1784: P.R.O. H.O. 100/14/36-39.
72 O’Connell, “Class conflict”, p. 104.
73 Rutland to Sydney, 16 July 1784: P.R.O. H.O. 100/13/194-195.
74 *H.J.*, 16.07.84.
75 Rutland to Sydney, 16 July 1784: P.R.O. H.O. 100/13/194-195.
Dublin corporation to add 20 peace officers to the parish watch system.\(^{76}\) The increase in the number of peace officers, who each drew a wage of £20 per year, anticipated the introduction of the new police two years later.\(^{77}\) It is probable that many of these peace officers became constables under the 1786 Police Bill, whereby their wages would have been £30 per year, an increase of 50 per cent.\(^{78}\)

Despite the additional officers deployed in the summer 1784, the journeyman committees continued to employ violent tactics in pursuit of their aims. In July, a mob hijacked a cargo of spring looms on their way to a factory in Co. Wicklow and burned them in Weaver's Square.\(^{79}\) The introduction of new technology even to factories outside of Dublin was deemed a threat to employment. On Tuesday 9 August 1784, James Crombie, a partner in a thread factory in Dundalk, was taken from his office in Church Street, and tarred and feathered at Purcel's Court in the corn market.\(^{80}\) In response, Crombie's business partners published an advertisement stating that the tarring and feathering campaign represented a serious blow in their efforts to set up a large-scale industrial works in Ireland. Archibald Wright, the major partner, said the firm in Dundalk pumped £20,000 per year into the Irish economy and employed over 1,500 workers per day.\(^{81}\) The attacks in Dublin, however, continued unabated. On Friday morning 12 August 1784, one Corbett, "an extensive dealer", was tarred and feathered, and afterwards beaten with a cat of nine tails and wounded on the head with a pistol.\(^{82}\)

Efforts to obtain convictions against the handful who were arrested for rioting met with initial failure. In August, the Dublin quarter sessions acquitted a man who was charged with rioting.\(^{83}\) This had the effect of encouraging the more hard-line elements to step up their attacks. Apart from the merchants who imported English goods, the journeyman committees widened their targets to include three types of journeymen: those working at lower wages than the standard set by the journeyman committees, those working in branches of manufacture to which they were not originally trained, and those who had come to Dublin from the country to work. A pessimistic Orde predicted that the actions of the journeyman committees would destroy Ireland's manufactures, "ruin the credit of the metropolis, [and] deter every man possessed of capital ... from residing

\(^{76}\) Rutland to Sydney, 21 July 1784: P.R.O. H.O. 100/14/7-8.
\(^{77}\) "The Police Bill", readings to the House of Commons, Mar. 1786: Parl. reg. Ire., vol. 6, p. 384; Orde did not mention the wages of the 400 watchmen in the debate over the bill, and neither were the wages mentioned in the Police Act of 1786.
\(^{78}\) Statutes (Ire.) 26 Geo. III. c. 24 (1786).
\(^{79}\) Rutland to Sydney, 21 July 1784: P.R.O. H.O. 100/14/7-8.
\(^{80}\) H.J., 11.08.84.
\(^{81}\) H.J., 16.08.84.
\(^{82}\) Orde to Lord Mayor Thomas Greene, 13 Aug. 1784: P.R.O. H.O. 100/14/34-35; also see H.J., 13.08.84.
\(^{83}\) Rex -v- Gosson, D.Q.S., July 1784, in H.J., 09.08.84; also see Rutland to Sydney, 19 Aug. 1784: P.R.O. H.O. 100/14/56-59.
Orde assigned three reasons why the police forces and the military made few arrests: the speed with which the journeyman committees carried out their attacks, the fear of the people of the journeyman committees, and the abhorrence of the people to becoming informers.

On Monday 22 August 1784, events turned against the journeyman committees when the Dublin quarter sessions convicted Patrick Dignam of tarring and feathering Patrick Flaskey. It was the first conviction, but it was also a contested one. At trial, a defence witness testified that justice Horan had arrested an innocent man to collect the £500 that Dublin Castle had offered as a reward. Christopher Farrel, the witness, said that Flaskey had been "neither feathered, struck, nor kicked in either" the corn market nor the meat market in High Street where the alleged attacks took place. The jury deliberated for one hour and returned a guilty verdict. Dignam was sentenced to be whipped from the Tholsel through Nicholas, Patrick, Francis and High Streets on Wednesday 24 August 1784. At the whipping, a large detachment of soldiers and a group of magistrates attended. In Francis Street, the soldiers opened fire on stone-throwing crowds, killing a wool-comber armed with a sword who attempted to rescue Dignam from the military guard. A massive funeral procession for the wool-comber took place in Dublin. The death marked the end of the tarring and feathering campaign.

With the killing of the wool-comber, the streets of Dublin returned to normal. According to the Hibernian Journal, no more cases of tarring and feathering occurred again. What started with the tarring and feathering of a stocking-maker on 19 June ended with the shooting dead of a journeyman on 24 August, just over three months later. The long, hot summer of 1784 became a touchstone for both parliament and the economy, but for different reasons. Achieving almost legendary status, the summer of 1784 became a code word for lawlessness, violence and anarchy. In the parliamentary debates over the new police in the next 10 years, supporters of the police frequently referred to the tarring and feathering committee of 1784. In the hands of John Fitzgibbon, the combination committee came to symbolise all that was wrong with the parish watch system under the control of the Lord Mayor. On the other hand, the summer of 1784 appears to have concentrated the minds of both the masters and journeymen in Dublin on finding a way out of the recession. Far from sinking deeper into depression, as Orde had predicted, the economy saw "a marked recovery, helped by parliamentary backing".

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84 Thomas Orde to Lord Mayor Thomas Greene, 13 August 1784: P.R.O. H.O. 100/14/34-35.
85 Rutland to Sydney, 19 Aug. 1784: P.R.O. H.O. 100/14/56-59.
86 W.H.M., August 1784, pp. 485-488.
87 Patrick Flaskey -v- Patrick Dignam, D.Q.S., Aug. 1784, in H.J., 25.08.84.
88 Rutland to Sydney, 24 Aug. 1784: P.R.O. H.O. 100/14/85-86.
89 H.J., 30.08.84.
90 Dickson, "The Place of Dublin", p. 182.
In 1789, 1790 and 1792, several industrial disputes turned extremely violent, which suggest that the recovery sputtered to an end. In an examination of the violent activities of the journeyman committees of linen weavers, deal sawyers, and tailors, the evidence suggests that a gang called the Liberty Light Horsemen took over the leadership of the journeyman committees. Operating from a public house in Michael's Lane, they were responsible for much of the violence. They first came to attention on Easter Monday 13 April 1789, when the public house owned by Thomas Quinn in Michael's Lane erupted into a street brawl involving 100 journeymen tailors and a party of police.\(^9\) In the battle, Walter Anderson, a policeman, and a tailor named Moran died of their injuries.\(^9^2\) In July 1789, the commission of oyer and terminer acquitted Richard Patten of the murder of Anderson, and five other men for being present, aiding and abetting Patten in the murder.\(^9^3\) At trial, a policeman could not identify any of the six men. With no solid evidence, the jury found the defendants not guilty. In a second trial for the same murder in October 1789, the commission of oyer and terminer acquitted another defendant for want of evidence.\(^9^4\) After 1789, the police did not act alone in confrontations with working men, as they were usually accompanied by soldiers.

This participation of the soldiers may have contributed to some ugly scenes in the Liberties in the following year. In May/June 1790, a committee of linen weavers opposed both the introduction of silk weavers in their line of work and the introduction of gig mills for finishing cloths.\(^9^5\) On Monday 31 May 1790, a group of linen-weavers attacked a silk weaver named Crowder standing at the door of his workshop in the Black Pitts. Armed with swords, they severed his thumb and finger from his right hand.\(^9^6\) Afterwards, a pitched battle in Marrowbone Lane occurred between linen weavers and silk weavers, leaving one man dead.\(^9^7\) Worse was to follow. On 5 June 1790, a group of linen weavers attacked Alice Fitzgerald, the wife of a silk weaver, whom they discovered alone in her house. Michael Sullivan, a linen weaver, and George Perry, a clerk, broke into the Fitzgerald home, raped Alice Fitzgerald, dragged her down a two-pair of stairs, and beat her about the body.\(^9^8\) This was followed by a riot among weavers in Marrowbone Lane, leading to the death of William Barlow, a worsted weaver, on 24 June 1790.\(^9^9\) Meanwhile, the *Hibernian Journal* estimated that 300 silk and broad-cloth weavers had emigrated from

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\(^9^1\) *H.J.*, 15.04.89.  
\(^9^2\) *H.J.*, 17.04.89.  
\(^9^5\) Dobson, *Masters and journeymen* p. 165.  
\(^9^6\) *H.J.*, 04.06.90.  
\(^9^7\) *H.J.*, 09.06.90; see also *H.J.*, 11.06.90.  
\(^9^8\) *W.H.M.*, July 1790, pp. 94-96.  
\(^9^9\) *H.J.*, 30.06.90.
Dublin during the dispute. This is suggestive of the deeper economic problems at the heart of the dispute.

Crowder and Fitzgerald pressed charges against their attackers. On 6 July 1790, the Kilmainham quarter sessions convicted one Sky of maiming Crowder under the Chalking Act. Before hanging on 8 July 1790, Sky declared his innocence, saying that he had not been in the party which attacked Crowder. By this time, the Chalking Act had been updated. In revised form, it required that those convicted under it be hanged within two or three days of their trial. Meanwhile in July 1790, the commission of oyer and terminer convicted Michael Sullivan of raping Alice Fitzgerald. Sullivan was hanged on 24 July 1790, the only man to hang for rape in the 16-year period. Thus far, it was not to be a repeat of the summer of 1784, where violence went unpunished in the courts. Also at the July commission, George Perry was found guilty of attempted rape, and sentenced to six months in prison and fined £10. In October 1790, the commission of oyer and terminer acquitted Patrick Kavanagh and Edward Darby of aiding and abetting the murder of William Barlow in Marrowbone Lane.

In the same month, a committee of deal sawyers organised a violent industrial dispute over demands for a wage increase. Aiming to bring production to a complete halt in Dublin, the committee broke into several deal-yards, assaulting apprentices, breaking windows and "threatening destruction to the premises" in June 1790. In an attack on Patrick Wall's deal yard in Spitalfields, the committee assaulted several journeymen and fired a weapon at Wall's wife. Wall pressed charges against John Read and Thomas McDermott, who were members of the Liberty Light Horsemen. On 3 July 1790, the commission of oyer and terminer convicted Read and McDermott for the attack on Wall's property. Convicted under the Houghing Act, both were hanged at the front of Newgate prison on 7 July 1790. Their bodies were removed to the College of Surgeons for dissection. The hangings of Sky, Sullivan, McDermott and Read in the same month indicate that serious violations of the Combination Act were punished under the Chalking Act.

100 H.J., 23.06.90.
102 Statutes (Ire.) 23 & 24 Geo. III. c. 56 cl. 4 (1784).
103 Alice Fitzgerald -v- Michael Sullivan, Comm., in H.J., 12.07.90.
104 Alice Fitzgerald -v- George Perry, Comm., in H.J., 12.07.90.
105 Rex -v- Patrick Kavanagh and Edward Darby, Comm., in H.J., 22.10.90.
106 H.J., 21.06.90; see also Dobson, Masters and journeymen p. 165.
107 H.J., 14.06.90.
108 H.J., 16.06.90.
109 H.J., 30.06.90.
110 Patrick Wall -v- John Read and Thomas McDermott, Comm., in H.J., 07.07.90; see also W.H.M., July 90, pp. 94-96.
111 Houghing Act: Statutes (Ire.) 23 & 24 Geo. III. c. 56 cl. 4 (1784).
112 H.J., 09.07.90.
Despite the convictions and hangings, the journeyman committees continued to organise violent attacks on working journeymen who ignored trade regulations. On 20 January 1792, a group of journeymen tailors operating from Quinn's public house in Michael's Lane attacked James Lightholder in Winetavern Street with swords, inflicting two deep wounds to his head. A third wound to his left wrist nearly severed his hand from his arm. On the same day, the gang attacked Michael Hanlon in Cope Street, inflicting a fatal wound to his skull with a heavy sword. (This was the same public house which, erupting into violence in April 1789, left Walter Anderson and Moran dead). Lightholder pressed charges against Thomas Whelan under the Chalking Act.

Like many victims of committee attacks, Lightholder and Hanlon were working for lower wages than the committee standard. This put pressure on those working for higher wages. Whelan and 13 of his fellow journeymen tailors had been working on short time. Three master woollen drapers provided character references on behalf of Whelan at his trial, suggesting that they believed the violence was necessary to prevent other masters who employed low-wage workers from gaining a competitive edge. In July 1792, the commission of oyer and terminer acquitted Whelan of the Lightholder assault and the Hanlon murder. This indicates that the crown was not always successful in obtaining convictions against violent offenders, if the masters supported them to protect their own interests.

The acquittal of Whelan seems to have encouraged more violence. In October 1792, the Liberty Light Horsemen attacked the house of John Dry, a master clothier who lived in Weaver’s Square, ransacking his drying loft. In response, a party of police joined by a detachment of soldiers, arrested Charles Wall, John Thomas, Frederick Connor, and Patrick Kilmurry in a public house in Cork Street. In November 1792, the Kilmainham quarter sessions convicted Wall, a leader of the Horsemen, sentencing him to transportation. Wall’s co-defendants were sentenced to be whipped three times from Cork Street to Weaver’s square and back again, and to serve six months in prison. When the sentences were announced, a riot erupted outside the Kilmainham court house, which was broken up by a military detachment.

In summary, the Combination Act of 1780 did not destroy organised labour, but it altered the collective mentalities of the journeymen and perhaps some of the masters. For the previous 20 years before the passing of the Combination Act, the journeyman committees had employed violence at times in their efforts to obtain wages and to regulate working conditions in Dublin. The evidence indicates that with the introduction of the act, the journeyman committees and the masters began to hold back from violence. Successful

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113 James Lightholder -v- Thomas Whelan, Comm., July 1792, in Dowling, Trials at large part 1, pp. 90-91; also see H.J., 18.07.92.
114 H.J., 24.10.92.
115 H.J., 16.11.92.
efforts were made to negotiate wage increases through the courts. Other factors were at work to keep the violence to a minimum. At the start of the 1780s, the Volunteers had kept the journeyman committees in check. After 1782, however, the more respectable members of the Volunteers lost interest or became distrustful of the growing influence of such radicals as Tandy within the Volunteer movement.

Without the conservative check imposed by the early Volunteers, industrial violence returned to the streets of Dublin. In the spring and summer of 1784, the journeyman committees organised a series of violent actions which threatened the stability of industrial relations. Court action proved unsuccessful to stop the tarring and feathering of respected merchants. It was only the death of a wool-comber that brought a halt to the violence. The Police Act of 1786 introduced a new counterweight to the journeymen committees. After the Michael’s Lane riot in April 1789, however, the police lost some of their local credibility as effective enforcers of law and order. In 1790, another spring offensive opened up leaving a trail of dead, wounded and raped. On this occasion, the courts employed the Chalking Act to put an end to the violence. Meanwhile parliament passed tough new laws against violent aggressors, particularly the Riot Act in 1787.\(^{116}\)

Twelve years after the passing of the Combination Act of 1780, a group of craft employers, principally those in the building trade, drafted a piece of proposed legislation that would have imposed drastic new measures against organised labour. The bill in an amended form passed the House of Commons, but it met opposition in the House of Lords from an unexpected source.\(^ {117}\) In supporting the arguments of the masters for the proposed combination bill in March 1792, Denis George, the Recorder of Dublin, said that combinations had increased in strength and numbers since the journeyman carpenters organised the first combination committee in 1761. According to the Recorder, the journeyman carpenters had forced the building masters to increase their wages from ten shillings per week to a guinea per week between 1761 and 1792, an increase of over 110 per cent. Fergus D'Arcy has provided evidence which indicates that wages paid to carpenters increased by only 75 per cent over the 31-year period. D'Arcy has also pointed out that the journeyman carpenters increased their wages from 3s. per day to 3s. 6d. per day in 1791, an increase of 14 per cent in one year.\(^ {118}\) This indeed probably sparked the building masters into drafting the proposed combination bill in the following year. The Recorder also claimed that the journeyman carpenters had limited the master builders to a

\[^{116}\text{Houghing Act: Statutes (Ire.) 23 \& 24 Geo. III. c. 56 cl. 4 (1784); Riot Act: Statutes (Ire.) 27 Geo. III. c. 15 (1787).}\]
\[^{117}\text{Mr. Graydon and Mr. Vandeleur, "A bill to prevent unlawful combinations of journeymen artificers", 10 Mar. 1792: Commons' jn. Ire., vol. 15, part 1, pp. 90, 93, 93, 101, 103.}\]
certain number of apprentices, and in "almost every trade the masters experienced the same hardships."\textsuperscript{119}

In rejecting the proposed bill out of hand, John Fitzgibbon, the Chancellor of the Exchequer, said that it represented "a system of oppression and injustice" and should be called "a bill for the encouragement of outlawries and highway robberies". Fitzgibbon indeed feared that if the bill had passed parliament, it would have encouraged industrial violence on building sites in Dublin and elsewhere. Fitzgibbon cited three Clauses in the proposed bill which were unreasonable: a clause preventing masters from hiring journeymen without a written discharge from their previous employers, with a penalty fine of £50 to be paid by new employers who violate the proposed law; a second clause giving masters the authority to commit runaway apprentices to the House of Correction for six months, and to have them three times publicly whipped; a third clause empowering the masters in charge of the building works at the Grand Canal the right to prosecute disobedient boatmen and labourers under the Mutiny Act, prosecutions which presumably could lead to sentences of death.\textsuperscript{120}

The proposed combination bill of 1792 failed, but it sheds light on the attitudes of more rapacious employers and some sections of the government to organised labour. The bill had already passed the House of Commons before it was rejected by the House of Lords, which indicates the degree of uncritical sympathy that obtained in the Commons towards the bill. Fitzgibbon was almost alone in recognising that the journeyman committees had become a powerful force to be reckoned with since their beginnings in the 1760s. If the courts were to succeed in stopping industrial violence, the employers would also have to respect the basic rights of working people within the bounds of reason. In short, the 1790s saw the coming of age of organised labour in Dublin.

\textsuperscript{119} H.J., 23.03.92.
\textsuperscript{120} Statutes (Ire.) 21 & 22 Geo. III. c. 43 (1781-82).
Chapter 6

Property Theft

In the 16 years between 1780 and 1795, the *Hibernian Journal* reported 3,628 property thefts and 1,263 court cases involving property theft. Nine years of peace (1784-1792) prevailed in this period, as well as seven years of war (1780-1784, 1793-1795). An analysis of the reported court cases reveals that the average number of indictments was 40 in war and 109 in peace. Douglas Hay also reported a similar pattern in his study of Staffordshire (see Table 1). The majority of property offences were street robberies: the newspaper reported 1,883 robberies, which represented 52 per cent of all reported property theft, and 670 court cases involving robbery, which was 53 per cent of all reported trials for property theft. An analysis of the *Hibernian Journal* indicates that the reported crimes and the reported court cases clustered but at slightly different periods, the clustering of reported court cases lagging behind the clustering of reported crimes. Of the incidents of robberies, 62 per cent (1,168 reports) were reported in the six years between 1784 and 1789.

Three factors may have brought about the clustering effect: the American war ended in 1783; a period of economic recovery began in the mid-1780s; and a new police force began patrolling the streets of Dublin in 1786. Demobilisation has been widely shown to be a contributing factor for increasing crime, notably by Hay. In addition, the economic recovery increased the city's wealth, which obviously tempted more theft. Finally, the role of the police is significant. In their first three months of operation, the new police arrested hundreds of people, charging them with robbery. This had a dramatic effect on the rate of crime, as calculated here, making it appear as if Dublin had been invaded by criminals. Curiously, only a tiny fraction of those arrested for robbery were brought to court, according to the newspaper. Thus the sharp increase in the number of reported robberies in

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1 Hay, "War, dearth and theft", p. 126.
2 Hay, "Crime and Justice", p. 64.
1786, must be treated as an anticipation of the prosecutions to follow in the years ahead. Over 64 per cent (434 trials) of all of the trials for robbery were reported in the six years between 1787 and 1792, and suggests just this; that the presence of the police apparently encouraged private prosecutions. In many trials, the police gave evidence.

Table 6
Types of crime committed by felons sentenced to transportation and to death in Dublin.
Col. 1: Types of Crime. Col. 5: Total transported (TotTr).
Col. 2: Males transported (MT). Col. 6: Males Hanged (MH).
Col. 3: Females transported (FT). Col. 7: Females Hanged (FH).
Col. 4: Not Known transported (NKT). Col. 8: Total Reported Hanged (TotHa).

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<th>Types of Crime</th>
<th>MT</th>
<th>FT</th>
<th>NKT</th>
<th>TotTr</th>
<th>MH</th>
<th>FH</th>
<th>TotHa</th>
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<td>451</td>
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In the 16 years between 1780 and 1795, 197 felons were reported to have been hanged in Dublin for crimes committed in the city and county (there were an additional 46 "unreported" hangings, but they have not been included here), and of these 162 were convicted of robbery, burglary, horse theft and a wide variety of other property offences, representing 82 per cent of the total hanged. Likewise, of the 197 people who were executed, only 25 people did not commit property offences. As seen in Table 6, more robbers and burglars were hanged than any other type of felon: 66 males and two females
were hanged for robbery, and 63 males and one female were hanged for burglary, which together represents 67 per cent of the total number of people hanged. This indicates that the courts viewed capital punishment as primarily a deterrence against property theft, and particularly as a deterrence against robbery and burglary.

Transportation was also seen as a powerful deterrence against property theft. From the trials reported in the *Hibernian Journal*, judges sentenced a total of 451 people to transportation. (In contrast to the hanged count, it is not possible to determine if those people who were sentenced to transportation were actually transported, thus it is not possible to speak in terms of an exact "transportation count"). Of the 451 offenders sentenced to transportation, 317 people were convicted of a wide range of property offences, representing 70 per cent of the total. Therefore, 134 people who were sentenced to transportation had not committed property offences, representing 30 per cent of the total transported.

In analysing the two types of property offences, robbery and burglary, many valuable insights are gained concerning levels of crime and the attitudes of the courts towards criminality. According to the *Hibernian Journal*, the largest proportion of offenders who were sentenced to transportation were robbers: 149 males and 56 females who were convicted of robbery were sentenced to transportation, which represents 45 per cent of the total transported. This bears a similarity to the hanged count, which indicates that 35 per cent of those hanged were convicted of robbery. However a much smaller proportion of offenders who were sentenced to transportation were burglars: only 38 males and eight females who were convicted of burglary were sentenced to transportation out of a total of 451, or only 10 per cent of the total transported were convicted of burglary. In contrast, 32 percent of the total hanged were convicted of burglary, which suggests that convicted burglars faced a stronger chance of being sentenced to death than to transportation.

It is not surprising that in absolute terms 159 more robbers were transported than burglars because 464 more prosecutions for robbery took place than prosecutions for burglary. This suggests two points: that more incidents of robbery occurred in Dublin than burglaries, and that robbers were easier to detect and thus easier to prosecute than burglars. However given the greater number of prosecutions for robbery than prosecutions for burglary, one would expect to find a greater number of robbers hanged than burglars. This is not the case: nearly the same number of robbers and burglars were hanged. This suggests that the courts considered burglary, which included break-ins of houses, warehouse and shops, as the most serious of all property offences.

In the 16 years between 1780 and 1795, the three Dublin courts heard 206 trials involving burglary out of total of 1,262 court cases involving property theft, which represents 16 per cent of all such court cases. In a substantial number of cases, several
burglars were prosecuted for the same crime. As a result of 45 prosecutions for burglary, 64 people were convicted and hanged, which indicates that some prosecutions resulted in more than one capital sentence. Indeed, 11 prosecutions for burglary resulted in two capital sentences for each prosecution, and four prosecutions resulted in three capital sentences for each. In 29 prosecutions for burglary, however, the courts passed one capital sentence for each prosecution.

Some burglars preferred to operate alone. In May 1786, Patrick Leonard planned to rob the Treasury building in the lower yard at Dublin Castle, but a soldier at Newgate in whom he had earlier confided, informed the authorities of his plot; Leonard was arrested.3 In February 1790, a man nearly succeeded in breaking into an office in the Treasury, but an observant sentinel on guard prevented the burglary. The soldier chased the thief off the grounds, not knowing that he had nearly succeeded in breaking the door open to the office, which the acting treasurer Mr. Standish discovered in the morning. Mr. Standish's office contained 4,000 new guineas.4 In both cases, soldiers foiled the plans of lone if not ambitious burglars, suggesting that gangs did not plan jobs where tight security measures were in place.

Gangs often planned burglaries of wealthy people in their homes and villas, particularly along the "gold coast" which ran from the new squares of the south-east of the city to the villas along the Blackrock Road. The unlucky fate of one victim exemplifies the general picture. In December 1787, Samuel Sproule's house in Merrion Square was burgled and badly vandalised.5 A wealthy architect, Sproule moved away from the green square soon after the burglary to even greener pastures in the suburbs. This did not prevent burglars from following him to his villa at Ballinclea Heights above Killiney Bay.6 On Thursday 27 November 1794, at one o'clock in the morning, two armed burglars broke into Sproule's house through an unfastened kitchen window, subdued two men laying in a room opposite the kitchen, and burst into Sproule's bedroom.

Sproule put up a stout resistance against them, but he seriously injured his hands in wresting two of their swords from them. Beaten into submission, Sproule could do nothing as the jewel thieves bagged virtually all he owned, including a collection of highly prized art objects. They ran off with several red cornelian pieces including one quartz of a double head of Socrates and Homer. In addition, the house-breakers took some expensive silver pieces, such as a large silver trowel engraved on one side with the front of the Newry Linen Hall and on the other with a ship in full sail. They also nipped other valuables, including a capped and jewelled silver and gold watch made by George Chalmers of Dublin. Two cases of pistols and many articles of clothing were removed. The variety,

3 H.J., 26.05.86.
4 W.H.M., Feb. 1790, p. 190; H.J., 15.02.90.
5 H.J., 24.12.87.
6 H.J., 01.12.94.
quality and amount of property stolen indicate that the prowlers knew what to look for in such a house.

In the aftermath, justice William Beckford, who ran the Blackrock Association for the prevention of crime, offered a reward of £30 for information leading to the prosecution and conviction of the gang. In the paid advertisement, Sproule gave detailed descriptions of the stolen property, along with descriptions of the two robbers, putting every reputable pawnbroker in Ireland on the alert. If this concerted campaign to recover the goods had been foreseen by the culprits, it would suggest that the stolen property was taken out of the country for sale abroad. In the advertisement, Sproule was careful to point out physical differences between the two men. One was "young, smooth faced, and handsome, slender and middle sized, wore a round hat, and had his own dark hair, a lightish brown coat". In contrast, the other was "ill looking, [had] a round short nose, and small eyes, [was] low set, and middle aged, with a torn frize loose coat, seemingly a labourer, or quarry-man; when he went away, his coat, hands, and face, were covered with blood". In other words, while the first burglar looked on, the second one did the dirty work, suggesting that the first employed the second for the break-in. The evidence indicates that contractual relationships were a common feature among members of criminal gangs in this period, a feature which had it strengths and weaknesses depending on one's point of view. Informers were known to betray their fellow thieves because victims such as Sproule offered them enough money to make it worth their while.

On 21 September 1787, five armed men burgled the house of James Frood in Claremont, near Glasnevin, stealing some watches and plate.7 A neighbour managed to pin down some members of the gang and those who were caught, were taken to Kilmainham prison to stand trial; the ringleader allegedly managed to escape. A description of the leader, Hugh McGowran, alias the Morning Star, was given in the Hue and Cry, the police gazette.8 On 2 October 1787, George Roe, the keeper of Newgate, and Walsh, his deputy gaoler, arrested McGowran, who had a previous record stretching back for at least three years. McGowran was a sophisticated burglar who was known to make his own weapons. In November 1784, after breaking into a house near Greenhills, McGowran dropped a hand-made gun consisting of "four rifle barrels, capable of discharging eight balls alternatively", which could fit into his breeches pocket; it also had a tomahawk at the end of it.9 McGowran looted over a wide area. In September 1786, justice Graham arrested him for a robbery in Co. Wicklow, but no charges were apparently pressed against him on this occasion.10

7 H.J., 24.09.84.
9 H.J., 01.11.84.
10 H.J., 15.09.86.
In November 1787, the commission of oyer and terminer convicted McGowran of the Frood burglary in Claremont, but the jury reduced the value of the goods stolen to 4s.9d., which was three pence below the capital value of a burglary.11 Thus the judge did not sentence McGowran to death, but instead sentenced him to transportation. McGowran’s innocence in the Frood burglary was attested to by two convicted burglars just before they were hanged on 22 December 1787: Thomas Robinson and John Conlan. They were convicted for the burglary of Peter Callage’s house in Bonnybrook, Co. Dublin on 9 November 1787, said that McGowran had nothing to do with the Frood burglary.12 This was typical of the manner in which condemned convicts exonerated other members of the criminal fraternity, indicating that loyalty often prevailed over treachery.

The Callage burglary in November 1787 spawned a great deal of publicity and fear about crime in Co. Dublin. Following the burglary, 45 people jointly issued a paid advertisement offering a reward of £100 for the burglars. Many of the sponsors were well-known figures in Dublin, including Lord Charlemont.13 In July 1788, the Kilmainham quarter sessions sentenced another man named James Maughan to death for the Callage burglary, but his sentence was not carried out, according to the Hibernian Journal.14 The last trial involving the Callage burglary took place at the Kilmainham quarter sessions in October 1788. Joseph MacDaniel, a servant to Callage, was sentenced to transportation for his role in the crime.15 MacDaniel had been sentenced to death along with Robinson and Conlan, but he avoided the gallows by turning King’s evidence.16 He apparently supplied enough information to bring not only Conlan and Robinson to the gallows for the Callage burglary, but two other people for the same crime.

After Robinson and Conlan exonerated McGowran for the Frood burglary, the three men still awaiting trial for the same burglary were the worst off. In January 1788, the Kilmainham quarter sessions convicted John Maguire, his brother Terence, and Charles Gallagher for the Frood burglary; all three were sentenced to death.17 At the same Kilmainham quarter sessions, Charles Dignam was convicted for the Callage burglary, but he and his mother were also convicted for the burglary of John Booth’s house on Kilmainham Road; the thieves stole £14 in cash and clothes; the two were sentenced to death.18 At the same Kilmainham quarter sessions, John Kelly was convicted for the burglary of Patrick Gracy’s house near Mulhuddart, Co. Dublin, in early December 1787;

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11 James Frood -v- Hugh McGowran, alias the Morning Star, Comm., in H.J., 02.11.87.
13 H.J., 05.12.87.
18 Report of Booth burglary in H.J., 05.12.87; John Booth -v- Man (Charles Dignam) and Woman (Mrs. Dignam), K.Q.S., in H.J., 18.01.88; but see also John Booth (and Peter Callage) -v- Charles Dignam, K.Q.S., in H.J., 21.01.88.
Kelly was sentenced to death.\textsuperscript{19} On Saturday 26 January 1788, Gallows Hill saw the hangings of five men and one woman, including two brothers and a mother and her son; it was one of the largest public spectacles on Gallows Hill.\textsuperscript{20}

Serjeant John Toler, chairman of the Kilmainham quarter sessions, had experience in the effect a multiple hanging would produce on the local population of Co. Dublin. This was his second public spectacle within the space of a year. On Saturday 28 April 1787, William Hackett, John Maguire, Caleb Fitzpatrick, and Daniel Flinn were hanged.\textsuperscript{21} They were indeed the first men to be hanged on a purpose-built gallows erected on Kilmainham commons near the Grand Canal bridge. Prior to that, hangings took place at the front of Kilmainham gaol. Hackett, Maguire and Fitzpatrick had been convicted at the Kilmainham quarter sessions for a breaking into Peter Keefe’s house at Cardiffs Bridge; they were sentenced to death and hanged within four days.\textsuperscript{22} Toler obviously believed that public spectacles on Gallows Hill was an effective deterrence against crime.

In the 16-year period, the three Dublin courts heard 669 trials for street robbery out of a total of 1,262 court cases involving property theft, which represents over 50 per cent of the total. As a result of 52 prosecutions for robbery, 68 people were convicted and hanged, which indicates that relatively fewer prosecutions than burglary resulted in more than one capital sentence. When more than one defendant appeared in the dock for the same robbery, juries exercised considerable discretion in their verdicts. Likewise, judges had a certain amount of flexibility in sentencing. On 22 April 1788, five robbers ambushed William Dwyer, a former fencing master, on Donnybrook Road, taking his coat and hat, and cutting him badly. Once the alarm was raised, a detachment of police horsemen chased the robbers to a "night-house" (i.e. a brothel) in Smock Alley, where they arrested Patrick Reilly, Thomas Sheridan, Richard Murphy and one Kelly.\textsuperscript{23} Kelly became an informer to avoid prosecution, although a policeman discredited his testimony at the trial. In July 1788, at the commission of oyer and terminer, a jury convicted Reilly and Sheridan, but acquitted Murphy.\textsuperscript{24} The judge then sentenced both Reilly and Sheridan to the gallows, but Sheridan’s sentence was later respited. In the end, Reilly was hanged at the front of Newgate prison on Saturday 12 July 1788.

Most robbers selected their targets as best they could, but any victim would generally do. In May 1780, William Corkman, a mealman and a factor, was robbed of £400 in pound notes by three men in Church Street.\textsuperscript{25} This was an exceptionally lucrative
robbery, suggesting that principals in firms did not often carry large sums of money on their person in going about their business. Most robberies were on a much smaller scale. In April 1782, three footpads robbed a servant of 13 guineas, a watch, a pair of shoe buckles, a coat and waistcoat near the end of the Circular Road at Ballsbridge.26 For the servant, this represented his entire savings for two years. Servants were often obliged to carry around money on behalf of their masters, which made them a frequent target of robberies. In December 1782, an elderly female servant was sent to the bank by her master with a note worth over 150 guineas in cash. On her return home, she dropped the money contained in a blue and white handkerchief. Meanwhile, one Graham, a porter, found the money, returning it to the woman only after she had satisfied him with a proper description.27

In reporting the sums of money robbed, the *Hibernian Journal* usually specified an exact amount. The guinea was the unit of currency most frequently stolen. If all the reports of guineas are taken into account, the average number of guineas stolen was seven and a half. Curiously, reports in which victims were robbed of guineas usually omitted to mention other types of money, suggesting that those wealthy enough to carry guineas did not bother to report the shillings that were stolen. After the guinea, the shilling was the unit of currency most frequently pinched. The average number stolen in a robbery was 10 shillings, which represented above a week's earnings for working people. Compared to the hundreds of reports of guinea and shilling thefts, the *Hibernian Journal* reported only a handful of pound-note thefts. The thefts of pound notes were usually for sizeable amounts, at an immense average of over £115.

Robbers stole a dizzying array of items from their victims, including over 400 watches and over 80 shoe and knee buckles. Watch makers did a brisk trade in Dublin. In 1791, 48 watch makers owned shops in Dublin, indicating a strong demand for watches.28 Bernard Delahoyde, a watch maker at 81 Dame Street, sold "cheap gold, silver and gilt watches" which he promised to keep "in order for 2s. 2d. per year, accidents excepted".29 Despite the proliferation of cheap watches, many watches were extremely valuable and treasured by their owners. In April 1794, a merchant named Francis Bennet nearly had his finger bitten off by robbers trying to take his gold from him in Fleet Street.30 Bennet's prosecution of the men involved is discussed below (in chapter 10). In reports of watch thefts, the *Hibernian Journal* occasionally reported the name of the maker and the place where the watches were made.

Victims also paid for advertisements giving details of their stolen watches. In March 1787, one Lewis was robbed in Moss Street of his pinchbeck watch, marked no. 391,
made by Vane, a watch-maker of Liverpool. A month later, one O'Connor was robbed in Thomas Street of his silver watch, marked no. 35, made by Black of Dublin. At Christmas time in 1792, Rev. Mr. Broderick, a Catholic priest from the Adam and Eve chapel, was robbed at the "town's arch" of a watch marked, no. 58, made by John Knox of Belfast. A watch found on two thieves in Leixlip not only gave the maker's name, John Drake, London, but also gave the name of the jeweller who last cleaned the watch, Dunning and Ash, of Strabane, Co. Tyrone. The newspaper evidence indicates that watch-makers in Ireland and Britain supplied the local market with high quality products, and that victims of theft often placed advertisements in newspapers to alert the owners of pawnshops and the reading public as to the precise characteristics of their stolen property.

Robbers also took every conceivable item of personal clothing, in a few cases down to the under-clothes. Hats seems to have been the favourite target. Over 125 hats were reported to have been stolen, according to the *Hibernian Journal*. Judging from the prints by James Malton, most people in Dublin wore hats in the late eighteenth century. In June 1782, a Mr. Stafford, a linen-draper who lived in Back Lane, recovered his stolen hat from the hatter who made it after the robber attempted to dispose of it at the same shop where it was bought. Hats were often marked by their owners to aid in the process of detection. In July 1782, James Byrne was robbed in Vicar Street of two guineas, of both his shoe and knee buckles, and of his hat. In the case of the hat, however, the robber offered Byrne a stolen hat for the one he was about to steal. This was not an act of kindness. Byrne discovered that the name of Thompson had been written at the bottom of the exchanged hat, which if found on the robber would have linked him to the crime. This episode sheds light on the fear robbers had of being traced via marked hats or watches.

Silk, "the fabric of power and class command", was stolen only occasionally, according to the *Hibernian Journal*. Seven silk coats and one pair of silk stockings were stolen. Only three wigs were stolen, again suggesting that the rich travelled with due respect for the thieving classes. Female robbers were involved in over 70 robberies where clothing was the only kind of item reported stolen.

Table 7 indicates the enormous extent of the crime problem in Dublin. The *Hibernian Journal* reported thousands of robberies. Victims were frequently small children or older people. At Christmas 1782, an elderly Catholic priest was robbed of the clothes on his person. Clothes were stolen from children in 30 cases. Most children suffered the
indignity as best they could, but sometimes even they fought back. An eight-year old victim nearly poked a woman's eye out with his toy castle-top as she was attempting to steal his shirt-sleeve buttons set in gold in October 1788.\textsuperscript{40} Child robbers also ran the risk of being caught by angry mobs. On eight occasions, child thieves caught red-handed were set upon by angry spectators. In February 1780, a woman who was stripping an infant in St. Patrick's Close, was dragged through "the kennel" and pelted with stones.\textsuperscript{41}

\begin{table}[h]
\centering
\small
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline
\textbf{Years} & \textbf{Robbery} & \textbf{Burglary} & \textbf{Other} & \textbf{Fraud} & \textbf{Economic} & \textbf{Total} \\
\hline
1780 & 64 & 41 & 31 & 10 & 21 & 167 \\
1781 & 83 & 64 & 23 & 15 & 22 & 207 \\
1782 & 79 & 52 & 22 & 15 & 19 & 187 \\
1783 & 95 & 73 & 25 & 17 & 18 & 228 \\
1784 & 153 & 60 & 27 & 14 & 13 & 267 \\
1785 & 157 & 92 & 36 & 26 & 17 & 328 \\
1786 & 339 & 104 & 40 & 26 & 17 & 526 \\
1787 & 189 & 82 & 50 & 39 & 6 & 366 \\
1788 & 187 & 80 & 35 & 22 & 8 & 332 \\
1789 & 143 & 40 & 19 & 13 & 11 & 226 \\
1790 & 86 & 72 & 32 & 24 & 14 & 228 \\
1791 & 84 & 36 & 22 & 11 & 11 & 164 \\
1792 & 61 & 19 & 13 & 12 & 12 & 117 \\
1793 & 63 & 13 & 11 & 12 & 7 & 106 \\
1794 & 46 & 15 & 5 & 6 & 4 & 76 \\
1795 & 54 & 20 & 13 & 10 & 6 & 103 \\
\hline
\textbf{Total} & 1,883 & 863 & 404 & 272 & 206 & 3,628 \\
\hline
\end{tabular}
\caption{Reported incidents of property theft}
\end{table}

Some thieves who might have been hanged were saved from the gallows due to the flexibility of the juries in reducing charges from capital offences to simple felony. In five cases, juries reduced the value of goods stolen to below five shillings, whereby convicted prisoners could be sentenced to various forms of secondary punishment. If the goods stolen had been valued at five shillings or above, the convicts could have been sentenced to death. In January 1795, William Freeman prosecuted Patrick McDough, aged 12, for committing a highway robbery, a capital offence. In considering the defendant's age and

\textsuperscript{40} H.J., 24.10.88.
\textsuperscript{41} H.J., 20.09.80.
circumstances, the jury at the Dublin quarter sessions reduced the charge to a simple felony. The judge thus sentenced McDough to transportation.42

In the 16 years under examination, the Hibernian Journal reported 17 bleach-green thefts, involving a wide variety of cloth: five thefts of linen, and one theft each of calico, muslin, superfine, broad-cloth, sheeting, and dowlas. Those that were caught making off with cloth in the field were almost certain to hang or be transported. According to the Hibernian Journal, there were 12 prosecutions for bleach-green theft which resulted in 11 males and one females hanged and four males transported. All of the felons hanged and all but one of the convicts transported had been convicted at the Kilmainham quarter sessions, confirmation that the locations of most bleach greens were in Co. Dublin. In November 1789, the Kilmainham quarter sessions sentenced a father and son named Hastler to death for robbing a bleach green; the father, aged 60, was hanged in front of Kilmainham prison on 11 November 1789, but the son was reprieved from death and sentenced to transportation.43 The son's age (which was not given) was probably the deciding factor in extending him mercy. Hanging family members was commonplace.

As an indication of the high value of finished and printed cloth, robbers went to great trouble to steal from bleach greens, and likewise the courts sentenced several convicted bleach-green robbers to death. In July 1791, Michael Dooley, Thomas Hughes and Joseph Dungan swam across the Liffey river to rob Jacob Sisson's bleach yard. To make the robbery worth while, the gang first threw pieces of calico to the other side of the Liffey, and then towed a second batch of printed cloth behind them while swimming across the river.44 This gave the police enough time to arrest Dungan, a young boy, near the scene, who then provided the police with information which led to the arrest of Dooley in Francis Street. In September 1791, the Kilmainham quarter sessions sentenced Dooley to death; he was hanged at Gallows Hill on Saturday 1 October 1791.45 In December 1791, the Kilmainham quarter sessions sentenced Hughes to death, but his sentence was apparently never carried out.46 Two years later, the Kilmainham quarter sessions convicted Richard Farrell, Thomas Plunkett, and Thomas Archbold, for robbing a bleach green in Glasnevin; the three were hanged at Gallows Hill on Saturday 3 August 1793.47 Chief Inspector William Shea arrested Michael Dooley and the three men who had robbed the Glasnevin drying yards, indicating that the police were active in protecting the property rights of bleach-green owners.

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43 Bleach-green owner -v- Hastlers (father and son), K.Q.S., in H.J., 13.11.89.
44 H.J., 27.07.91.
46 Jacob Sisson -v- Thomas Hughes, K.Q.S., in H.J., 09.12.91.
In the period under study, the *Hibernian Journal* reported 28 farm-animal thefts, and 39 trials for the same crime, suggesting that farmers had the resources and the wherewithal to prosecute for livestock theft. Six rustlers were hanged and four were transported. All of the hangings and two of the transportations arose from the Kilmainham quarter sessions, as not too much livestock would be grazing within the city boundaries. Only in one case was it suspected that cattle were stolen out of hunger. In February 1784, after a hide of a cow was recovered under Hazelhatch bridge on the western fringes of Co. Dublin, the *Hibernian Journal* reported that "indigence alone prompted them to make use of the flesh".\(^48\) Farmers posed a threat to hustlers. One Cosgrave, a linen-weaver, took to stealing sheep in Kilcock in April 1785. A farmer named Fraine put an end to his new career by shooting Cosgrave in the act of stealing his sheep.\(^49\) Farmers had good reason to protect their livestock: Peter Rigney would first skin sheep and then rip the fat from their hides while they lay dying in the field.

On 25 January 1786, Rigney was executed at Kilmainham for stealing fat out of sheep on the lands of Ballynadrin.\(^50\) Farmyard thieves needed to dispose of their animals as soon as possible, both to get the best possible return and to avoid detection. In May 1787, rustlers stole 17 sheep from the Palmerstown estate of John Hely Hutchinson, provost of Trinity College. The carcasses turned up at a market in Dublin soon after the animals went missing.\(^51\) In July 1787, the commission of oyer and terminer acquitted William Cooper of the crime.\(^52\) The Kilmainham quarter sessions was less willing to acquit. Three brothers and a brother-in-law had been convicted of rustling cattle, and were all sentenced to death. Clark, the in-law, and one of the Connelly brothers were respited, but the other brothers were hanged on Wednesday 25 April 1795.\(^53\) This indicates that whole families were involved in livestock theft.

Between 1780-95, the *Hibernian Journal* reported 26 horse thefts and 17 trials for horse theft. Two men were hanged and one man was transported for stealing horses. Nine horse thefts were reported in 1787, suggesting that a gang of horse thieves was at work. In January 1787, a thief rode off with a horse from a horse-hire shop in Cook Street, whose owner then placed an advertisement offering a reward in the *Hue and Cry*. As a result of the advertisement, the mayor of Kilkenny spotted the horse in his town.\(^54\) In the wake of the publicity surrounding the theft, many questions were answered as to the current practices of horse thieves. Dublin horse thieves were known to steal horses in fields on the outskirts of Dublin at night. Once equipped with the stolen horses, the thieves would ride

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\(^{48}\) *H.J.*, 02.02.84.

\(^{49}\) *H.J.*, 01.04.85.


\(^{51}\) *H.J.*, 16.05.87.


\(^{54}\) *H.J.*, 15.01.87.
to provincial towns where they would commit house burglaries and highway robberies. In
the morning, they returned the horses to their former fields, "fatigued and jaded". This
sounds strikingly similar to modern joy-riding.

In the 16 years, the Hibernian Journal reported 23 mail thefts, the majority of which
involved thefts of mail-bags on their way to and from the north of Ireland. The Hibernian
Journal (and in one case the Dublin Evening Post) reported 14 prosecutions for mail theft,
resulting in the hangings of three letter carriers and five robbers, all males in seven separate
trials. A further two trials resulted in transportation for a man and a woman. Mail snatchers
were more sophisticated than most other thieves, which may explain why the penalties
were more severe. In January 1781, mail thieves who nabbed the post in Wales came to
Dublin to avoid arrest. John Lees, secretary to the Irish Post Office arrested them in
College Green and transmitted them back to England for trial.

In 1784, parliament passed a postal bill which made it a capital offence to rob the
mails. Afterwards, the Post office took an aggressive posture at law. On 2 January 1784,
three men robbed a postal boy with the entire Munster mail consisting of 31 postal bags
near Chapelizod on the Naas Road. In response, the Post office offered a reward of £100
and Dublin Castle promised a free pardon for informers. This was the typical response--
which did not usually obtain the intended results. In a stroke of luck for the Post office,
however, an Englishman turned up at Dublin Castle with an interesting proposal: he would
tell the Post office who stole the mails if the Lord Lieutenant would intercede on his
behalf.

Charles Lawrence Barrow, who apparently was of Jewish origin, had been
convicted at London's Old Bailey in February 1783. Originally Barrow was sentenced to
transportation to the Americas for seven years. In July 1783, Barrow was then offered a
pardon on condition that he transport himself out of Britain for seven years. Barrow caught
the first boat to Dublin where he found company to his liking. (How many others were
offered conditional pardon allowing them to emigrate to Ireland is not known, but such
offers would have expired when Britain began transportation to Australia in 1786. It
suggests that Britain opened a small window of opportunity between 1783 and 1786, that
enabled a section of their convicted criminal fraternity to transport themselves to Ireland for
seven years; it may indeed partly explain why crime rates went up in the mid-1780s and
going down so much in the early 1790s).

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56 H.J., 10.01.81.
57 Statutes (Ire.) 23 & 24 Geo. III. c. 17 (1784); for a general treatment of the Postal Act, see Mairead
58 H.J., 02.01.84.
59 Northington to Sydney, 17 Jan. 1784; P.R.O. H.O. 100/12/52-53.
60 Beattie, Crime and the courts p. 223.
When Barrow arrived at Dublin Castle, more than just words were required to convince the Lord Lieutenant that he was a reliable informer. Barrow first provided the Post office with enough information to have six men arrested. Lord Northington, the Lord Lieutenant, then wrote a letter to Whitehall with a request that Barrow might be given a free pardon. Apparently, Barrow was granted the pardon as his testimony convicted two of the six men. In November 1784, the commission of oyer and terminer convicted James Farran, a former smuggler, of the mail theft. He was hanged at Gallows Hill, Kilmainham, on Saturday 6 November 1784.

In December 1784, the commission of oyer and terminer convicted Byrne, aged 25, for the same mail theft and sentenced him to hang on 29 December 1784. In the days before the scheduled hanging, a wave of anger against the prosecution of Byrne swept Dublin. Letters in the *Hibernian Journal* castigated Barrow for being a "felon Jew". It was even alleged that Barrow was motivated by a racial hatred against Christians. In the end, the Duke of Rutland, the new Lord Lieutenant, respited Byrne's death sentence. This episode highlights the problems faced by the crown in obtaining convictions based on the testimony of convicted criminals. Such convictions seemed to have lacked credibility with the public. In addition, the event sheds light on a vein of anti-Semitic prejudice in Dublin.

Mail thefts were often reported in the newspapers via paid advertisements, which not only offered rewards but also advised bankers to watch out for stolen bank notes. In September 1787, a gang purloined the mail bags destined for the north at the Eight-Mile Stone on the Balbriggan Road. The Post office offered a reward for the culprits of £200. In addition, bankers John Finlay and Company warned bankers in a paid advertisement to stop payment on a set of 50 stolen bank notes worth £10 each. It was this advertisement that was seen by a banker in Liverpool who in turn sent a letter to a mercantile house in Dublin that 14 of the stolen bank notes had been deposited at his bank. Finlay sent a team to Liverpool to obtain more information about the individual who deposited the notes. It was learned in Liverpool that the man in question had just sailed to Dublin. Based on a detailed description of the man, Finlay’s team returned to Dublin, tracing one Charles Echlin to Essex Street, where he was found in possession of five of the stolen notes and 52 guineas in cash. Police commissioner John Exshaw placed Echlin under arrest and committed him to Newgate in November 1787. In February 1788, the commission of oyer and terminer sentenced Echlin to death; he was hanged at Kilmainham commons on 27

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61 Post Office -v- James Farran, Comm., in *H.J.*, 03.11.84.
62 Post Office -v- Byrne, Comm., in *H.J.*, 20.12.84.
63 *H.J.*, 27.12.84.; and *H.J.*, 03.01.85.
64 *H.J.*, 29.12.84.
66 *W.H.M.*, November 1787, pp. 612-615; also see *H.J.*, 09.11.87.
February.\textsuperscript{67} This is a striking instance suggestive of high level co-operation and speedy communication between banks across the Irish Sea.

In the 16 years, the \textit{Hibernian Journal} and the \textit{Dublin Evening Post} reported four trials in which postal workers were accused of robbing the mails. Three of the four trials resulted in the hangings of four men, including a father of one of the postal workers. In two separate trials, a man and a woman were sentenced to transportation for robbing the mails. This is indicative of the unflinching attitudes of some employers towards labour-related crime in the late eighteenth century. In May 1782, John Armit, a secretary at the Post Office, said that a letter carrier named Crinnion had been hanged in the recent past and that a postal clerk named Knox was sentenced to hang but was respited on condition that he transport himself for life.\textsuperscript{68} With the passing of the Postal Act in 1784, the punishment for postal workers and members of their families who were convicted of mail theft or receiving stolen mail was death.

Alexander Maclivery, a postal boy who carried the express between Dublin and Drogheda, was probably the first postal worker to be hanged under the Postal Act of 1784. In November 1785, Maclivery was arrested on charges of stealing lottery tickets out of a letter with the intention of negotiating them in November 1785.\textsuperscript{69} Maclivery was committed to Newgate to face trial, his second on like charges; at a previous trial he had been acquitted of stealing a bill stolen from a letter. In December 1785, Maclivery's second trial was postponed because the principal informer in the case had taken ill; Maclivery was released on bail.\textsuperscript{70} After his release, justice Francis Graham discovered that he had been concealing stolen mail at a stable in Drogheda. Maclivery, who had sworn examinations against two innocent men for the theft, was then committed to Newgate again. In March 1786, the King's Bench convicted Maclivery of attempting to negotiate a stolen bill from a letter.\textsuperscript{71} He was executed at the front of Newgate on 18 March.\textsuperscript{72}

Six years after Maclivery was hanged, the Post Office again provided confirmation that the Postal Act was not a dead letter. In April 1792, Thomas Styles Walsh, a letter carrier, stole two notes worth about £60 from the mail, passing them onto his father.\textsuperscript{73} When the crime was discovered, the entire Walsh family, wife, husband and son, were arrested; in the end, son and father were charged with mail theft and receiving stolen mail respectively. In early October 1792, a jury at the commission of oyer and terminer deliberated for four hours before finding the two Walshes guilty. They were then sentenced

\begin{footnotesize}
\textsuperscript{67} Post Office -v- Charles Echlin, Comm., Feb. 1788, in \textit{W.H.M.}, Mar. 1788, pp. 162-165; also see \textit{H.J.}, 05.03.87.
\textsuperscript{68} John Armit to Mr. Fitzpatrick; May-June 1782: P.R.O. H.O. 100/1/241-262.
\textsuperscript{69} \textit{D.E.P.} 05.11.85; also see \textit{H.J.}, 30.12.85.
\textsuperscript{71} Post Office -v- Alexander Maclivery, King's Bench, in \textit{D.E.P.}, 02.03.86.
\textsuperscript{72} \textit{D.E.P.}, 18.03.86.
\textsuperscript{73} \textit{H.J.}, 20.04.92.
\end{footnotesize}
to death. Counsellor George J. Browne, however, moved for an arrest of judgement on the grounds that the commission of oyer and terminer could only sentence people convicted under statutes that parliament had passed before 1729, the year in which parliament created the commission under 3 Geo. II. c. 15 (1729). According to Browne's logic, the commission could not sentence the Walshes to death because they had been found guilty under a statute which parliament passed 55 years after the creation of the commission. Browne managed to arrest the death sentences, while the King's Bench considered his novel arguments.

The Walshes had been confined in Newgate since their arrest in April 1792. The son, the letter carrier, did not have the high expectations that Maclivery had once entertained. In mid-July, Walsh had arranged the purchase of a horse from gaol with the intention to escape. On 18 July, police commissioner William James, who had received word of the plot, went to Newgate to find him free of his irons and in a cell whose iron bars had been cut; in addition, the gaol-keeper was absent. His carefully laid plans came to nothing. On 10 December 1792, Lord Clonmel, the Lord Chief Justice of the King's Bench, overruled Browne's motion. If the King's Bench had upheld Browne's motion, then a whole range of recent capital statutes would have been rendered inoperative. In effect, the decision was a defence of the statutes framed around particular interests such as the Post office. The Walshes, father and son, were hanged on Saturday 15 December 1792.

As calculated in Table 8, a wide variety of prosecutions for property theft appeared before the courts. In the period under study, the Hibernian Journal reported 108 shoplifting offences and 42 trials, landing 11 convicted female convicts and 10 convicted male convicts on board transportation vessels. No one was hanged for stealing goods from shops. As an indication of where the offences took place, all of those transported were convicted at the Dublin quarter sessions. The high proportion of women sentenced to transportation for shop-lifting offences is suggestive of the role women normally played in doing the shopping for the household. Shopkeepers could not afford to distance themselves from their female clientele, which left them vulnerable to female shoplifters. In December 1785, a light-fingered woman kept a shopkeeper busy at a haberdasher's shop in Grafton Street for some time. She was able to eye the lace on the counter without once moving her two hands, which were crossed over her heart. As she was about to leave, the shopkeeper observed that one valuable piece of lace had gone missing. He discovered that the woman

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75 W.H.M., July 1792, pp. 95-96.
"was possessed of a third hand, of ... animation and dexterity". One of the exposed hands was a prop which was covered with a glove to correspond with its fellow on her chest.\textsuperscript{77}

Table 8
Reported prosecutions for property theft

<table>
<thead>
<tr>
<th>Years</th>
<th>Robbery</th>
<th>Burglary</th>
<th>Other</th>
<th>Trick</th>
<th>Economic</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1780</td>
<td>9</td>
<td>6</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>1781</td>
<td>5</td>
<td>7</td>
<td>1</td>
<td>4</td>
<td>2</td>
<td>19</td>
</tr>
<tr>
<td>1782</td>
<td>7</td>
<td>6</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>19</td>
</tr>
<tr>
<td>1783</td>
<td>7</td>
<td>6</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>18</td>
</tr>
<tr>
<td>1784</td>
<td>5</td>
<td>9</td>
<td>6</td>
<td>0</td>
<td>1</td>
<td>21</td>
</tr>
<tr>
<td>1785</td>
<td>42</td>
<td>13</td>
<td>19</td>
<td>4</td>
<td>4</td>
<td>82</td>
</tr>
<tr>
<td>1786</td>
<td>36</td>
<td>19</td>
<td>24</td>
<td>4</td>
<td>2</td>
<td>85</td>
</tr>
<tr>
<td>1787</td>
<td>42</td>
<td>18</td>
<td>17</td>
<td>14</td>
<td>2</td>
<td>93</td>
</tr>
<tr>
<td>1788</td>
<td>66</td>
<td>36</td>
<td>16</td>
<td>18</td>
<td>3</td>
<td>139</td>
</tr>
<tr>
<td>1789</td>
<td>72</td>
<td>20</td>
<td>19</td>
<td>19</td>
<td>3</td>
<td>133</td>
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<tr>
<td>1790</td>
<td>34</td>
<td>11</td>
<td>15</td>
<td>13</td>
<td>1</td>
<td>74</td>
</tr>
<tr>
<td>1791</td>
<td>120</td>
<td>26</td>
<td>21</td>
<td>24</td>
<td>3</td>
<td>194</td>
</tr>
<tr>
<td>1792</td>
<td>100</td>
<td>11</td>
<td>26</td>
<td>24</td>
<td>3</td>
<td>164</td>
</tr>
<tr>
<td>1793</td>
<td>42</td>
<td>2</td>
<td>5</td>
<td>9</td>
<td>0</td>
<td>58</td>
</tr>
<tr>
<td>1794</td>
<td>35</td>
<td>9</td>
<td>6</td>
<td>11</td>
<td>2</td>
<td>63</td>
</tr>
<tr>
<td>1795</td>
<td>47</td>
<td>6</td>
<td>15</td>
<td>14</td>
<td>2</td>
<td>84</td>
</tr>
<tr>
<td>Total</td>
<td>669</td>
<td>205</td>
<td>194</td>
<td>164</td>
<td>30</td>
<td>1,262</td>
</tr>
</tbody>
</table>


In 1792, Denis George, the Recorder of Dublin, sentenced five female shop-lifters and three male shop-lifters to transportation; this represented 40 per cent of the total number of shop-lifters transported, according to the \textit{Hibernian Journal}. Two of the female shop-lifters sentenced to transportation were less than guilty. In October 1792, at the Dublin quarter sessions, Denis George sentenced two women to transportation for "intending to shop-lift" in two separate trials.\textsuperscript{78} In the first trial, George said "if it appeared there was an intent to steal, [it] was as ... if the thief had carried them [the stolen goods] effectually off the premises".\textsuperscript{79} George's interpretation of the law was endorsed by Mathew West, one of

\textsuperscript{77} \textit{H.J.}, 12.12.85.
\textsuperscript{79} Benjamin Watson -v- Mary Newman, D.Q.S., Oct. 1792, in Dowling, \textit{Trials at large} part 2, pp. 128-129.
the shopkeepers, who complained that previously the law did not grant shopkeepers the right to arrest thieves before they had sneaked the goods outside the door of the shops.\textsuperscript{80}

Over the period, the \textit{Hibernian Journal} reported 54 cases of receiving stolen goods, and 57 trials for the same crime. Women were defendants in 34 trials involving receiving stolen property, representing 60 per cent of the total cases. One female receiver was sentenced to death, but later reprieved. Four women receivers were transported. In 1784, parliament passed a law making it easier to detect receivers, which resulted in a sharp increase in the number of prosecutions.\textsuperscript{81} In October 1787, the commission of oyer and terminer acquitted Margaret Colligan and Mary Dillon of receiving stolen clothes owned by David Bates.\textsuperscript{82} After the acquittal, at least one of the defendants returned to her former ways. In July 1793, the commission of oyer and terminer convicted Margaret Colligan for receiving stolen goods, sentencing her to transportation.\textsuperscript{83} This suggests that receivers were professional criminals. In research on crime and punishment in London, Peter Linebaugh has noted that "a statistical analysis of all London indictments (Westminster, Middlesex, Southwark and the City) for the year 1740 shows that the only felony for which a greater number of women were indicted than men was the offence of receiving stolen goods".\textsuperscript{84}

Linebaugh also noted that marriages between male robbers and female receivers were not uncommon. This was also the case in Dublin. On 17 July 1784, John Keenan wrote his last letter to his wife Polly, a letter which supports the view that criminals formed marriages for the sake of convenience. In July 1784, the commission of oyer and terminer convicted Keenan for the robbery of adjutant Withers in Liberty Lane. A habitual offender with four convictions, Keenan was sentenced to death.\textsuperscript{85} On the evening before his hanging, Keenan wrote one last letter to his wife: "My dear Polly, I am down at last. I now must die ... My friend, at Harold's Cross, holds a cup, two watches, and six copper-plate papers of mine. I would advise you to marry him, in order to partake of the bit. He will never see you want whilst there is powder and lead".\textsuperscript{86} If his wife Polly had married Keenan's friend in Harold's Cross, a few uninvited guests might have turned up for the wedding looking for their stolen possessions. Keenan's reference to his "copper-plate papers" suggests that he was engaged in coining.

In the 16 years, the \textit{Hibernian Journal} reported 81 instances of coining operations and 20 trials for the same crime. In the four years before parliament passed new legislation against coining, the newspaper reported 30 coining offences, which represents almost 40

\textsuperscript{80} Mathew West \textendash v. Mary Lloyd, D.Q.S., Oct. 1792, in Dowling, \textit{Trials at large} part 2, p. 149.
\textsuperscript{81} \textit{Statutes} (Ire.) 23 & 24 Geo. III. c. 45 (1784).
\textsuperscript{82} David Bates \textendash v. Margaret Colligan (Colligan) and Mary Dillon, Comm., in \textit{H.J.}, 29.10.87.
\textsuperscript{83} Rex \textendash v. Margaret Colligan, Comm., in \textit{H.J.}, 12.07.93.
\textsuperscript{84} Linebaugh, \textit{The London hanged} p. 145.
\textsuperscript{86} John Keenan to Polly: \textit{H.J.}, 23.07.84.
per cent of the total coining reports. In 1784, parliament passed a law which allowed the courts to sentence habitual coiners to death. Only three coiners were convicted under the new act, resulting in short prison sentences. Coiners filled a breach in an economy short of good circulating coins, with 17 reports of counterfeit guineas, 16 of counterfeit half-guineas, 13 of bad shillings and 10 of bad sixpence coins. Wild estimates circulated that 800 coiners were "actually employed in coining and vending money in this city".88

Coining was a larger activity than many have believed, and involved a substantial part of the black-market economy. Coining provided a link between robbery and the economy, as coiners depended on stolen plate and silver to carry out their activities. In March 1782, one Mr. Lyster's house in Abbey Street was burgled of plate, which turned up as melted silver at a coiner's house on Ellis Quay a month later. On 31 April 1782, justice Francis Graham and Lyster, accompanied by a party of men, raided the "factory" where they found over 300 ounces of melted silver. They also found base metal in imitation of shillings, together with tools to make coins. Moreover, they unearthed a "hieroglyphic or caballistic (sic) manuscript" which contained directions for coining. The book of crime also contained instructions for robbing and breaking into houses. This indicates that coiners stepped in the footsteps of an ancient order, working according to established guide-lines. They were taught how to co-operate with housebreakers in order to acquire their precious but stolen metal for making bad coin look good.

In October 1786, the new police raided John Clarke's coining works in Dirty Lane. Found were "an amazing quantity of counterfeit guineas, half-guineas, shillings, sixpences, and halfpence". An industrious man, Clarke had "amassed £800" in a short time as a coiner. He openly sold halfpence, shillings and sixpences on the streets of Dublin, but managed his gold and silver counterfeit coins through an agent operating in Smithfield Market. In October 1786, at the commission of oyer and terminer, Clarke was found guilty of two misdemeanours, and sentenced to a whipping and three months in Newgate. At his whipping from Newgate to Dirty Lane, the local community turned up in force to show their support for the coiner. This suggests that Clarke performed a valuable service to the community, in providing residents with much needed coin at reduced rates.

In summary, the Dublin courts viewed the gallows as the major deterrent to the commission of property offences in Dublin. Those convicted of offences such as robbery,

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87 Statutes (Ire.) 23 & 24 Geo. III. c. 50 (1784).
88 H.J., 03.08.92.
89 H.J., 25.03.82.
90 H.J., 01.04.82.
91 H.J., 18.10.86.
92 H.J., 20.11.86.
93 Rex -v- John Clarke, Comm., in H.J., 27.10.86.
94 For more detail on the subject of coining, see John Styles, "Our traitorous money makers", in Brewer, An ungovernable people pp. 172-249.
burglary, bleach-green theft, and theft from the mails faced a greater risk of being hanged than ever before. Some of those who were hanged were convicted under statutes that had been on the books for a long time, but many were hanged under more recent statutes. The period indeed saw a growth in the number of statutes which created new capital offences. The Postal Act of 1784, for example, was passed at a time when reported property thefts were increasing dramatically, and it put the authorities in a position to obtain capital convictions against postal workers and all others convicted of robbing the mails. In parliament, few countervailing influences were at work to prevent such acts from reaching the Statute book. Thus parliament acted as the great protector of the propertied classes from all types of property thieves.
Chapter 7

The Dublin Volunteers and the Parish Watch, 1780-86

By 1780, the parish watch system in Dublin had become discredited. Many must have assumed by then that the system would be replaced, and the sooner the better. Two years earlier, parliament had passed a Police Act which contained some tough new measures, such as granting the right of watchmen to seize, search and break into the houses of suspected robbers; it also enabled Dublin Corporation to raise an unlimited number of peace officers and constables (by 1784, the combined strength of the parish watch was 463 watchmen in the winter months and 368 in the summer months\(^1\)).\(^2\) However the 1778 Police Act never challenged the parochial constraints of the watch system nor the multiple jurisdictions of city, county, and Liberties; it soon became a dead letter.

In October 1781, a correspondent in the *Hibernian Journal* proposed that a version of the watch system of Edinburgh be considered for Dublin, "in place of the present watch, against whom complaints are daily making".\(^3\) It was estimated that if 60 watchmen were hired for each of the five wards, the total cost to the city would amount to £10,092 per year. Ironically, when the new police were introduced in 1786, the costs were to be nearly double this estimate. The weakness of the parish watch system was a boon to the Volunteers who saw in it a chance to increase their political fortunes. According to Maurice O'Connell, "a primary function of the Volunteers, and one readily undertaken, was the maintenance of order and the support of the civil authorities".\(^4\) In the past, the military had taken over the functions of the parish watch system at times of crisis. Sean Murphy has

\(^1\) "Heads of a bill for improving the police of the City of Dublin, June 1778": N.L.I., Dublin, *Bolton Papers*, MS 15,927 (1); see also MS 15,926 (1-17) for a break-down of the parish watch system six years after the 1778 Bill.


\(^3\) *H.J.*, 29.10.81.

pointed out that the "ineffectiveness [of the parish watch] was demonstrated by the frequency with which the army was called out to assist the civil powers in dealing with outbreaks of violence in the city".5

On Saturday 3 June 1780, the Gordon riots broke out in London, but on the same day in Dublin Sir Lucius O'Brien was presenting the proposed Combination bill to the House of Commons.6 The coincidence did not go unnoticed. The Volunteers in Dublin quickly put into place a strategy to prevent a similar riot from breaking out, and to win public opinion to their side. They had only a week to put their plan into action. On 13 June 1780, several thousand journeymen staged a protest in Phoenix Park against the all-inclusive Combination Act which parliament had just passed.7 "Such a numerous meeting at this time, when the metropolis of our sister kingdom is convulsed with dangerous insurrections, was truly alarming".8 During the day, the Volunteers stayed "on duty in the streets till all fear or riots had passed".9 London, which had no history of Volunteering, had just begun to lick its wounds from the week-long riots, scene of the most serious insurrection in Britain in the eighteenth century. Between 400 and 500 people were killed, and while a few of the rioters were criminals who had escaped from London's Newgate prison, many rioters were journeymen who picked as their targets wealthy people.10 Hence, the Dublin Volunteers and property owners at large had some grounds for fearing the motives of the journeymen in Phoenix Park.11

Maintaining order became one of the central tenets for the Dublin Volunteers, who were described by Edward Newenham, commander of the Dublin Liberty Volunteers, "as freeholders of the county and freemen of the city of Dublin".12 The original aim of the Volunteers was of course to act as a home guard to deter the French from attacking Ireland at a time when the government itself had no money for a militia, hence the name Volunteers.13 Local defense associations to protect property and prosecute felons were formed in many parts of the country after the French entered the American War of Independence.14 This is not to suggest that such associations in Ireland had not been in existence earlier in the century. Adrian Shubert has discovered a felons association in a

5 Murphy, "The Dublin anti-union riot", p. 51.
6 Dobson, Masters and journeymen p. 140.
7 Statutes ( Ire.) 19 & 20 Geo. III. c. 19 (1780); also see O'Connell, "Class conflict in a pre-industrial society", p. 103.
8 "Letter from Dublin, June 17", Lloyd's Evening Post, 23-26 June 1780, cited in Dobson, Masters and journeymen p. 140.
9 O'Connell, Irish politics and social conflict p. 263.
10 Linebaugh, The London hanged pp. 333-334
11 Stanley Palmer's analysis of the Volunteers seem to overlook the role of the Volunteers in preserving law and order at the time of the Gordon riots; see Palmer, "The Irish police experiment", pp. 413-14.
14 O'Connell, Irish politics and social conflict p. 38.
small town in England that was founded by landlords and property owners in 1744. However the formation of associations in a capital city seems to have represented something of a departure from the conventional wisdom.

In the wake of the French invasion scare in 1779, the Volunteers increased their ranks and added a new agenda to their platform, pressing parliament for "commercial and constitutional reform". The Volunteers thus developed two distinct sides to their organisation: on the one hand, they maintained close links with the government as a willing ally, and on the other hand, they engaged in extra-parliamentary activities in the main urban centres. A complex organisation, it attracted many people from different social backgrounds and for different reasons.

On 4 November 1779, the Dublin Volunteers staged a large protest outside of the House of Commons in support of "free trade", a protest which was organised by James Napper Tandy. An agitator, Tandy's methods may have annoyed some of the more conservative elements in the Volunteers, producing friction within the inner circles. The underlying tensions came out into the open when the Duke of Leinster resigned from the Dublin Volunteers in the spring 1780. The tension within the organisation over tactics and strategy is not fully appreciated by some historians. It has been suggested that the Volunteers were "silent" when parliament was not sitting because of their obsession with the parliamentary side of their duel-purpose programme.

The evidence from the Hibernian Journal has provided sufficient proof that the Volunteers lived up to their reputation as men of action in the early 1780s. In the 13 months between September 1780 and October 1781, a period when parliament was prorogued, the Hibernian Journal reported 28 incidents in which the Dublin Volunteers were actively engaged in maintaining law and order. In April 1781, Captain Featherston, a recruiting officer for the military who was also a member of the Dublin Volunteers, had enlisted 80 recruits in Lucan, but when they mutinied, he called on his fellow Volunteers. Sir Patrick King led a detachment of Dublin Volunteers from the city to Lucan to put down the mutiny, after which they escorted the recruits to the city where they were put on board a vessel for England. Many other incidents were reported in which the Volunteers were indirectly involved.

16 Smyth, "The Volunteers and parliament, 1779-84", p. 113.
17 Kelly, "Napper Tandy", p. 4.
19 Smyth, "The Volunteers and parliament, 1779-84", p. 115.
21 H.J., 27.04.81.
During this period, the morale and public standing of the parish watch system had sunk to an all-time low. Four watchmen were killed and six were assaulted in 1780; two of these were actually killed by other watchmen.\textsuperscript{22} Anger against the watch was apparently sparked over a shooting in April 1780, when William Deane, an owner of a field near Eccles Street, asked the parish watch to stop football players from playing on his property. Force was thought necessary, because the men had been playing on his field every Sunday in the past. On the first Sunday in April, the footballers came to the field as usual, but play was prevented by the watchmen. A group of players then began shouting "abusive language and throwing stones" at several of the watchmen. One of the watchmen named John Eagan, opened fired on the crowd with his blunderbuss, killing Richard Coleman, a baker's apprentice. After the shooting, justice Francis Graham arrested Eagan, and Alderman Thomas Emerson committed him to Newgate to stand his trial. On the Monday following, a coroner's inquest deliberated over the death, returning a verdict of wilful murder.\textsuperscript{23} In July 1780, at the commission of oyer and terminer, Eagan was convicted and sentenced to be executed on 11 November 1780.\textsuperscript{24}

No more details were reported, but other evidence suggests that Eagan's death sentence was not carried out. In August 1785, William Fullarton, a watchman for St. Thomas parish, arrested James Elliot as he climbed into the window of his lover's house in Mabbot Street. The son of the Cock-pit keeper in Essex Street, Elliot managed to escape the grasp of Fullarton, but was shot in the back with a blunderbuss.\textsuperscript{25} A coroner's inquest returned a verdict of wilful murder, and examinations were lodged against Fullarton for murder.\textsuperscript{26} On 27 February 1786, the commission of oyer and terminer ruled that the killing of Elliot was a "justifiable homicide"; the jury found Fullarton guilty of manslaughter.\textsuperscript{27} No details of the terms of his punishment were reported, but it is likely he was sentenced to prison for six months. In Eagan's case, the decision not to execute him apparently angered some members of the community. Two watchmen of St. Bride's parish were murdered soon afterwards. In November 1780, sheriffs Thomas Bride and Patrick Andrews arrested Thomas Heany, who was charged with the murder of one of the watchmen.\textsuperscript{28} Another watchman, William Mooney, of St. Bride's parish, was found murdered with a deep wound to his head in Holles Street in December 1780.\textsuperscript{29}

It was within this climate of fear that the Volunteers apparently drew up their plans to patrol parts of the city, especially after Alderman Horan, a firm believer in law and

\begin{itemize}
\item \textsuperscript{22} H.J., 28.02.80; and H.J., 25.09.80.
\item \textsuperscript{23} H.J., 07.04.80.
\item \textsuperscript{24} Rex -v- John Eagan, Comm., in H.J., 12.07.80.
\item \textsuperscript{25} H.J., 29.08.85.
\item \textsuperscript{26} W.H.M., Sept. 1785, pp. 502-503; also cited as William Elliot.
\item \textsuperscript{27} Rex -v- William Fullarton, Comm., in D.E.P., 28.02.86.
\item \textsuperscript{28} H.J., 17.11.80.
\item \textsuperscript{29} H.J., 11.12.80.
\end{itemize}
order, joined the Liberty Volunteers in October 1780. Edward Newenham commanded the Liberty Volunteers, but Tandy seems to have been the de facto organiser. First the Volunteers divided up the city wards, with the Liberty Volunteers taking responsibility for the Liberty ward, and the Dublin, Goldsmiths, Merchants and independent Dublin corps taking responsibility for policing the other wards. The Volunteers took over some of the vestry rooms of various parishes to plan their police patrols, including those of Saints Werburgh's, Andrew's, Michan's, and Mary's parishes. In their first major campaign since the Phoenix Park demonstration in June 1780, the Volunteers "apprehended upwards of 100 robbers or other disorderly fellows who had no visible way of livelihood" in October, a month after parliament was prorogued. The Volunteers also closed down a number of night-houses, where "servants and such fellows pick up an odd night's lodging for three-pence a night". According to a writer for the Hibernian Journal, who had consulted a Newgate prison register in the first week of January 1781, the Volunteers lodged 80 vagabonds in Newgate within their first three months of operation.

The Volunteers proceeded in military-like fashion to patrol the city. They signed on a night duty-roster "so that when we consider their numbers, it will probably not come to each gentleman's turn to be out two nights in the whole winter". They also took critical note of the performance of the parish watch. In their "perambulations" round the parishes of Saints Mary's, Thomas's, Michan's and Paul's in December 1780, a group of Independent Dublin Volunteers "found a deficiency in the number of watchmen in each parish ... several [were] drunk". They were also critical of watchmen leaving their stands before five o'clock in the morning. In short, the Volunteers were the first to complain vigorously about Dublin's watch system, while solving organisational problems in patrolling the city. After their initial successes, the Volunteer patrols found it necessary to bring forward their starting hours of work, due to the number of robberies being committed in the early evening. They also found it necessary to reduce the flow of information as to the movements of their patrols. In addition, the Volunteers obtained information at the bar of the Royal Exchange Coffee House, where well-heeled informers could pass on information about disorderly houses and could provide descriptions of thieves.

According to the Hibernian Journal, Volunteers were reported to have organised arrests on 19 different occasions in their first winter of activity, from October 1780 to March 1781. The seemingly low number of arrests probably conceals the true (but

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30 H.J., 23.10.80.
31 H.J., 27.10.80.
32 Definition of night-houses found in Mary Amyott -v- Francis Amyott, D.Q.S., Aug. 1792, in Dowling, Trials at large part 2, pp. 16-43.
33 H.J., 08.01.81; also see W.H.M., Dec. 1780, pp. 686-687
36 H.J., 05.01.81.
37 H.J., 24.01.81.
unreported) extent of their activity in preventing crime and disorderly conduct. On at least three occasions in that winter of industrial discontent, either the Loyal Union or the Liberty Volunteers arrested journeymen.\(^{38}\) Morale within the parish watch was still sinking: St. Mary's parish advertised for more "able bodied watchmen" in October 1781.\(^{39}\) Despite the failure of the parish watch, the Volunteers seem to have inspired others to follow their example. Sheriffs and justices of the peace, who had the legal power to commit offenders to prison, often accompanied the Volunteer patrols on their patrols. Aldermen Hart and Horan, justices of the peace William Beckford, Francis Graham, Robert Wilson, under-gaoler of Newgate, Michael Toole, and several city sheriffs, all worked initially with the Volunteers in making arrests.

On 29 April 1782, a gang of five men robbed Benjamin Houghton in Cork Street of his gold watch, and £60-£70 in cash and notes, leaving him badly injured with knife and sword wounds.\(^{40}\) Houghton, a Quaker merchant with a large cloth manufactory in the Liberties, had long been a target for the criminal fraternity in Dublin. A founder of the House of Industry, Houghton had started up a system of beadles to round up the vagabonds who "swarmed" the streets of Dublin from November 1772 to February 1774. In February 1774, the House of Industry presented a petition to parliament seeking financial relief for the costs incurred. In the petition, it was pointed out that for the last nine months Houghton had devoted all of his time and efforts at "the manifest risk of his own safety [and] ... to the great detriment ... of his private fortune".\(^{41}\) Houghton's fortune was in fact not ruined as a result of his work in 1774.

Six years later, he was one of the leading craft employers called on to testify before Sir Lucius O'Brien in favour of the Combination Act.\(^{42}\) A forthright man, Houghton blamed the "riots and tumults" on an increase in alcohol dependence. After the assault and robbery against Houghton, Alderman Horan and the Volunteers arrested four men: John Wall, alias "Jack the Smasher", John Murdock, James Rooney, and Barnaby Ledwith. They were tried at the commission of oyer and terminer in July 1782, convicted and sentenced to hang.\(^{43}\) Rooney and Ledwith had their sentences of execution remitted due to their youth, (they were aged 15 and 13), but Wall and Murdock were hanged on 20 July 1782.

Because of the poor state of the parish watch, local civic leaders with links to the Volunteers formed associations for the prevention of crime at the parish level. In the early

\(^{38}\) H.J., 08.11.80.  
\(^{39}\) H.J., 10.10.81.  
\(^{40}\) H.J., 01.05.82.  
\(^{43}\) Benjamin Houghton -v- John Wall, alias Jack the Smasher, John Murdock (or Mordaunt), James Rooney, and Barnaby Ledwith, Comm., in H.J., 03.07.82.
1780s, almost half of the parishes in Dublin city, Saints Paul's, Ann's, Mark's, Mary's, Thomas's, John's, Audeon's, and Michan's, raised funds through private subscriptions to finance their own patrols or parish associations.\(^4^4\) The first parish association was apparently founded by a Dublin Volunteer with considerable experience. In August 1781, Thomas Moore led a party of Dublin Volunteers to prevent a dozen wreckers from stealing a cargo of wine and brandy from a Swedish vessel that had run aground in a storm on the North Bull island.\(^4^5\) A month later, he established the Association for the Preservation of the Peace in Essex Street.\(^4^6\)

A local shopkeeper, Moore owned a cheese warehouse at 44 Essex Street which stocked a wide range of goods, including cheeses, porter, hams, teas, fish and hempen sacks.\(^4^7\) In his spare time, he organised patrols to protect the private interests of the shopkeepers and residents in Essex Street. His main targets were prostitutes, vagabonds, petty thieves and night-houses, the same targets of the Volunteers. In September 1781, Moore and his association raided two night houses in Essex Street, in which a number of people were arrested and committed to the House of Industry and to Newgate prison.\(^4^8\)

In October 1781, under pressure to expand his activities, Moore employed three "respectable housekeepers" in Essex Street to serve as the association's civil officers and assistants, "in order to keep a patrol each night, [and] to avoid having too much stress on any one member of the association".\(^4^9\) Its impact was immediate: "formerly one of the most riotous and dangerous streets in this city," Essex Street "now begins to wear an aspect of tranquillity for many years unknown".\(^5^0\) Essex Street had a reputation to maintain because the shopkeepers in the area were annoyed at the decision to build the new Custom House. They depended on the buzz of activity around the old Custom House for much of their trade, even though "by the middle of the century the mercantile centre had begun to shift down river".\(^5^1\) On Wednesday 8 August 1781, John Beresford (or Mr. George Semple, according to the *Hibernian Journal*) laid the first stone at the new Custom House, but the violent opposition from some of the merchants was so strong that the stone was laid in secret.\(^5^2\) Napper Tandy led a "rabble ... armed with adzes, saws, shovels" which attempted to bring construction of the new Custom House to a halt in September 1781. James Gandon, the architect, received anonymous letters threatening his life.\(^5^3\)

\(^4^5\) *H.J.*, 20.08.81; the Volunteers were involved in another more famous incident involving 1,500 wreckers and a ship that had run aground at Malahide, see *H.J.*, 05.01.80, and *D.E.P.*, 01.01.80.
\(^4^6\) *H.J.*, 26.09.81.
\(^4^7\) *H.J.*, 13.05.82; also see *Wilson's Dublin Directory*, 1782.
\(^4^8\) *H.J.*, 26.09.81; *H.J.*, 01.10.81.
\(^4^9\) *H.J.*, 26.10.81.
\(^5^0\) *H.J.*, 26.09.81.
\(^5^1\) Craig, *Dublin 1660-1860* p. 89.
\(^5^2\) *H.J.*, 08.08.81.
\(^5^3\) Craig, *Dublin 1660-1860* p. 239-240.
While Tandy opposed the building of the new Custom House, Moore was doing his best to keep business close to the old Custom House ticking over. He was awarded a silver cup worth £40 from the Revenue commissioners, with an inscription expressing their gratitude for his activity in putting out a fire at the old Custom House in November 1781.54 An active man, Moore directed most of his attention in the last ten months of his life to making Essex Street safe for residents, merchants, and the many visitors to the area. Between October 1781 and July 1782, Moore and the association arrested criminals operating in the area on eight occasions; they were reportedly engaged in robbery, prostitution, assault, or disorderly conduct. His work began to attract the notice of those in the city who wanted to clean Dublin up at large and to give it an image more in accordance with its splendid architecture and growing international reputation.

In November 1781, Moore's association had committed to the House of Industry a prostitute who had robbed a Dutch sailor, an arrest symptomatic of the problems facing visitors to Dublin.55 Later in the same month, the House of Industry recognised Moore for his efforts to drive out prostitution in the Temple Bar area. As mentioned, the House of Industry also paid tribute to Houghton for rounding up disorderly people seven years earlier. This suggests that Moore and some of the other Volunteers valued the role of the House of Industry because they often committed vagabonds and prostitutes to this institution.56

In July 1782, Moore died and was buried at St. Mark's church, attended to the grave by the Dublin Volunteers and the Essex Street association, the latter wearing scarfs and hatbands.57 The Essex Street association and the local parish watch seem to have fallen into a state of apathy after his death. St. Andrew's parish, which included Essex Street, was the only of the few parishes not to have complied with a parliamentary investigation on the state of the parish watch two years later.58 (In June 1784, the new Lord Lieutenant, the Duke of Rutland, concerned at the rising tide of violence in the city, ordered an inquiry into the "state of the police".59 Rutland's Chief Secretary Thomas Orde oversaw the investigation, asking the clerks of every parish and the Seneschal of the Liberty to draw up a report about the watch system between March 1782 and March 1784; St. Andrew's parish did not submit a report).60 In October 1782, three months after the death of Moore,

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54 H.J., 16.11.81.
55 H.J., 09.11.81.
56 H.J., 30.11.81.
57 H.J., 15.07.82.
59 Rutland to Sydney, 21 June 1784: P.R.O., H.O. 100/13/159-160.
60 "Account of the number of watch-men employed in the several parishes in the County of the City of Dublin collected from the returns to parliament & watch houses", for the year ending 25 Mar. 1784: N.L.I., Dublin, Bolton Papers, MS 15,926 (1).
the Essex Street association did however resume activities, but only three arrests were reported that winter.

In October 1781, the St. Mary's association was organised, the second one to form after the Essex Street association. According to the Hibernian Journal, it boasted a membership of 237 people. The newspaper also reported that St. Mary's employed 14 peace officers with powers of arrest; they accompanied the parish association on nightly patrols to make arrests more watertight. Thus St. Mary's parish had more men patrolling the streets than any other parish. In response to Orde's investigation, Henry Howison and Francis Armstrong, the church wardens of St. Mary's in 1784, reported that the parish employed 60 watchmen in the winter months and 50 in the summer months from 1782 to 1783; the most watchmen employed by any parish. The high number of watchmen employed by St. Mary's compared to some other parishes was met with some disbelief. The two wardens may have exaggerated the number of watchmen employed by St. Mary's parish, because on 25 March 1784, Richard Gladwill, who summarised the reports for Orde's investigation, said that "the number of men employed in some parishes, imagined (sic) over-rated".

In a few incidents, peace officers and parish watchmen were known to clash, but there is no evidence to indicate that senior inspectors of the watch were generally opposed to their counterparts in the associations. The wages paid to members of associations are not known, but the evidence suggests that it was volunteer work (in the literal sense) and unpaid. Nevertheless it seems that some members of the associations went on to become full-time watchmen, given the difference in the number of watchmen employed by those parishes who formed associations and those who did not. In the Orde report, there were a total of 463 watchmen in the 17 parishes for the winter months of 1783 and 1784, an average of 27 watchmen per parish. The average number of watchmen in the winter months for the eight parishes who formed associations was 35 in 1784, while the average number of watchmen for the nine parishes who did not form associations was 20, a difference of 75 percent.

Wages paid to watchmen varied according to the parish. St. Catherine's paid 12\frac{1}{2}d. a night each (£4 9s. per year) during the summer months, and paid 14

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61 H.J., 22.10.81.
62 H.J., 7.11.81.
63 Henry Howison and Francis Armstrong to Thomas Orde, return of St. Mary's Parish, 21 February 1785: N.L.I., Dublin, Bolton Papers, MS 15,926 (5).
64 Richard Gladwill to Thomas Orde, return of St. Andrews parish, 24 December 1785: N.L.I., Dublin, Bolton Papers, MS 15,926 (1).
65 H.J., 02.11.85.
66 According to the "Account of the number of watch-men", the eight parishes which sent back reports were: Saints. Paul's, Ann's, Mark's, Mary's, Thomas's, John's, Audeon's, Michan's, for the year ending 25 Mar. 1784: N.L.I., Dublin, Bolton Papers, MS 15,926 (1);
watchmen six pence a night each (£6 5s. per year) during the winter months. St. James's parish paid their eight watchmen a flat rate of £7 per year. St. Mary's paid those 50 watchmen who worked the whole year a wage of £8 5s. St. Ann's paid its 24 watchmen the highest wages, £14 4s. per year. When the police were introduced in 1786, they earned an annual income of £18 5s., which is over £4 higher than the earnings of the highest-paid watchmen, a difference of nearly 30 per cent.

Information about the social composition of the executive of St. Mary's association reveals that it was middle class in background. Richard and Mary Dobson, tea-merchants and grocers at 38 Capel Street, along with Benjamin Tilly, wine merchant at 29 Abbey Street, were on the executive committee of the association. Fate played a cruel trick on Richard Dobson. Shortly after becoming a member of the executive of St. Mary's association, he died as a result of the collapse of the upper floor of the Music Hall in Fishamble Street on 6 February 1782. His wife carried on the Capel Street business with a firm hand, which may partly explain why St. Mary's association also continued to be active after the death of her husband.

Only a few associations, particularly those in the suburbs such as Blackrock, Ranelagh and Harold's Cross, continued to function up to the mid-1790s. For most, the active years were 1781-82, during which time the Hibernian Journal reported 45 operations involving such associations, and when at least 14 different associations were known to exist in Dublin city and county, including five at the street level, Essex Street, Fishamble Street, upper Dorset Street, Meath Street & Upper Coombe, and Stoneybatter. The Hibernian Journal made only six references to arrests carried out by the associations over the entire city in 1783, the same year that Pádraig O Snodaigh noted a decline in newspaper references to the Volunteers. According to K.P. Ferguson, the Volunteers "were broken as a political power" in 1783. Without the support of the Volunteers, the associations were weakened, as reports of their activities nearly disappeared from the pages of the Hibernian Journal.

John Beattie discovered that an association for the prevention of crime near London went into decline in the 1790s, less than 10 years after it was formed. In order to discover

69 Stanley Palmer said that "the pre-1786 watchmen had earned £7", but this amount seems to have been the wages paid to watchmen at the bottom end of the parochial scale; see Palmer, Police and protest p. 134; but also see "Account of the number of watch-men", for the year ending 25 Mar. 1784: N.L.I., Dublin, Bolton Papers, MS 15,926 (1).
70 The wages paid to the 400 watchmen were reported in "An account of the receipts and expenditures of the commissioners of police from the 29th of September, 1787, to the 29th of September, 1788": Commons' Jn. Ire., vol. 13, (1789-90), pp. cl-clv.
the reasons for the decline, Beattie analysed the activities of some of the longer-lasting associations in London, which concentrated their protective activities entirely on their subscribers, and contrasted them with the failed association in Mortlake, Surrey, which "took a broader view and aimed at more general deterrence by extending these benefits to all residents of their parish or town". Beattie blamed the demise of the Mortlake association on its inability to live up to its claims in providing such "wide-ranging help". Given Beattie's analysis, one must be careful not to blame the demise of associations entirely on the declining political fortunes of Dublin's Volunteers. The associations may also have failed to live up to the expectations of the thousands of parishioners who were promised relief from crime.

In November 1782, St. Mary's association published a statement of its purposes, that it was "formed for apprehending robbers, taking up night walkers, rioters and strollers". To publish such a statement suggests that it was in want of supporters. In December 1782, it sent a patrol to ward off a large gang of robbers and housebreakers that threatened an area to the north-east of its parish, Summerhill, Richmond, and the North Strand. As St. Mary's parish did not extend much beyond Rutland Square, the report suggests that St. Mary's association went into St. Thomas parish for the sake of publicity. No arrests were reported, although an advertisement paid for by the Richmond and Summerhill associations thanked St. Mary's association for its quick response. Curiously, the Summerhill association had just been organised, which probably left many people wondering why St. Mary's association deployed their more experienced forces to Summerhill.

If St. Mary's association over-stepped its bounds geographically, it may have also overstepped its bounds legally. In December 1782, a "country gentleman" prosecuted St. Mary's association "for having taken him in the street at an unseasonable hour of the night, and confining him in the watch-house until the next morning". While St. Mary's association was acquitted by a jury, legal fees in the case may have been substantial. In any event, St. Mary's association called one of its last meetings to "settle accounts" and to "preserve arms and accoutrements" in January 1783. St. Mary's association did make one more reported arrest, which was in conjunction with St. Thomas's association in September 1783, a sign that the two parishes were now working together. The demise of St. Mary's parish association (as measured by the lack of reports in the *Hibernian Journal*) may also be explained by its politics. In December 1781, the association threatened to

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75 *H.J.*, 01.11.82.
76 *H.J.*, 16.12.82; and *H.J.*, 18.12.82.
77 *H.J.*, 13.12.82.
78 *H.J.*, 18.12.82.
79 *H.J.*, 03.31.82.
80 *H.J.*, 01.09.83.
withdraw its protection from the property of those merchants who engaged in trade to Portugal if assurances were not obtained of a "fair and equal trade for our manufacturers to that kingdom". As this occurred after the riot at the new Custom House, it suggests that the politics of the associations worked at cross-purposes with their stated aims of preventing crime. Some businesses may have seen this ultimatum as an unwelcome interference with their import and export markets, given the large demand for wine in Dublin.

Not all associations wound up their affairs in this period; some had just begun. On 9 December 1782, the Blackrock association was established in response to a double set of robberies on the Blackrock road on the night of 4 December 1782. In the most serious incident, James Moore Davis, a pawn-broker in Dublin, was shot and seriously wounded as he was travelling in a carriage with three people; they had been ambushed by a gang armed with pistols. They were robbed of seven guineas and silver. In another less serious incident on the same night, John Irwin was robbed of about six guineas near Ballsbridge, also on the Blackrock road. Highway robbery and burglary were serious problems in south Co. Dublin. By December 1782, the parish watch and the newly formed parish associations had driven many gangs into the suburbs, especially those suburban neighbourhoods without associations, "where the inhabitants were too lazy or too fearful to protect themselves". Before the formation of the association, Blackrock had "become notorious for robbers".

On 9 December, 1782, the first general meeting of the Blackrock felons association took place, with William Ogilvie in the chair. 41 people adopted a plan for "apprehending, prosecuting and convicting all persons guilty of housebreaking, highway robbery, felony or trespass, in or about Black Rock, Booterstown, Merrion, Stillorgan, Kilmacud, Newtown, Monkstown, Dunleary, Bullock [Harbour], Dalkey, Cabinteely and the county adjoining". Thus the association made claims to protect a vast area, including 12 different communities as far as the Co. Wicklow border. Would the £46 12s. 9d. raised at the first meeting be enough? Not for the plans that were eventually put into place. Within a month, 12 more names were added to the list, bringing the membership of the association to 53, and more importantly total subscriptions to £60 5s. 9d., as each member of the association paid an annual membership fee of one guinea. Money was deposited in La Touche's bank, two partners of which played an active role in the association. Many wealthy people and members of the nobility supported the association, including Viscount Ranelagh, Lady Arabella Denny, Lady Lisle, the Countess of Brandon and the Recorder of Dublin. This

81 *H.J.*, 03.12.81.
82 James Moore Davis is listed in a "Return of licensed pawnbrokers", year ending 31 Dec. 1787: *Commons' Jn. Ire.*, vol. 12, part 2, pp. dclii-dcliv; Davis was selected as a juror in 1794: see *H.J.*, 29.10.94.
83 *H.J.*, 09.09.82.
84 *H.J.*, 09.12.82.
base of support distinguished Blackrock association from city associations which relied more heavily on merchants and shopkeepers in the community. This difference may explain why the Blackrock association lasted longer, and why it was able to build a police station in Blackrock.

The association's first order of business was to arrest those responsible for the shooting and wounding of Davis on the Blackrock road on 4 December 1782. Its initial fund-raising efforts were to provide enough money for once-off payments to constables. The association also set out a list of rewards in its preamble. It promised to pay 20 guineas for information that resulted in the arrest and capital conviction of highway robbers, burglars and felons. Five guineas was promised for information leading to the arrest and conviction of petty thieves, tree cutters and hedge mowers. It also promised to pay for costs incurred by prosecutors, including legal fees, and compensation for constables and assistants for appearing in court. In addition, some of the money raised from subscribers would go towards the cost of placing criminal advertisements in newspapers. At the first general meeting, it was also decided to delay plans to establish a police force in Blackrock, until more subscribers to the association could be recruited to fund the force. In short, the association aimed to provide better protection for the suburban villas and the busy arterial roads in south Co. Dublin.

At the first working committee meeting of the association, a proposal to employ six constables on a fixed salary was debated and rejected. However the employment of salaried constables was to come a few years later. The building of a "proper lock-up" was discussed at a later meeting, and plans and estimates were to be submitted in the near future. Pressures on finance, however, continued to work against the establishment of a paid police force or of the building of a police station. It was not until September 1784 that peace officers received weekly wages. At this time, the association recruited at least two peace officers who were provided with 12 hangars (truncheons). In January 1785, a case of pistols was also provided to peace officers, costing 16s. 3d. Arming their officers with deadly weapons was not unusual—the Summerhill association armed its constables at this time. No other association, however, appears to have established a police station, largely because the parish associations worked out of existing parish facilities.

In May 1785, more than two years after the idea was originally brought up at committee level, the building of a lock-up was given the go-ahead. Details of a rental

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86 ibid., 17 Dec. 1782: N.L.I., Dublin, MS 84.
87 ibid., 2 Nov. 1784: N.L.I., Dublin, MS 84.
88 ibid., 7 Sept. 1784: N.L.I., Dublin, MS 84.; the handles of the hangars were engraved with the name of the Blackrock association
90 *H.J.*, 29.10.84.
agreement between the association and one of its members were faithfully recorded in the minutes. As a result, a house in Blackrock owned by William Ogilvie, a committee member, was to be converted into living quarters for constables and into a small gaol. Ogilvie charged the association an annual rent of one guinea, and the association was expected to pay for any expenses on alterations to the new lock-up. In October 1785, bricklayers were employed to fit up a room on a lower floor in a room where prisoners were to be confined. This developed into a fully operational small police station shortly after 1785. The Blackrock association continued to strengthen its organisational structure, and also pursued their goal of stopping crime. Justice William Beckford played a leading role in this.

Beckford had already acquired a reputation as an active magistrate before the formation of the Blackrock association. Dublin county had serious problems with gangs of burglars: in February 1780, Beckford arrested Simon Doyle in Milltown, a member of the gang that had burgled a Kilgobbin farmer named Farrel of £400. Doyle became an informer, providing enough information to enable justice Wilson to arrest another burglar named Lee. Apparently Lee was not involved, for Doyle was still in Kilmainham gaol awaiting his trial in September 1780. In January 1781, Beckford arrested Edward Brady and Peter Murphy for their part in the armed burglary of a cabin in Kilmacud, owned by Owen Mitchell. Mitchell and his wife had been badly injured in the burglary, which resulted in the loss of their box of rent money and all of their clothing. Although Brady was apparently released, Beckford committed Murphy to Kilmainham gaol. The commission of oyer and terminer convicted Murphy, sentencing him to death; he was hanged at Stephen's Green on Saturday 17 March 1781.

In September 1781, Beckford made one of his most important arrests, becoming indirectly involved in a drive against a Dublin-based gang specialising in stolen bank notes for payment. In early September 1781, Florence McCarthy, aged 15, robbed Stephen Gordon, an iron-monger, in Dame Street of £370 in bank notes. A messenger, who was a member of McCarthy's gang, took the stolen money to a banker in Clonmel for payment. Notified of the illegal transaction, sheriff Bride and a party of Volunteers arrested the messenger at Ranelagh on his return from Clonmel, committing him to Newgate. In a coordinated effort, Beckford also arrested Nicholas Mulhall at Donnybrook, who was charged with being an accomplice of Florence McCarthy in the robbery of

92 H.J., 01.08.92.
93 H.J., 25.02.80; see also W.H.M., Mar. 1780, pp.174-176
94 H.J., 06.09.80.
95 H.J., 10.01.81.
96 Owen Mitchell -v- Peter Murphy, Comm., in H.J., 09.03.81; also see W.H.M., Mar. 1781, p. 167.
97 H.J., 03.09.81; Stephen Gordon or Charles Gordon, see W.H.M., Nov. 1781, pp. 614-616.
98 H.J., 05.09.81.
Gordon.\(^99\) On Mulhall's person were found a stolen silver watch, a steel chain and three seals, the product of other robberies.

In addition, Beckford and some Dublin Volunteers arrested Daniel McDonagh and Elizabeth Mulhall, charged with receiving the notes that McCarthy had stolen from Gordon.\(^100\) It is not known when McCarthy was arrested, although the evidence suggests that he became an informer. McCarthy was found guilty at the commission of oyer and terminer in October 1781, but was spared the fatal noose because the jury recommended him as an object of mercy due to his youth. McDonagh and Elizabeth Mulhall were acquitted.\(^101\) Nicholas Mulhall was acquitted at the following commission of oyer and terminer in December 1781.\(^102\) Upon Mulhall's acquittal and subsequent release from gaol, the gang planned another crime, but this time in another city.

In January 1782, one Mr. Connor, probably a clerk or cashier with the large banking house of Warren and Company of Cork, was robbed of £2,700, one of the largest robberies in this period (indicating also that bank clerks carried around great sums of money). An advertised reward of £500 may have served its intended purpose, because a huge operation was mounted to arrest those responsible for the Warren robbery (the *Hibernian Journal* did not report the reward until 31 May 1782). While Beckford himself was not directly involved in this second operation, his earlier arrest of Mulhall probably contributed to its successful outcome. After news of the Cork robbery reached Dublin, the Volunteers, three associations, a parish watch, a Dublin sheriff and a Newgate under-gaoler all joined forces to arrest the culprits. In January 1782, James Donnelly, a leading member of the gang, was arrested in Dublin in possession of £600 in stolen notes.\(^103\) Donnelly was committed to Newgate, but £2,100 in stolen notes were still missing.

Soon after Donnelly's arrest, a bag-man for the gang passed a stolen note for payment to a bank in Dublin. Having made the illegal transaction, a bank clerk then dogged the bag-man to a house in Poolbeg Street. Information obtained by the clerk was soon relayed to Sheriff Campbell and under-gaoler Toole, both of whom arrested one Brady, committing him to gaol.\(^104\) Later in the same evening, St. Mark's association arrested Thomas McDaniel, another member of the gang on George's quay; he was temporarily committed to a watch-house of St. Mark's parish. In the only gaff to an otherwise smooth operation, McDaniel managed to escape from the custody of the parish watch. St. Mark's parish wardmote court, however, investigated the conduct of a deputy constable and a

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\(^99\) H.J., 05.09.81.  
\(^100\) H.J., 03.09.81.  
\(^101\) Stephen Gordon -v- Daniel McDonagh and Elizabeth Mulhall, Comm., in H.J., 24.10.81.  
\(^102\) Acquittal of Nicholas Mulhall in H.J., 10.04.82.  
\(^103\) H.J., 16.01.82.  
\(^104\) H.J., 21.01.82.
corporal on duty at the time. In addition to dismissing them, "further punishment as the law directs" was forthcoming.\textsuperscript{105}

Less than a month later, with most of the money still missing, the whereabouts of Nicholas Mulhall, the organiser of the gang, became known. In a well-planned raid on 11 February 1781, Sheriff Campbell, under-gaoler Toole and both St. Mary's and St. Thomas's associations participated in a joint operation against Mulhall, who was armed with pistols at his lodgings in Lower Abbey Street.\textsuperscript{106} In a search, Toole found £1,936 in stolen bank notes on Mulhall's person, leaving only £164 not accounted for from the total £2,700 stolen. According to \textit{Walker's Hibernian Magazine}, a detachment of Highlanders then arrested one Fleming, another member of the gang, in Abbot Street.\textsuperscript{107} The combined operation amounted to a huge success.

In both robberies of stolen notes, from Gordon in Dublin and Connor in Cork, the Dublin-based gang was composed of seven men and a woman; its members clearly performed distinct functions, including picking pockets, receiving stolen notes, and passing stolen notes for payment at cities other than where the notes were stolen. No familial connection has been established between the receiver Elizabeth Mulhall and the gang leader Nicholas Mulhall, but the coincidence of name suggests a relationship.

Ranged against the gang were parish associations, sheriffs, gaolers, magistrates and even the military. After the only gaff, St. Mark's parish launched an immediate investigation of its own affairs, indicating the seriousness with which it took its policing duty. As mentioned, the reward of £500 offered for the robbers concentrated many minds. Ironically, the only bitterness about the operation came when the monetary reward was not paid to Toole, who apparently did more than anyone else to arrest the culprits. Toole was only paid a "paltry sum" because not all of the stolen money was returned to Warren; a "trifle" went missing. Along with the Dublin high sheriffs, Toole was commended for attending at the trial of Donnelly and Mulhall in Cork.\textsuperscript{108} The Cork assizes convicted the two men, and an arrest of judgement against their sentences failed. On 15 April 1782, Donnelly and Mulhall, neither of whom spoke, were hanged at Gallows Green in Cork.\textsuperscript{109}

Obtaining guilty verdicts was an important consideration for all law and order forces operating in Dublin. At meetings of the Blackrock association, which were often scheduled to coincide with the court sessions, both past and upcoming court cases were discussed. At the second meeting of the association, it was decided to pay the expenses for the prosecution of a court case that had been heard at the commission of oyer and terminer.

\textsuperscript{105} \textit{H.J.}, 23.01.82.
\textsuperscript{106} \textit{H.J.}, 13.02.82.
\textsuperscript{108} \textit{H.J.}, 31.05.82.
\textsuperscript{109} \textit{H.J.}, 08.04.82; also see Connor -v- James Donnelly and Nicholas Mulhall, Cork Assizes, in \textit{W.H.M.}, Apr. 1782, pp. 220-223.
on the previous day, even though the outcome was unsuccessful.110 In December 1782, the commission acquitted William Delaney, part of the same gang that robbed Davis, of the robbery of John Irwin of Co. Leitrim on the Blackrock road on 4 December 1782; the testimony of Irwin was not strong enough for the jury to convict.111 To prosecute the case had cost the association a total of £8 3s. 7d., including the most expensive item, legal fees of £4 11s. to Counsellor Caldbeck and to attorney Peters.112 The second most expensive item was the fee paid to Irwin himself for £2 16s. 11d., for "his steady conduct" during the trial. Denied a conviction, the association was not completely left with a defeat, for soon afterwards a court sent Delaney on board a naval tender in the harbour, after a jury had acquitted him of committing another robbery in Dublin, the victim having refused to prosecute.113

Committed to obtaining guilty verdicts, Beckford went to court to give evidence against three men accused of burglary in January 1783. This concerned the burglary of surgeon George Daunt's house in Harold's Cross in September 1781.114 Although Daunt had employed counsel to carry on with the prosecution, Daunt himself did not give evidence at the trial; hence Beckford's testimony was decisive in winning the case. In January 1783, the Kilmainham quarter sessions convicted James Kennedy, Patrick Farrell, and Daniel Gaynor, of burglary, and sentenced the men to death. They were hanged at "Gallows Hill" on Saturday 18 January 1783. This was the first hanging at Kilmainham commons on a site near the Grand Canal Bridge. The gaoler of Kilmainham built a drop platform especially for the location, modelled on the same gallows from which Lord Ferrers was hanged at Tyburn on 5 May 1760.115 Before their deaths, the three men confessed to a murder in Co. Meath in September 1781.116

Meanwhile the Blackrock association was still pursuing the gang that robbed Davis on the Blackrock Road in December 1782. One of the robbers escaped from Newgate shortly after his initial arrest in December 1782.117 After his escape, John Egan fled to Limerick, where he was arrested by Toole, under-gaoler of Newgate, who travelled to Limerick to identify him in February 1783.118 Egan was then transmitted from Limerick to Dublin to face trial.119 Egan was a member of a large gang which included John Short,
aged 13, who was arrested in Kevin Street soon after Egan was transmitted back to Dublin in March 1783. In July 1783, the commission of oyer and terminer heard the trial of Egan and Short, indicted for the Davis robbery on Blackrock Road seven months earlier. Convicted, Egan and Short were hanged in front of Newgate on 9 August 1783. An enormous crowd turned out to see the boy hang (see below, chapter 11).

Only one other person arrested by the Blackrock association ended up being hanged. In January 1785, Mr. Foye, a publican in Cabinteely, murdered his wife. To convict Foye, the association paid five guineas to Mary Garrigan "for her ... integrity in resisting any attempt made to withdraw her evidence on the trial". In addition, the association paid two guineas to Dan Browne for prosecuting Foye. Another guinea was paid to a surgeon who inspected the body of the victim. At the Kilmainham quarter sessions in March 1785, Foye was tried, convicted and sentenced to death. He was hanged on Wednesday 9 March 1785, the only one of about 12 wife-killers to have been hanged in the period between 1780 and 1795.

In September 1784, a small item in the Hibernian Journal caught the eye of the Blackrock association. An unnamed writer alleged that Beckford was a "trading" justice of the peace, suggesting that he had accepted bribes in return for favours, but no more details were provided concerning the allegations. However this was the beginning of a scandal which nearly succeeded in destroying his reputation. With the association heavily committed to Beckford, his trial at the court of exchequer in the following year must have been a considerable embarrassment to their subscribers: he was tried, convicted and fined £100 by the court for "improper execution" of his job. Beckford claimed that the conviction was "obtained by perjury and connivance". Humiliated, he went to Bristol to recover his "health", a move that did not please the association. It not only invited him back to Blackrock but paid his fine of £100. This persuaded him to return to Blackrock, where he once again took charge of the association until its dissolution in 1797.

During the early 1780s, Dublin was concerned about improving its image abroad and strengthening its existing law enforcement agencies, particularly the office of Lord Mayor and sheriff. In September 1782, Nathaniel Warren was elected to serve the one-year term of office (he was to become the first police commissioner under the new city police four years later). Warren sought to prevent the Dublin meat industry from falsifying the weight of meat it shipped abroad, "which if suffered might ruin the exportation of barreled

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120 H.J., 14.03.83.
121 James Moore Davis -v- John Egan and John Short, Comm., in H.J., 28.07.83.
122 H.J., 05.01.85.
123 Rex -v- Foye, K.Q.S., in H.J., 04.03.85.
125 H.J., 20.09.84.
127 ibid.
128 H.J., 25.09.82.
pork from this kingdom”. He discovered that Irish exporters were not bleeding pig carcasses before shipment abroad, thus illegally increasing their weight from ten to fifteen pounds each. Accompanied by sheriffs John Carleton and Samuel Reed, Warren raided several slaughter-houses to break-up the illegal operation.129

Warren also led a successful campaign to prevent stray pigs ranging through the streets of Dublin, getting fat on free leftovers. On more than one occasion, he sent "a great number of pigs and some roots" to the House of Industry.130 In addition, some sheriffs were far more active than others in this period, including Sheriffs Bride and Andrews (1780/81), and Sheriff Ambrose Leet (1784/85). According to the Hibernian Journal, Leet made about 30 arrests in his term of office (he was to become the comptroller of the new city police). Sheriffs Bride and Andrews made about 20 arrests between them, the only sheriffs who actually worked together on a consistent basis. Leet concentrated his efforts in the Liberties, making eight arrests in this area; he also directed his attention to coiners and receivers of stolen property, making six arrests for each of these crimes.

As noted already, 1780 had been a bad year for the parish watchmen, but the situation improved dramatically over the following years. It still remained a high-risk occupation, particularly in the violent year of 1784. On 26 March 1784, a gang robbed a countryman in Church Street; in response, St. Michan’s parish watch arrested George Cruise, whom they conveyed to their watch-house on Inn’s Quay. The rest of the gang, however, attempted to set Cruise free, firing into the watch-house. In the attack, a watchman sustained a bullet wound and was killed. The gang ran off without Cruise, but returned to reclaim a large pistol which one of them had dropped. On the following morning, Philip Duffy and Michael Hughes were arrested for the murder.131

Cruise, Duffy and Hughes were tried at the commission of oyer and terminer in July 1784, convicted and sentenced to hang.132 Duffy was hanged at Kilmainham commons on Wednesday 21 July, apparently charged as the person who fired the fatal shot. Before hanging, Duffy said that neither Cruise nor Hughes had shot the watchman. On 23 July, Cruise and Hughes got off a quick petition to the Lord Lieutenant pleading for mercy. They enclosed statements by sheriff Smith who attended Duffy on the gallows.133 The petition either got to the Duke of Rutland too late, or else he rejected it out of hand. On Saturday 24 July 1784, Cruise and Hughes were hanged, not at Kilmainham but at the

129 H.J., 02.12.82.
130 H.J., 18.10.82.
131 H.J., 26.03.84.
132 Rex v Michael Hughes and George Cruise, [Phillip Duffy], Comm., in H.J., 14.07.84; the reference to Duffy was found in George Cruise and Michael Hughes to Lord Lieutenant, 23 July 1784: National Archives, Dublin, Prisoners’ petitions and cases, MS 12.
133 George Cruise and Michael Hughes to Lord Lieutenant, 23 July 1784: National Archives, Dublin, Prisoners’ petitions and cases, MS 12.
front of Newgate. On the same day, three convicted thieves were hanged at Kilmainham commons for a robbery at Island Bridge.

In summary, the policing of Dublin required the support of the local community. When that support was called into question, the Volunteers rejuvenated the parish watch system through the building of parish and street associations for the prevention of crime in 1780. Volunteers such as Thomas Moore helped to build the parish associations all over the city. Parliament even passed legislation empowering the residents of Rutland square to raise a patrol to deter crime in the area. Under the act, passed in 1784, those residents agreeing to such payments were absolved from contributing to the general Dublin watch tax. The enthusiasm for raising associations seemed to diminish as the Volunteers went into decline in 1783. The exception to the rule was the Blackrock association, which had the support of the wealthy residents in south Co. Dublin.

In the summer 1784, after Rutland had settled into his Viceroyalty, the government seized the initiative on ways to improve the policing of Dublin. On 22 June 1784, the privy council met to consider how to slow down the increase in violence and crime. At the following privy council meeting, Rutland instructed Orde to carry out a full-scale inquiry into the state of the parish watch. It did not take long for Orde to make up his mind: in August 1784, he decided that the watch in Dublin had to be replaced. In the meantime, he took quick action to establish an embryonic police force. In conjunction with the Castle, Dublin Corporation hired an independent force of 20 constables to shore up the existing parish watch system. They were paid £20 each per year, well above the wages earned by their counterparts in the parish watch.

One of their first jobs was to stand guard over an execution procession from Newgate to Stephen's Green in August 1784. This was the last execution to take place in Stephen's Green in the period under study. At the procession, the squad was also accompanied by a detachment of Lord Drogheda's horse. The 20-man constabulary anticipated the establishment of the new Dublin police not only by their preference for horse patrols but also by their independence from the parish watch. However little more is known about the elite force.

Apart from the extra constables, the military, and not the Volunteers, were called in to deal with the growing violence. From the government's point of view, the Volunteers were no longer suitable as a force to maintain law and order. At their annual Dublin review

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134 H.J., 28.07.84.
135 ibid.
136 Statutes (Ire.) 23 & 24 Geo. III. c. 57 (1784); also see Starr, "The enforcing of law and order", p. 155.
137 Rutland to Sydney, 21 June 1784: P.R.O., H.O. 100/13/159-160.
138 H.J., 07.02.85.
139 Palmer, "The Irish police experiment", p. 413.
140 Rutland to Sydney, 16 July 1785: P.R.O. H.O. 100/13/194-195
142 H.J., 23.08.84.
in June, Charlemont reviewed their dwindling numbers in Phoenix Park: a report to Dublin Castle estimated that only 972 men turned out for the parade, down from 2,400 men in the previous year, a decrease of 60 percent.\(^{143}\)

By February 1785, most of the parishes had submitted the necessary information to Orde in his investigation of the watch. He found that the cost of running the watch was £4,667 for the year ending 25 March 1784, a figure that by contemporary standards was very low.\(^{144}\) Under pressure to put the policing of Dublin on a sound footing, Orde developed a plan to organise a far more efficient, centrally organised and better paid police force.

\(^{143}\) Rutland to Sydney, 2 June 1784: P.R.O. H.O. 100/13/97.

\(^{144}\) "Account of the number of watch-men", for the year ending 25 Mar. 1784: N.L.I., Dublin, Bolton Papers, MS 15,926 (1).
Chapter 8

New Police: Teething Problems

Such was the speed of Parliament that it took only 49 days for Thomas Orde's bill to reach the Statute Book, yet the Police Act of 1786 heralded great changes for the policing of Dublin and marked a watershed in the city's political history. On Monday 20 March 1786, the Solicitor-General, Hugh Carleton (in the absence of the Attorney-General, John Fitzgibbon, whose mother had just passed away) read the police bill before the House of Commons for the first time. The bill received the Royal Assent on Monday 8 May.¹ The most important aspect of the Police Act was that it introduced centralisation to the policing of Dublin. A central police headquarters was established at 8 William Street, backed up by "sub-stations" in four new police districts.² The act empowered Dublin Castle to select three police commissioners from the upper house of Dublin Corporation to officiate at the new police headquarters. One of the three was to take up permanent residence at 8 William Street: this was none other than Alderman Nathaniel Warren, who became the first police commissioner.³

An active man, Warren had been in close consultation with Orde over the drafting of the police bill since the decision was first taken to review the existing police system in the summer of 1784. On 16 November 1784, Warren had written a report to Orde condemning the "neglected" rotation office at the Tholsel. Warren cited as the main problem the lack of proper opening hours at the office which depended "upon [the] chance of a magistrate calling into it". In theory all 24 aldermen from the upper house were obliged to

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² William Street was not mentioned in Statutes (Ire.) 26 Geo. III. c. 24.
rotate in the manning of the office, but according to Warren only 12 aldermen attended to
this duty with any degree of regularity. It was well known why the aldermen had lost
interest in the rotation office: they derived no income from a task which had become
increasingly time-consuming and onerous. Only the three clerks at the rotation office had an
annual income which together came to £290.4

In July 1782, a writer for the *Hibernian Journal* suggested that a single magistrate
be appointed over the rotation office with a fee to cover the "variety of business which
crowd" it.5 Without a proper magistrates' office, the process of criminal detection had
always been bogged down in delays which was unacceptable to Warren and Orde. All the
functions that were crucial to the process of detection had begun at the office, "where all
ranks and degrees resort in the first instance for justice".6 Victims of crime used to come to
the rotation office to lodge examinations against offenders. Only the sitting magistrates
there had the sole power to make prison committals. In January 1785, it became public
knowledge that a new magistrates' office would be established. At that time, it was thought
that the new office was going to be similar to the Bow Street magistrates' office in London,
but Orde established a pyramidal structure with four magistrates' offices supporting a
central headquarters.7

Under the terms of the act, 26 Geo. III. c. 24, Dublin Castle was empowered to
select four aldermen who served as divisional justices in each of the four police districts
within a single jurisdiction contained by the North and South Circular Roads. The four
aldermen were not asked to move house as was the case with Warren, but they were
obliged to convert part of their residences into office space for the purpose of carrying out
police duties. The four offices are here called "sub-stations" because they relieved central
crime headquarters of much of the day-to-day police work within the four districts. This
allowed Warren to overview the operations of the police constables directly below him with
a degree of independence unknown to any previous authority in the city. If visually
represented, Orde's plan would have described a pyramid: 8 William Street at the top, the
four divisional offices directly below, 19 guard houses in the middle, and the new police
force as the strong base of support. This represented a significant advance on the previous
model which might have described an inverted pyramid at times, as each parish watch
directed its own affairs, while the one rotation office had to cope with the spoilage.

These are the main features of the act concerning the structure of the police force.
However 26 Geo. III. c. 24 was a far-reaching statute that covered virtually all aspects of
local government: it empowered the commissioners to raise the police tax on houses and

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4 Nathaniel Warren to Thomas Orde, "Memorandum on the police and city boundaries", 16 Nov. 1784:
N.L.I., Dublin, Bolton Papers, MS 15,932 (1).
5 *H.J.*, 25.07.81.
6 *H.J.*, 25.07.81.
7 *H.J.*, 12.01.85.
tenements from 1s. to 1s. 6d. in the pound, an increase of 50 per cent; empowered them to license, regulate and control a bewildering array of small businesses and trades; to publish a weekly list of wanted felons called the Hue and Cry; to visit and inspect the gaols; and finally it empowered the Lord Lieutenant to transport convicts to the Americas on as many as four transport vessels per year. Compared to the previous police act in 1778 which was contained within three pages of the statute book, the new act contained so many new rules and regulations that it was contained within 28 pages. With so many changes, one would have expected Orde and Fitzgibbon to have braced themselves for some dissatisfaction, yet even they seem to have been taken aback at the depth of opposition it inspired.

The Police Act of 1786 generated conflict from three main sources: from members of parliament who feared that the government had increased its power by removing yet another body from local control; from members of the lower house of Dublin Corporation, the sheriff’s peers, who feared that the balance of power had shifted in favour of the upper house; and from the householders of Dublin city and county who were asked to pay increased taxes to support an unproven police force. One should also not forget the thousands of small business people, hawkers, porters, and penny boys, all of whom had to come to terms with the act. Henry Grattan, Member of Parliament for Dublin city, put it in a nutshell when he said that in effect, the bill represented "a new constitution for the city of Dublin".8

What struck most critics about the act was the high salaries paid to the commissioners, the divisional justices and their salaried employees, and the huge number of costly incidental expenses. Seven aldermen were put onto the government pay-roll: Alderman Warren had an annual income of £500 and Aldermen William James and John Rose, second and third police commissioners, had an annual income of £300 each; Aldermen Richard Moncrieffe, Henry Hart, Thomas Emerson, and John Exshaw, the four divisional justices, had an annual income of £200 each.9 Each of the four divisional justices had two clerks, all eight of whose combined annual salary was £500. At 8 William Street, John Sankey, the police secretary, had an annual income of £200 and three of his clerks had a combined annual income of £240; Ambrose Leet, the chief accountant, had an annual income of £100.10 In comparison to the combined annual income of £290 paid to the three clerks working at the pre-1786 rotation office at the Tholsel, the combined annual income of £2,690 paid to the 11 clerks, seven aldermen, an accountant, and a secretary working at both the new police headquarters and the four divisional offices, represented an increase in

8 H.J., 22.03.86.
administrative salaries of 828 per cent, a leap of such gigantic proportions that it defied the imagination.

The incomes of the police constables and policemen were also high in comparison to the incomes of the former parish watchmen. A few facts are necessary to illustrate the point. Oliver Carleton, the high constable, had an annual income of £100; the four chief constables an annual income of £60 each; the forty petty constables an annual income of £30 each; the forty watch constables an annual income of £25 each; and the 400 policemen an annual income of £18 5s. each.\textsuperscript{11} In sum, the combined annual income of the 85 ranking constables and 400 policemen amounted to £9,840.\textsuperscript{12} Previously, the wages paid to the watchmen of Dublin had been paltry. Just two years earlier, the combined annual income of the parish watch system had been only £3,767, which was spread unevenly among 463 watchmen, 25 inspectors, and 17 part-time clerks. Therefore the new police earned 161 percent more income than the former parish watch.

The high wages annoyed the critics, but so did the transfer and consolidation of the city's police force into the hands of the government. In total, Dublin Castle had the power of nomination over 505 people whose combined annual income was £12,530. In addition, the police spent about £5,330 on countless incidental expenses, such as publishing the \textit{Hue and Cry}, which cost £352 in its first year of operation.\textsuperscript{13} Such incidental expenses pushed the total cost of the new police to £17,861 in its first 12 months of operation.\textsuperscript{14}

The day of reckoning was Friday 29 September 1786, when the parish watch disappeared from the streets of Dublin (the watch did not reappear for the next nine years). To many observers, however, it seemed as if the city was suddenly occupied by an army of uniformed men. The 40 uniformed petty constables were mounted on uniformed horses, while the 400 uniformed policemen were armed with muskets charged with bayonets. The presence of a uniformed and armed body of men on the streets at all hours of the day and most of the night represented an enormous change of perspective. The force was no longer accountable to parochial control, but only to the police commissioners. In other words, the police were not only expensive to the public purse, but they also increased the power of government as the 400 policemen were "officially" nominated by Dublin Castle.

First, the police commissioners expropriated from the Foundling Hospital the tax on hackney coaches and chairs.\textsuperscript{15} Even critics such as Grattan, who had been a governor of the Hospital since May 1782, were unaware of the disastrous implications that the

\textsuperscript{11} "An account of the receipts and expenditures of the commissioners of police", 29 Sept. 1787 to 29 Sept. 1788: \textit{Commons' Jn. Ire.}, vol. 13, pp. cl-clv.
\textsuperscript{12} "Account of the number of watch-men", for the year ending 25 Mar. 1784: N.L.I., Dublin, Bolton Papers, MS 15,926 (1).
\textsuperscript{13} "An account of the particulars of the charge made by the commissioners of police for \textit{Hue and Cry}", from 29 Sept. 1786 to 25 Dec. 1787: \textit{Commons' Jn. Ire.}, vol. 12, part 2, pp. dcv-dcix.
\textsuperscript{14} "An account of the expense of the police establishment" from 29 Sept. 1786 to 29 Sept. 1790: \textit{Commons' Jn. Ire.}, vol. 14, pp. ccclxxv-ccclxxvi.
\textsuperscript{15} Institutional crime of this character and of this magnitude is not covered here.
transfer of the carriage tax would have on the Hospital: it turned out to be about £5,536 in tax revenue foregone over a period of four years between 1787 and 1790.\textsuperscript{16} When the deficit was called to his attention in March 1791, within the context of a bill introduced by Sir John Blaquiere for reform of the Hospital, Grattan countered with a petition, which was presented to him by Dublin Corporation, effectively blocking an attempt to put the Hospital on a sound financial footing.

In defending his position, Grattan employed an identical argument to one which he had skilfully learned to employ against the police commissioners, claiming that any attempt to reform the Foundling Hospital would create "notorious jobs" for the so-called Hospital commissioners.\textsuperscript{17} Grattan's arguments against the reform of the Foundling Hospital demonstrate the extent to which factional politics came before all other considerations. Grattan heard Blaquiere say that, "out of 2,180 children who had been received in the Hospital last year, no less than 2,087 were unaccounted for, either dead or murdered".\textsuperscript{18} Indeed, Blaquiere was caught by "surprise, that ... [Grattan], whose character deservedly stood so high, would present a petition of this nature".\textsuperscript{19} It would take a changed political climate before Blaquiere achieved his goal of reforming the Hospital in 1796.

Second, the police commissioners appointed 13 house-tax collectors who were each assigned areas of the city. Parties of police were later forced to accompany some of the collectors due to a resistance to the timely collection of taxes. For some areas, the tax issue became a major sticking point. In January 1788, St. Catherine's parish drew the attention of the public to the problems faced by tenants whose landlords were raising rents "in proportion to the tax".\textsuperscript{20} Resentment also began to grow sharply against the bullying tactics employed by the tax collectors. One account spoke of the police tax "collected with a degree of ferocity and oppression that would disgrace the capital of the Mahometan empire".\textsuperscript{21}

The Police Act stipulated that householders must pay their police tax within 10 days of demand, or be subject to distress payments (seizure of assets).\textsuperscript{22} Worse, the tax had a knock-on effect, forcing the Foundling Hospital to double the amount of taxes it collected.\textsuperscript{23} It was believed that "the public eventually pay two shillings, by an addition of


\textsuperscript{18} Report of Blaquiere's speech to the House of Commons, 2 Mar. 1791: M.P., 03.03.91, which was not published in the parliamentary records as it was deemed "too horrible for the ear, and which, for the honour of the country, we think it best to conceal", see "Bill proposed by Sir John Blaquiere for the reform of the Foundling Hospital", 2 Mar. 1791: Parl. Reg. Ire., vol. 11, pp. 257-258.


\textsuperscript{20} H.J., 30.01.88.

\textsuperscript{21} H.J., 29.07.89.

\textsuperscript{22} Statutes (Ire.) 26 Geo. III. c. 24, cl. 21.

\textsuperscript{23} H.J., 27.02.88; see also H.J., 08.04.89.
double the former tax for the work-house".\textsuperscript{24} If this were the case, it would have been in direct conflict with the aim of the police act, which stated that householders pay one shilling and six pence in the pound of the rent of each house valued as ministers' money for supporting the watch.\textsuperscript{25} While the doubling of the taxes for the Foundling Hospital caused resentment, it was the aggressive way in which the police collected the carriage tax that caused further resentment.\textsuperscript{26}

Third, the police were given the right to inspect the licenses of victuallers, or persons selling beer, ale or spirituous liquor.\textsuperscript{27} Such traders without licenses could only procure them from the police. Furthermore, the act empowered the police to sell certificates, costing one shilling, to a host of street vendors, including pawnbrokers, watch-makers, buyers of old iron, lead, copper, pewter, tin, dealers in old furniture, old cloth, second hand goods, and stable keepers.\textsuperscript{28} In August 1787, a public advertisement warned all outside vendors, specifically penny boys, porters, and messengers, to register for badges at a cost of five shillings.\textsuperscript{29} This reflects the determination of the police to prove their efficiency in collecting enough taxes to finance their own costs; for example, they sent 1,000 notices to porters on the Dublin quays warning them about the consequences of not obeying the badging laws.\textsuperscript{30} If they did not procure the proper badges, they could be arrested as vagrants.

Opposition to the badging law was not long in coming. Two days after the law went into effect, it was reported that the "poor creatures who ply with baskets at the different markets" were out in force begging for the money to purchase their badges. It was alleged that five shillings was "a price far beyond their abilities" to pay, and thus "many may be drove (sic) to theft and filching for their subsistence".\textsuperscript{31} Obviously, some porters were not going to avail themselves of the badging scheme voluntarily. This led to a spate of violent confrontations between the police and porters on the docks. In early August a policeman was injured at Ormond Market in an attempt to enforce the new law.\textsuperscript{32} Soon after, over 100 horse and foot policemen raided the lower Liffey quays for badges.\textsuperscript{33} In September, at the beginning of the winter season, a number of coal porters were arrested without badges, but on this occasion some of them paid for badges on the spot. In December the last report of such a confrontation was reported, indicating that the police

\textsuperscript{24} H.J., 08.04.89.
\textsuperscript{25} Statutes ( Ire. ) 26 Geo. III. c. 24, cl. 19.
\textsuperscript{26} Palmer, Police and protest p. 121.
\textsuperscript{27} Statutes ( Ire. ) 26 Geo. III. c. 24, cl. 36.
\textsuperscript{28} Statutes ( Ire. ) 26 Geo. III. c. 24, cl. 38; see also Palmer, Police and protest p. 121.
\textsuperscript{29} H.J., 02.07.87.
\textsuperscript{30} "An account of the particulars of the charge made by the commissioners of police for Hue and Cry", from 29 Sept. 1786 to 25 Dec. 1787: Commons' Jn. Ire., vol. 12, part 2, pp. dcciv-dccix.
\textsuperscript{31} H.J., 03.08.87.
\textsuperscript{32} H.J., 10.08.87.
\textsuperscript{33} H.J., 13.08.87.
were successful in their campaign to enforce a law which on balance, would have created a
deterrence to crime on the quays.

The new police also sought to control the emigration of skilled workers from
Ireland to America. Under 25 Geo. III. c. 17 (1785), anyone convicted of seducing
artisans from Ireland could face up to 12 months in gaol and be fined £500 for every
artificer seduced. James Kelly has maintained that this law was not designed to restrict the
movement of artisans to America, but two major prosecutions in 1788 suggest that his
interpretation of this law must be modified. In March 1788, Joseph Harrington and
Thomas Philpot, two mariners operating a vessel called the *Baltimore*, were arrested in
Dublin, committed to Newgate and indicted on seven bills for attempting to seduce
artificers to the United States.34 In May, Philpot was found guilty of seducing more than
one artisan to "emigrate with him as redemptioners" to Georgetown, Maryland, and was
sentenced to two years in Newgate and fined £500.35 Harrington was found guilty of
attempting to seduce one artisan, John Burlugh, a thread maker, to America, and was
sentenced to one year in gaol and fined £500.36

Philpot died about 16 months after his committal to Newgate, a death "occasioned
by his long confinement".37 In August 1789, soon after Philpot's death, Harrington
petitioned Dublin Castle for his release from gaol; he had not been released earlier because he
was "no more able to pay the debt of England than the £500 for which he remains
confined".38 Harrington was also seriously ill with "a violent fever". Soon after receiving
Harrington's petition, Dublin Castle signed a warrant for his pardon and issued a remission
of his fine.39 The conviction of Philpot and Harrington under 25 Geo. III. c. 17 indicates
that the government was interested in restricting the flow of skilled workers to America.
James Kelly's statement to the contrary thus needs modification.40

The increased taxes and the more aggressive methods of tax collection affected the
householders, while the new badging of porters and the novel intervention in emigration,
affected the work force. In a word, the regulatory functions of the police became so
unpopular that their efforts to prevent crime went unnoticed. Up to 1788, the divisional
justices in each of the four wards lodged prisoners in Newgate with vigour. It is notable
that two divisional justices made more reported arrests than the other two. The more active
men were Thomas Emerson, who lived in the south-west quadrant of the city, known as
the workhouse division, and John Exshaw, who lived in the south-east quadrant or the

36 Rex -v- Joseph Harrington, King's Bench, in *H.J.*, 30.05.88.
37 Joseph Harrington to Lord Lieutenant, Aug. 1789: National Archives, Dublin, Prisoners' petitions and
cases, MS 19.
38 *H.J.*, 31.08.89.
39 Joseph Harrington to Lord Lieutenant, Aug. 1789: National Archives, Dublin, Prisoners' petitions and
cases, MS 19.
Stephen's Green division. Emerson made more arrests than the north-side justices Richard Moncrieffe and Henry Hart combined, who were assigned the north-east and north-west quadrants respectively.41

Emerson, who lived at 18 Usher's Island, had connections with Captain Featherston of the Dublin Volunteers in the early 1780s. In January 1781, Featherston arrested Joseph Connor and Terence Reilly in a cellar in Thomas Street. They were suspected of stealing plate from a herald-painter's house at Goldenbridge named Miss Halpen (or Halfpenny).42 Emerson committed Connor and Reilly to gaol to stand their trial, but Connor was apparently released. In March 1781, the commission of oyer and termer convited Reilly and sentenced him to hang, but he was reprieved.43 In November 1785, the evidence indicates that Emerson made five arrests, and another six arrests in the months previous to October 1786, when he was appointed a divisional justice. Emerson was thus prepared for his appointment in an area of the city with a high proportion of artisans and weavers. In the early days of the new police, Emerson and a party of policemen put down a riot by workers in Francis Street who had thrown a warp into the River Liffey.44 He arrested Edward Dowling, a broad weaver, for not finishing work commissioned on behalf of John Kearney, a clothier in Pool Street. Emerson committed Dowling to a prison.45

Over the years, Emerson tried to strike a balance in a community where tense labour relations were often the norm. In May 1789, he attempted to settle a prosecution out of court by embarking on face-to-face negotiations with a journeyman tanner named John Fitzpatrick who was imprisoned in Newgate. Richard Wildridge, a master tanner in James Street, had prosecuted Fitzpatrick for ruining perishable calf skins worth £150 because the worker neglected to finish the job on them. Although Emerson was unsuccessful in preventing the prosecution, the commission of oyer and termer fined the journeyman only £10 and remitted a gaol sentence due to bad health.46

Some masters did not take kindly to Emerson's interventions on behalf of artisans. In June 1792, Thomas Abbot, a silk manufacturer, charged Emerson with false imprisonment. Emerson had arrested Abbot, but only after he publicly humiliated Emerson for not taking action against a worker. Abbot charged a woman silk winder to the custody of two policemen for embezzlement, alleging that she had defrauded him to the extent of £4. Much to his consternation, Emerson failed to commit the woman to prison to stand her trial. Abbot became furious at the delay, and in his hostility purchased a copy of the relevant parliamentary statutes for Emerson's benefit, demanding that he read them. In July

41 See police establishment in Wilson's Dublin Directories, 1787-1795.
42 H.J., 12.01.81.
43 Rex -v- Terence Riley (Reilly), Comm., in H.J., 09.03.81; reprieved: D.E.P., 15.03.81.
45 W.H.M., Nov. 1786, pp. 613-616.
1792, the commission of oyer and terminer decided in favour of Abbot, convicting Emerson and fining him (it is not clear what happened to the woman silk weaver). Abbot never lost his zeal for maintaining law and order in the Liberties. In November 1796, he joined the corps of Liberty Rangers as a 2nd lieutenant, one of the yeomanry regiments. John Exshaw became the divisional justice of the Stephen's Green division in October 1786. Seven months later, Exshaw attempted to enforce a law which made it illegal to play games on the Sabbath. On Sunday 13 May 1787, Exshaw and a party of policemen went to Merrion Square to stop a group of "gentleman's servants" from amusing themselves with "innocent recreations". The servants were playing football and organising wrestling matches when Exshaw arrived, but they did not disperse fast enough to his satisfaction. A riot broke out, and apparently Exshaw ordered his men to open fire on the servants, but no reports of casualties appeared in the newspapers.

Richard Griffith and two of his friends, John Freke, and Henry Hatton happened to be on the scene, but they claimed that they threw no stones at the police nor offered any resistance. They did, however, publicly challenge Exshaw over the justification of the police action, and questioned whether the Sunday gathering was illegal or not. All three men were arrested (apparently they were the only arrests made). According to their indictment, Griffith and the other two men had "wilfully and maliciously ... made use of several opprobrious and contumacious expressions--questioned his authority as a magistrate to dispense the riot--and finally, that they did molest, obstruct, and hinder him [Exshaw] from dispersing the persons concerned in the said riot".

The riot had a political dimension as Griffith had been opposed to the new police when it was first proposed. A Member of Parliament for the borough of Askeaton, Griffith had vigorously opposed the passing of the Police Act in March 1786. In his speech to the House of Commons, Griffith said he "imagined himself transported to the regions of Indostan ... that if this bill passed, the city of Dublin would be in a more oppressive situation in regard to its government, than the city of Delhi". Presumably, Griffith came to regard Exshaw's actions in Merrion Square as confirmation of his earlier warning to parliament about the police.

Exshaw himself seems to have come to regret pressing charges against Griffith, Freke, and Hatton. He suddenly resigned his position from the police force as divisional justice just as Griffith's trial came to court in May 1788. At the King's Bench, Griffith was found guilty of insulting Exshaw, but managed to secure a re-hearing with respect to the

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49 H.J., 16.05.87; also see W.H.M., Aug. 1788, pp. 388-91.
50 John Exshaw -v- Richard Griffith, Sir John Freke, and Henry Hatton, King's Bench, in H.J., 09.05.88; H.J., 06.06.88; and H.J., 11.06.88.
51 H.J., 24.03.86.
punishment. At this second hearing in June, Exshaw practically apologised to the court, telling the presiding judge that the jury in the first trial ought to have acquitted Griffith. This volte-face suggests that the two sides had reached a compromise. While the guilty verdict against Griffith was not set aside, no punishment was ordered due to an arrest of judgement. The entire episode suggests that the laws which upheld Sunday as a religious rest-day no longer enjoyed widespread public favour in late eighteenth-century Dublin.

John Carleton took over as divisional justice of the Stephen's Green division.\footnote{52} Ironically, Exshaw was taken to task for not having stayed on in his position for another six months, which was deemed a proper notice of resignation.\footnote{53} Carleton himself was assaulted just after his appointment. His assailant, Allen Stewart, was convicted at the Dublin quarter sessions and sentenced to three months in Newgate and to three public whippings.\footnote{54} After his second whipping from Newgate prison to College Green and back again, Stewart petitioned the Lord Lieutenant for a remission of his third whipping. Stewart's health had been nearly destroyed by the whippings and the incarceration. His petition was corroborated by a letter attached to the petition from surgeon John Whiteway, who was Inspector of Prisons.\footnote{55}

As noted, Exshaw resigned from the police force in the wake of the Merrion Square riot, but other factors may have been at work. His resignation occurred soon after a meeting of the Dublin quarter assembly in April 1788, when Napper Tandy mobilised opposition to the rotation of John Rose to become the Lord Mayor of Dublin in 1789. Tandy grounded his objection to Rose's nomination on the basis that a Lord Mayor could not serve two masters at the same time: Dublin Castle, in Rose's position as a police commissioner, and Dublin Corporation, in his position as Lord Mayor. Although Rose was elected, it was by a narrow majority of 65 votes to 55.\footnote{56} Exshaw was next in rotation to serve as Lord Mayor in 1790. He probably feared that he would not be as fortunate as Rose in beating off the Tandy machine.

At the same time, a growing popular movement against the police was building up in Dublin. In February 1788, Travers Hartley presented a petition to parliament against the police signed by some 7,000 householders and inhabitants of Dublin. In the debate that followed, it was noted that the police tax in the Liberties was "almost impossible to collect ... [due to] the poverty of the inhabitants and the wretchedness of the dwellings".\footnote{57} It was then estimated that taxes were running as high as two shillings in the pound. The same

\footnotesize{\textsuperscript{52} For notice of Fleming's first arrest, see \textit{H.J.}, 04.01.92.\\ \textsuperscript{53} \textit{H.J.}, 11.04.88\\ \textsuperscript{54} Michael Fox and George [John] Carleton -v- Alexander [Allan] Stuart [Stewart], D.Q.S., in \textit{H.J.}, 19.05.88.\\ \textsuperscript{55} Allen Stewart to Lord Lieutenant, 18 July 1788: National Archives, Dublin, Prisoners' petitions and cases, MS 16.\\ \textsuperscript{56} \textit{H.J.}, 07.04.88.\\ \textsuperscript{57} \textit{H.J.}, 20.02.88.}
petition on a "very long roll of parchment" was submitted by the Duke of Leinster to the House of Lords in March 1788. A movement of thousands had begun, spreading to the freeholders of Co. Dublin who met at the County Court-House in Kilmainham in April 1789, where Mr. Willes moved an anti-police resolution that was unanimously agreed: "that a total repeal of the police law in the city of Dublin, and within the limits of the circular-road to which it extends, would be a most desirable object, as the taxes under the police establishment are a grievance".

Meanwhile, no opposition to Exshaw's successful candidacy for Lord Mayor was reported. In July 1789, he was granted the freedom of the Merchants guild, "in consideration of his having, previous to his said election, resigned the place of one of the divisional justices of the police". In all likelihood, Tandy had secured Exshaw's resignation by promising him freedom of the guild and a promise not to subject him to the treatment meted out to Rose in the previous year.

Tandy also promised a blanket guarantee of support to any member of the Merchants guild requiring allegiance to his anti-police ticket. He demanded a pledge that "we will not vote for any person or persons to represent us [Trinity guild] in the common council of this city, who will not first take and subscribe the following declaration: that if returned into the common council of this city, we will not vote for any police commissioner or divisional justice to be chief magistrate of, or representative in parliament of this city". Oath-taking was now a cornerstone of Tandy's policy, obliging members of the common council to vote against a police commissioner for Lord Mayor and to vote against any persons connected to the police for parliament. Tandy, however, was unmoved by the prospect of a divided Dublin. In the spirit of the July revolution in France, Tandy said, "I would trust that a Parisian spirit would arise, and am convinced that the castle of Dublin would not be a sufficient protection for the governor who attempts to violate the chartered rights of this city".

Tandy prepared his ground to fight the 1790 parliamentary general election on the most advantageous terms. In November 1789 Tandy engineered a huge majority in elections to the Merchants guild by organising his own anti-police ticket. In all, 31 candidates were on his ticket, "every member of which is the friend to freedom, and an enemy to the present obnoxious police establishment". Of these, 22 were elected, Tandy polling 276 votes, next to Lundy Foot who polled 292 and who was also on Tandy's ticket. His tough tactics of obtaining converts to his anti-police agenda were revealed in December 1789, when Dublin Corporation heard evidence that the Tandy oath had been

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58 H.J., 05.03.88.
59 H.J., 03.04.89.
60 H.J., 20.07.89.
61 H.J., 20.07.89.
62 H.J., 19.10.89.
illegally administered to two candidates who successfully won an election to represent the Corporation of Joiners in the Common Council. John Myler, who was defeated in the the Joiners' election, testified before the Lord Mayor's Court of Conscience that John Mathews and Anthony Davis "were elected under undue influence". Myler contested that "the taking of a test oath [was] ... highly improper--it went to subvert and violate the freedoms of elections--it would be a means of introducing into Corporations, riots, tumults, and disorders, and it was a practice that ought to be discontinued". Myler, however, failed in his bid to have the election of Mathews and Davis declared null and void.63

On Saturday 25 April 1789, Sir Henry Cavendish, the chairman of a parliamentary committee that had been appointed to inquire into the finances of the new police, delivered his report to the House of Commons.64 It was deeply critical of the police commissioners, particularly Nathaniel Warren. It took issue at how the commissioners went through £51,000 of tax-payers money in only 30 months. Among the criticisms, Cavendish reproached the police commissioners for spending £900 on legal fees, money he claimed was wasted largely on unsuccessful prosecutions.65

In the acrimonious debate which followed the delivery of the report, Fitzgibbon and John Toler came to the defense of the police commissioners. Fitzgibbon justified the £900 spent for legal expenses on the grounds that the number of capital convictions in the city had been "daily diminishing", and asked if anyone could remember the last time there had been a "maiden" commission of oyer and terminer (one without a death sentence).66 Toler argued along similar lines, saying "that within the last two years, the average proportion of convictions in the court where he presided [Kilmainham quarter sessions], had fallen short one third at least of what they had been in any similar period of his experience".67 In a statement after the Cavendish debate, Dublin Castle also followed the same line, claiming that "the number of criminal prosecutions in the city and county of Dublin had diminished in a degree equal to the most sanguine hope."68 (No concrete evidence was produced by the government, and it is not clear why the lack of prosecutions should be proof that the police had been efficient.)

The evidence aggregated from the Hibernian Journal, however, appears to contradict some of the claims. As Fitzgibbon was speaking, John Cowan was being hanged at the front of Newgate prison, less than a kilometre away from parliament. Three days before Cowan was hanged, John Egan had been hanged at Newgate. Both had been

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63 H.J., 24.12.89.
67 ibid., p. 407.
tried at the most recent Dublin quarter sessions. John Egan had been convicted for the robbery of Patrick Keefe in Patrick Street. Along with two other men, he had committed the crime at the beginning of April 1789. All three men had been tried for the Keefe robbery, but only Egan was found guilty. John Cowan had been convicted of stealing two black gelding horses from their owners in Co. Down. It is ironic that both men were hanged in the same week that Cavendish delivered his criticisms of the money being spent on useless prosecutions.

It also appears that Denis George, the Recorder of Dublin, was not sympathetic to the new police. In October 1788, Bernard Kelly was indicted for stabbing Simon Halfpenny to death with a bayonet in several places. On his deathbed in Dublin's House of Industry, Halfpenny lodged an examination against Bernard Kelly, which was taken by the new divisional justice of Stephen's Green division, John Carleton. After Carleton had taken the examination, he then read it back to Halfpenny who swore to its veracity. At the commission of oyer and terminer, George, who happened to be the presiding judge at the commission, lectured Carleton on the proper way of taking examinations. George said that Kelly had not been confronted with his accuser, "nor should the magistrate have entered into a mere conversation with the person; but have sworn him first to speak the truth, and nothing but the truth, and then to have taken his examination". The jury acquitted Kelly. If Kelly had been convicted, it would have been the gallows for him.

Not only did the Recorder harbour suspicions about the police, but so did some jury panels. In October 1789, Patrick Rigbey was indicted at the commission of oyer and terminer for the burglary of William Montgomery's house in Dominick Street in the previous July. With the help of some policemen, Rigbey and an accomplice were arrested, both having already packed up several items of furniture in the house. Rigbey's accomplice subsequently escaped from Newgate after his committal. At trial, a policeman named Denis Baynham corroborated the testimony of a prosecution witness; Baynham said "that he saw the prisoner at the bar coming into the house, and that he assisted in apprehending him in the house". In spite of this clear evidence, the jury acquitted Rigbey. Similar reports of unsuccessful prosecutions in spite of police evidence were found at the Dublin quarter sessions, the court in which the Recorder always sat. In September 1788, for example, the testimonials of two policemen were given in separate burglary trials at the Dublin quarter sessions, but despite their almost water-tight evidence, the same jury returned verdicts of not guilty.

69 H.J., 06.04.89.
71 Horse Owners -v- John Cowan, D.Q.S., in H.J., 20.04.89; see also H.J., 20.05.89.
73 William Montgomery -v- Patrick Rigbey, Comm., in H.J., 28.10.89.
In short, Cavendish's criticism of the £900 spent on law suits by the commissioners was prompted by a belief that the police were being too heavy-handed or were actually breaking the law in some cases, and thus they were not entitled to legal fees. An opposition spokesman, Arthur Browne, the Regius Professor of Laws at Trinity College, told parliament in February 1788, that "a very considerable expense had accrued from defending policemen who were indicted for several crimes and this expense ultimately fell on the citizens of Dublin; and from the information of several very respectable persons, the police were in general the aggressors of the law".75

The Cavendish report also came down hard on first police commissioner Nathaniel Warren. One of the largest initial costs for the police was the combined expense of buying the house that became the central police headquarters at 8 William Street. As the house also became the residence for the Warren family, it appeared to some that Warren had benefitted personally from the purchase. It cost £500 to purchase the house, and £3,000 to buy the furniture to go with it. In rebutting claims that he had gained from the deal, Warren said that "it was necessary for him to leave his own dwelling, which was extremely well furnished, and go to live in the police house without any furniture at all". Indeed, he said that he "had paid, at his own private cost, much larger bills for furnishing the house, than that charged to the public".76 Warren also criticised the Cavendish committee for failing to examine people who supported the police. He said that "no person had been examined (though the whole city was raked for evidence) but such as were supposed hostile to the police".77 Fitzgibbon concurred with Warren, stating that the Cavendish committee had written a report which was "founded on ex parte evidence, founded on partial investigation, founded on garbled and selected evidence".78 In the end, Fitzgibbon moved that the report be rejected because it "had deviated from the order of reference".79

Most of Cavendish's findings seem to have been based on the research of Ambrose Leet, the chief accountant of the police. In two of the first parliamentary reports on police expenditures in the years 1786-1787, Leet produced two detailed lists of about eight pages in length, which were bound to subject the police to criticism.80 These lists revealed that the police commissioners had been involved in a costly campaign to relieve Dublin of over 550 beggars from 29 September 1786 to 25 December 1787. During the 14-month period, Leet said that the police had detained 446 beggars, who were conveyed by carriages to the

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75 H.J., 20.02.88. In view of this, Browne ordered that the number of such crimes brought to trial, be printed from 1786 to 1788. Although such a list of trials does not appear to have been printed, it may have been the basis for the Cavendish report. For more information on crimes committed by police, see Palmer, Police and protest, pp. 125-126.
77 ibid., pp. 416-417.
78 ibid., p. 398.
79 ibid., p. 424.
House of Industry; they also detained an additional 115 beggars who were conveyed to private lodgings.\textsuperscript{81} Was the police operation against beggars in response to some sort of subsistence crisis in Dublin? During the subsistence crisis of 1782-4, the House of Industry relieved 3,976 people between April 1782 and March 1783, or 3,530 more beggars were relieved in 1782-4 than in 1786-7.\textsuperscript{82} The police operation seems to have been primarily aimed at enforcing laws against vagrancy, a policy which was costing the taxpayer dearly. While the House of Industry was being inundated with new arrivals in 1786-87, the Foundling Hospital was obliged to pay for their provisions, a policy which Blaquiere said was partly to blame for the deteriorating financial position of that hospital.\textsuperscript{83}

In addition to revealing how much money the police had spent on relieving Dublin of its beggars, Leet also showed that the police commissioners had spent about £1,800 on stationary and books. Despite their seemingly innocuous nature, Leet's decision to publicise the list of books was embarrassing to the police commissioners. In parliament, Grattan ridiculed the collection, "suppos[ing] a mittimus written in the style of [Dr.] Johnson". He also wondered aloud as to why the police would need "a philosophical, grammatical, political, and military library".\textsuperscript{84}

In the press, the collection of books became a favourite object of ridicule: "if there had been added some primers and spelling books to the list, in this early age of the police literature, I think they might have been more useful than Chamber's or Johnson's dictionary".\textsuperscript{85} A letter writer called "Anti Economist", imitated Leet's itemised expenditures, adding his own comments: "Item. Beccari on Crimes and Punishments ... Alas, poor Beccari! thou mild and eloquent theorist, into what company have you got!"\textsuperscript{86} While Leet may have had the best intentions in publishing the list of books, it made the police commissioners and their divisional justices appeared inexperienced to the public.

Leet also saw fit to publish the names or acronyms (or both) of 16 paid informers employed by the police: "Clements, Rooney, S. Crane, John Norton, Chief Constable Godfrey, McDonough, I.A., P.H.G., B.D., N----, B.C., T.O., W.S., Benjamin Dupleix, I.M., M.M., P.B". This suggests that Leet was only certain of the identities of the given names.\textsuperscript{87} It is difficult to understand why Leet published the names of the informers, which would have represented a serious breach of confidence by any standards. It would

\textsuperscript{81} "An account of the particulars of the charge made by the commissioners of police for incidents", from 29 Sept. 1786 to 25 Dec. 1787: Commons' jn. Ire., vol. 12, part 2, pp. dccii-dcciii.
\textsuperscript{85} H.J., 19.05.88.
\textsuperscript{86} H.J., 11.01.90.
\textsuperscript{87} "An account of the particulars of all sums expended by the commissioners of police", from 29 Sept. 1786 to 25 Mar. 1788: Commons jn. Ire., vol. 12, part 2, pp. dcccxxxiii-dcccxxxvi.
appear that if Leet had known the identities of the 10 agents who were listed by their acronyms, he would have published their names. Curiously, the total cost to the police commissioners for the services of 16 agents was only £85, suggesting that the informers derived an income elsewhere. In other words, the £85 appears to represent *ex gratia* payments for good intelligence work.

Rooney, one of the spies on Leet’s list, was implicated in an extortion bid, even though it was his son Patrick who apparently did the dirty work for his father. In September 1789, Patrick Rooney attempted to extort "forebearance money" of 1s. 6d. from a publican’s wife in Michael’s Lane, for selling liquor without a license (it was reported that the extortion note was written by Patrick’s father the informer). However Bridget Reilly, the publican’s wife, refused to comply with the extortion request, and her husband pressed charges. About a week later, divisional justice John Carleton committed Rooney to Newgate to face trial.88 Convicted of extortion at the Dublin quarter sessions in October 1789, Rooney was sentenced to one year in prison and three pilloryings.89

Among the acronyms on Leet’s list of "secret agents" was one "P.H.G.", which could have stood for the chief constable of the police Philip H. Godfrey, but this does not seem likely as his name was already mentioned on the list. If the acronym is reversed, however, it might have stood for the initials of George [H.] Parker, a clerk for the secretary of the police and the individual who distributed the *Hue and Cry*, the list of felons published by the police commissioners.90 As a clerk, George Parker had an income from the police commissioners of £70. The suggestion that George Parker was an informer is supported by circumstantial evidence. On 21 August 1784, Thomas Orde, the Chief Secretary to the Lord Lieutenant, wrote a letter to Whitehall, urgently requesting that an informer be sent to Dublin, as "it is now absolutely impossible to find such useful and confidential agents" in the city. Orde suggested that one Parker be contacted in London, a man who "was well skilled in the language, habits, and schemes of rogues of all descriptions ... a great haunter of coffee houses and ... places which foreigners frequented".

Parker was no stranger to the Dublin underworld, and he had himself proposed to Lord Shelburne that his services might be of some value to Dublin Castle. Orde thus urgently instructed Whitehall to look for Parker at the Range Coffee House in London.91 Less than three weeks later, Orde wrote to Whitehall thanking them for sending Parker to Dublin, whom he expected to "write the daily history" of the city's underworld.92 Whether he wrote such a history is not known, but it is known that George Parker left Dublin in

88 H.J., 30.09.89.
89 Bernard Reilly -v- Patrick Rooney, DQS, in HJ, 12.10.89.
90 "An account of the particulars of the charge made by the commissioners of police for incidents", from 29 Sept. 1786 to 25 Dec. 1787: Commons' *jn. Ire.*, vol. 12, part 2, pp. dccii-dcciii.
91 Thomas Orde to [Evan Nepean?], 21 Aug. 1784: P.R.O. H.O. 100/14/80-82.
92 Thomas Orde to Whitehall, 8 Sept. 1784: P.R.O. H.O. 100/14/100-102.
September 1788. In his report to the House of Commons in April 1789, Cavendish complained that Parker had "not been in Ireland during the last half year". This suggests that Leet may have indeed blown his cover, causing him to return to London.

In October 1789, six months after the Cavendish report was debated in the House of Commons, the police commissioners informed Leet that his position was being terminated. In addition, the commissioners sacked Leet's own clerk and two other clerks. Leet's dismissal attracted widespread attention. It was a petty dispute between Warren and Leet which triggered his dismissal, but it suggests that lines of communication between the two had broken down. Leet had refused to sign his name to several accounts presented by Warren without their accompanying vouchers. This embarrassed Warren who was denied payment by the Commissioners of Imprest Accounts until Leet's signatures were obtained. After notice was given of his dismissal, Leet found his office door padlocked and guarded by two policemen, even though his personal possessions were still in the office.

With the dismissal of Leet, the police force had effectually purged itself of its most prominent whistle-blower. Ironically, Leet was replaced by an individual who was deeply implicated in an accounts fraud at the Foundling Hospital. Its chief accountant, John Bailie, became the head accountant of the police. Curiously, Bailie's appointment was attacked on technical grounds, "that they have presumed to fill the office ... without even reporting the vacancy made by the dismissal of Mr. Leet to government, in whom alone the authority of appointment is legally vested". Not a man to fail his masters, Bailie's first report is a masterpiece of skeletal book-keeping.

The police had imitators as well as detractors among the local felons associations. In January 1788, the Blackrock association implemented a wage structure modelled on the Police Bill of 1786. The wages of the four privates in the association corresponded exactly to the wages earned by each of the 400 new policemen at about £18 per year. Like the new police, all four privates and one chief constable were armed with "carbines" and were issued uniforms. The four were issued with caps, while chief constable Nickaby received a laced hat. Despite the best of intentions, four privates and a constable do not make a police force and the communities along the Blackrock road occasionally received help from the Dublin police.

In July 1789, police commissioner William James ordered a party of policemen "to patrol the roads leading to Blackrock and Donnybrook, as they were then infested with robbers". This decision led to a controversial court case which called into question the

94 H.J., 05.10.89.
95 H.J., 07.10.89.
97 Statutes (Ire.) 26 Geo. III. c. 24.
98 H.J., 20.07.89.
legality of the commissioners in combating crime beyond the Grand Canal, which was the 
southern boundary of the city. In the early hours of a July morning, serjeant John Byrne 
and a detachment of policeman arrested two suspicious looking fellows near the toll-house 
in Donnybrook road, Richard White and Bartholomew Purdon. Resisting the policemen, 
Purdon drew a loaded pistol but it mis-fired, and White was unable to discharge his pistol 
because it had no lock. The men were committed to prison, having been relieved of "two 
skeleton keys, powder, and swan shot, a flint, and [a] small knife". At trial, the 
commission of oyer and terminer convicted White and Purdon of assaulting two policemen 
and sentenced them to two weeks in gaol.99

This exemplifies the aggressive approach taken by the police in actively pursuing 
suspicious characters. It was no longer a case of waiting for the robbers to come to them: 
they went for the robbers. In October 1789, it was reported that a gang of street robbers 
mugged their victim "in a whisper" for "fear of alarming any of the police who might 
happen to be stationed" in Mountrath Street, the scene of the robbery.100 Furthermore, the 
police managed to put some city robbers on the run, chasing them into the suburbs and into 
the hands of the Blackrock association. On balance, the police were probably more 
successful in preventing crime than their critics were willing to admit.

The police however failed to convince the public that they were acting in the 
interests of law-abiding citizens. They failed because of the unpopular ancillary 
administrative functions that the Police Act imposed on the police force, such as the 
collecting of taxes and the selling of certificates. These functions, which had little if any 
bearing on the fight against crime, interfered with the public perception of the police force 
as a successful agency in the prevention of crime. It is not surprising that the public came to 
view the police as a self-interested body seeking to impose a new tyranny on the law-
abiding citizen. This fundamental flaw in the Police Act gave opposition politicians a new 
lease on life. Overnight, the new police became scapegoats for everything that was wrong 
with the status quo. Thus, Tandy and his ilk turned the police into some sort of monster 
eating away at the constitution, thereby diverting attention away from the ordinary 
problems of law and order in the city.

99 John Bell and John Byrne -v- Richard White and Bartholomew Purdon, Comm., in H.J., 22.07.89. 
100 H.J., 07.10.89.
Chapter 9

The New Police in Action

In analysing the role of the police as they matured, the newspapers are a singularly difficult source. On the one hand, they reported uncritically on the antics of the radical politicians who waged a ceaseless campaign against the police. On the other hand, they tended to personalize the activities of the police. Much of the current historiography has covered the political antics. Kevin Boyle and Stanley Palmer have done an admirable job on charting the political waters through which the ship of police commissioners sailed.¹ The concrete activities of the police, stripped of the politics, has not been established. This task cannot be done by going to the archives and looking over the police reports, because no such police records exist. It is therefore necessary to follow the Hibernian Journal in its coverage of the police in a style of reporting which took on a personalized form.

In a word, this newspaper walked in the footsteps of inspector William Shea, keeping a diary on their favourite man on the force. Judging by the evidence, Shea reported to Nathaniel Warren and to William James, the most active police commissioners. Moreover, Shea's brief covered not only Dublin city and county but counties adjacent. He thus makes an interesting man to follow.

In 1788, parliament passed new legislation that increased the size in the force. Under 28 Geo. III. c. 45, one hundred new policemen were employed, increasing the size of the force to 500, and eight new inspectors were added, two to each of the four divisions. The act also reduced the police tax on houses with a yearly rent of £5 or under from Is. 6d. to 1s. in the pound; other changes affecting the regulatory functions of the police were also made.² These took effect in August 1788.³ William Shea was one of the eight new

² Statutes (Ire.) 28 Geo. III. c. 45 (1788).
inspectors; he was assigned to the Stephen's Green division in October 1788.\textsuperscript{4} Nothing is known about Shea before his appointment, but the evidence suggests that he had a wealth of experience behind him.

In his first action, Shea arrested 32 prostitutes, and on the following night, he arrested another 14. A week later, Shea testified against 21 prostitutes at the Dublin quarter sessions. Denis George, the Recorder, rejected Shea's testimony out of hand, pointing to "the cruelty of confining persons in prison, without sufficient charge being produced against them".\textsuperscript{5} Shea learned a valuable lesson from this first encounter with the Recorder's court. He came to rely on informers to testify in court, as we shall see. By October 1789, Shea already had a reputation as a tough man able to put down riots in Newgate prison: "I know that if Mr. Shea or Mr. Delamer [deputy jailer of Newgate] were within side the jail, there would not be any outrage committed".\textsuperscript{6} In 1793, \textit{Wilson's Directory} gave his address as the Werburgh Street police house, suggesting that he lived in the small police house next to the church, probably as a single man devoted to his job. Working closely with other inspectors and justices, Shea stands out above the rest: he was reported to have made 25 arrests and giving evidence in eight trials. His role in the police is interesting because it sheds light on the problems faced by the successful policemen as they matured in their careers.

Shea was concerned with all areas of policing, but one area in particular which occupied his attention concerned capturing convicts who returned from transportation before the expiration of their sentences. Crimes committed by returned convicts were a source of concern in the period immediately after the American Revolutionary War. Up to 1789, the Americas served as the dumping ground for Ireland's transported convicts. A handful of convicts booked passage back to Ireland, but the law was not clear as to how to proceed against them if they were caught. In September 1783, one Rutledge returned from transportation before the expiration of his sentence. Confined to the Black-Dog Prison, he awaited sentencing, but "whether the laws will be put in force against him we can't say".\textsuperscript{7} In this case, Rutledge was arrested neither for a fresh offence nor for the same offence for which he had already been convicted. In addition, his return to Dublin from transportation had not been done illegally \textit{per se}, as he would have had to book passage through normal channels. Indeed, Rutledge may have been required to leave the Americas, which would have left him with few alternatives but to return to Ireland. In short, he was arrested on precarious grounds. Returned transports, therefore, fell into a kind of legal limbo, and some returned to a life of crime in Dublin.

\textsuperscript{4} William Shea is also spelled as William Shee in \textit{Wilson's Dublin Directory}, 1793.
\textsuperscript{5} Rex -v- 21 prostitutes, D.Q.S., in \textit{W.H.M.}, Oct. 1788, pp. 557-559; also see \textit{H.J.}, 13.10.88, for a list of their names.
\textsuperscript{6} \textit{H.J.}, 19.10.89.
\textsuperscript{7} \textit{H.J.}, 05.09.83.
After Ireland resumed transportation to the Americas in November 1784, the problem of returned transports increased. It demanded careful attention by the new police, who developed an expertise in the area of tracking down returned convicts. In April 1789, Eleanor Scarf, who returned from transportation before the expiration of her sentence, operated a house in Plunket Street as a fence which gangs employed to unload stolen property. A "notorious old offender", she was well-known to the police who tracked down a suspected robber to her house: on 1 April 1789, John Egan, Robert Fisher and John Whelan robbed Patrick Keeffe of his watch, cash, clothes, and snuff-box and hit him over the head with a poker while he was walking home in Patrick Street. They dragged him into Limerick Alley, but Fisher prevented the other two from killing him with long knives. After the robbers left, Keeffe informed the police of the attack. An hour later at midnight, a deputy constable of police arrested Egan at the corner of Bride's Alley in Bride Street, but the other two got away. Keeffe visited Egan at St. Andrew's guard-house the following morning, who told him the names of the two robbers and where they could be found. Fisher was arrested in a cellar in Plunket Street, and Whelan was arrested in Scarf's house (Whelan was married to Rose Scarf, the daughter of Eleanor).

At trial, Keeffe identified his stolen watch and snuff box recovered from the robbers, but "would not swear positively to the prisoners' persons". Having listened to the testimony of the arresting deputy police constable, the jury at the Dublin quarter sessions acquitted Fisher and Whelan, but convicted Egan who was hanged on Wednesday 22 April 1789.8 It is interesting to note that Eleanor Scarf was not arrested following the robbery, even though the police knew that Egan and the two others employed her house to fence Keeffe's stolen property.9

Six months later, a returned transport who was eventually involved in a fatal robbery was arrested. In October 1789, divisional justice Emerson arrested Christopher Thompson, a convict who returned to Dublin having been transported to the Americas about three years earlier.10 Even though Emerson committed him to prison, Thompson did not stay long in confinement, "and ever since had been marauding on the public".11 On 15 January 1791, he committed his last crime: at the second lock along the Grand Canal, he robbed a woman with a cocked pistol. After taking a guinea, Thompson spotted two silver buckles on her shoes, which he demanded as well. She gave him one buckle to try on for size. So delighted with the gleam of silver that he began to polish the buckle, putting his pistol on the bank of the canal. She grabbed the gun and shot him through the head.12 In addition to getting back her own money, she was given money found in his pocket, amounting to 12

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9 H.J., 22.04.89.
10 H.J., 26.10.89.
11 H.J., 10.01.91.
12 H.J., 14.01.91.
guineas and two bank notes. She was also promised a reward from Co. Dublin "for her determined conduct".\textsuperscript{13}

While this incident is notable in that the robber was a returned transport, it was not unusual for women to resist such attacks. In April 1786, an armed robber named O'Donnell attacked the servant maid of the His Grace, the Duke of Rutland, in Phoenix Park while she was riding through it in a "sumpter" or baggage cart accompanied by a boy leading a horse. He pressed a loaded pistol into the woman's breast, demanding her money. The maid gave him a guinea, but he was still not satisfied. He put his pistol down while searching the cart for more money. She shot him in the head.\textsuperscript{14}

In January 1790, a shipload of returned convicts arrived in Dublin, having been expelled from Newfoundland earlier.\textsuperscript{15} Soon after their arrival, a report of a robbery committed by two returned transports surfaced. John Cunningham and one Ellis were accused of robbing one Robinson, a cotton-printer, of his watch and money at Beggar's Bush.\textsuperscript{16} At his hanging over two years later, however, Cunningham denied any involvement in the Robinson robbery.\textsuperscript{17} In his dying statement, Cunningham also revealed that he had robbed the Earl of Clanwilliam in October 1791, a crime for which Shea had arrested William Dalton, a returned convict.\textsuperscript{18} (Dalton had been transported to the West Indies in November 1789, but had returned to Dublin.\textsuperscript{19} This was the probably the same Dalton who had conspired to assassinate John Foster, the Chancellor of the Exchequer, in April 1784).\textsuperscript{20} Along with 88 other transports and the captain of the transport vessel, Dalton was arrested in the West Indies by the local people. This caused a major scandal between Whitehall and Dublin Castle. Dalton's arrest after he returned to Ireland from the West Indies suggests that Shea may have acted precipitously in arresting him, although Cunningham never denied Dalton's involvement in the Clanwilliam robbery.)

Shea arrested Cunningham on a number of occasions: in July 1790, Cunningham escaped from Newgate along with 40 others, but Shea arrested him a month later.\textsuperscript{21} In October 1790, the Dublin quarter sessions convicted Cunningham of assaulting Shea, sentenced him to gaol for six months and ordered him to find security for his good behaviour.\textsuperscript{22} In the same month, the commission of oyer and terminer convicted Cunningham along with two other men of the burglary of John Kealy's house in Bride's

\textsuperscript{13} W.H.M., Jan. 1791, pp.102-103.
\textsuperscript{14} W.H.M., Mar. 1786, pp. 166-167.
\textsuperscript{15} The return of the convicts is fully covered in chapter 10.
\textsuperscript{16} H.J., 20.01.90; Cunningham spelled Conyngham.
\textsuperscript{17} W.H.M., Sept. 1792, pp. pp. 286-287.
\textsuperscript{18} H.J., 26.10.91.
\textsuperscript{19} William Dalton's name appears on list of convicts, 7 Nov. 1789: P.R.O. H.O. 100/29/198.
\textsuperscript{20} Information of William Dalton, 11 Apr. 1784: P.R.O. H.O. 100/12/309-310.
\textsuperscript{21} H.J., 08.09.90.
\textsuperscript{22} William Shea -v- John Cunningham, D.Q.S., in H.J., 04.10.90.
Alley, but the conviction was reduced to a lesser offence. After Cunningham completed his six-month prison sentence, he travelled to England, where he robbed a man at Prescott, Lancashire, in August 1791. In his dying statement, he admitted that an innocent man had been hanged for this crime.

Cunningham returned to Dublin soon after the Prescott robbery to join up with George Robinson, the leader of a gang in the Liberties which was committing crimes, including murder and highway robbery, over a wide area of Dublin. In March 1792, Shea took charge of a police effort to bring the gang to justice, working closely with police commissioner William James. Apart from Cunningham, the gang was composed of George Robinson, the principal leader and whose father was a carpenter, William Norton, the only Protestant and whose occupation is not known, Charles Brooks, a former sailor, John Conran, an informer and a former shoemaker, and several other small-time thieves. Between December 1791 and March 1792, the gang committed several crimes, including the attempted burglary of a shop in Upper Ormond Quay, the robbery of a woman at Goldenbridge, the robbery of George Sturgeon in Marlborough Street, and the robbery of both Blair and Magee. They also attempted to burgle the house of Benjamin Lyneal in Dolphin's Barn on two occasions; on the last one, they left Lyneal dead of a gunshot wound to the chest.

Robinson, the ring-leader, was no stranger to violence. His gang had been thieving in the Dolphin's Barn section of Dublin since February 1790, when residents were said to be fleeing the area. In February 1792, the gang had stepped up its activities with the arrival of Cunningham. On 1 February, a policeman (probably Shea) arrested Dalton, the returned transport, for attempting to burgle the premises of one Blair by picking the lock. As in the prior case, Dalton was not charged with any crime, which suggested that he had provided the police with information. Cunningham, Brooks and Robinson were later charged with the robbery of both Blair and Magee. A gold watch belonging to either Blair or Magee was found on Robinson's person.

On 10 March, the gang robbed a woman of her money at Goldenbridge after she pleaded with them that "she had nothing left to buy bread for her children." It is unlikely they got much from this attack. On the following night, the gang moved their operations from Dolphin's Barn to the north-east quadrant of the city, where they robbed a wealthy resident of Summer Hill, George Sturgeon. He was relieved of his double-cased gold

25 M.P., 24.02.90.
watch, capped and jewelled, a silver-mounted Moroccan leather pocket-book, containing a promissory note for £36, and half a guinea in money. Sturgeon was travelling alone in a carriage in Marlborough Street when one of the robbers forced open the carriage door. Stealing his pocket book, the robber hit him with a pistol on the mouth after he showed an unwillingness to turn over his watch. A quarrel then broke out amongst the robbers over the booty; the stroke of a sword resulted in a broken window in Sturgeon's carriage. In the following days, Sturgeon found the two empty cases of his watch at a pawnbroker's, but the works had been taken out. Sturgeon's robbery may have been planned well in advance: in January 1784, Matthew Seery, a former servant at Sturgeon's house in Gloucester Street, robbed him of silver and cloth. Sturgeon then placed an advertisement for the arrest of Seery, which may have drawn attention to his wealth.

On Friday night 16 March 1792, the same gang robbed the house of Benjamin Lyneal in Cork Street which runs into Dolphin's Barn. They had gone to the Lyneal house on two previous occasions to rob it, but observed on one occasion that the "brass rapper had been taken in, and concluded that the family were in bed". One gang member feared the weavers who lived in Dolphin's Barn whom he described as "people of resolution". Robinson boasted that "we're strong enough to drive all Dolphin's Barn before us". On their second attempt, all four gang members were armed with stolen pistols and swords. Meanwhile, Lyneal was playing cards with his two daughters and with one Mr. Crane, who was visiting the house. Robinson disguised his voice to fool the maid servant into opening the door. When the gang burst into the foyer, a struggle ensued. Lyneal grabbed Conran's pistol which went off, discharging six pieces of lead into Lyneal's chest.

At the same time, Crane leaped onto Brooks, whose sword broke into two pieces on Crane's chest. The scabbard to the sword was found by a policeman in a garden opposite. Robinson dropped his gun in the hallway, and part of Norton's pistol, the trigger guard, fell in the street outside. An observant policeman found the trigger guard. The gang then attempted to rob a public house, but three of them were arrested, one with a pistol barrel in his possession. The pistol barrel matched the Norton's pistol guard and thus became a part of the evidence against Norton and the entire gang.

Armed with this evidence, Shea put pressure on Conran, one of the gang members, to become an informer against the other four. At the time, Shea apparently did not suspect that it was Conran who had fired the shot killing Lyneal. Shea conveyed Conran to a cell in the sheriff's side of Newgate, where "the rats used to run over" him. This arrangement did not please Conran, but was only changed when James secured a confession out of him.

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27 H.J., 30.01.84.
28 Rex -v- George Robinson, et. al. in Dowling, Trials at large, part 1, pp. 169.
29 ibid., p. 168.
30 ibid., p. 171.
31 ibid., p. 189.
in return for a room at the Sheriff's Marshalsea. On the basis of Conran's examinations, police arrested the remaining three gang members, conveying them to Newgate to await their trial. On the morning of 18 July 1792, the day of the trial, James foiled an attempt by the gang to escape from Newgate.32 (Only William Simpson, the turnkey, and one of the hatch boys were present in the gaol on the day that James arrived, indicating that Richard Cox, the gaol-keeper of Newgate, had not been living up to his obligations to take up permanent residence within the prison. This apparently prompted Dublin Corporation to elect Tresham Gregg as a joint gaoler with Cox at the corporation's quarterly assembly meeting in the same month.33)

Meanwhile, at the commission of oyer and terminer on 18 July 1792, events did not go according to plan. Although Conran testified against the other four, Counsellor Leonard MacNally discredited his testimony, asking the jury, "what degree of credit is due to the evidence of a man, who, after himself being guilty of the whole catalogue of human crime, comes here to swear against other men, with a view to save his own neck and secure a reward".34 After the four were acquitted of the robbery of Sturgeon, they were brought to trial for the murder of Lyneal, which again did not go according to plan. At the end of hours of testimony, a juror was suddenly seized with an epileptic fit. Despite immediate medical attention from Dr. Teeling, Judge Downes discharged the jury, postponing the case to the following commission of oyer and terminer in October. In the confusion which followed the postponement, Brooks attempted to escape, but Shea stopped him.35

While waiting to face trial at the next commission, the four men were tried for the robbery at Goldenbridge at the Kilmainham quarter sessions. Curiously, the judge at the Kilmainham court was Counsellor William Caldbeck, the same man who prosecuted them at the commission of oyer and terminer in July. He sat in as locum tenens for Robert Day, the acting chairman of the Kilmainham quarter sessions, for the August sessions.36 At trial, Conran does not appear to have testified against the four men, but the evidence against the men and the publicity surrounding the earlier trial worked against them. After the jury returned a guilty verdict, Caldbeck sentenced them to hang on Gallows Hill on Wednesday 12 September 1792.

Apparently, Caldbeck's quick switch from prosecuting counsellor in one court to judge in another court drew the attention of the Lord Lieutenant. He demanded a report of the Kilmainham trial from Caldbeck, and in the meantime respited the hangings of the four men. However he was apparently satisfied that Caldbeck had acted according to established

32 W.H.M., July 1792, pp. 95-96; see H.J., 20.04.92.
34 George Sturgeon -v- George Robinson, et. al., Comm., July 1792, in Dowling, Trials at large, part 1, p. 78.
35 W.H.M., July 1792, pp. 95-96.
36 H.J., 31.08.92.
procedures because he concurred with the death sentence. On Saturday 15 September, both a Protestant and Catholic clergymen attended the men on Gallows Hill. Rev. Mr. Gamble, the chaplain of Newgate, attended Norton, while Rev. Mr. McKernan attended Robinson, Brooks and Cunningham.

Before thousands of people, the four men confessed to different crimes in Ireland and in England, for which innocent men had been convicted and hanged (see chapter 11). In addition, all four men made detailed statements in which they established beyond reasonable doubt that Conran fired the fatal shot which killed Lyneal. Cunningham said that Conran "could not help firing, as the gentleman who struggled with him held a death grip of the pistol he held".37 (Conran was arrested for a robbery only two weeks after the hanging, but the Dublin quarter sessions discharged him by proclamation to avoid having to try him.38)

Shea persisted in tracking down returned convicts, which reaped him a rich reward in the arrest of a notorious returned convict named Patrick Fay. This man had escaped from a transport vessel called the Duke of Leinster, bound for Newfoundland in June 1789; he had been convicted of forgery.39 Shea arrested him in Dublin on 10 February 1795, although he had been sighted in Dublin as early as October 1790.40 Upon his arrest, Fay "wept bitterly, and seemed to abandon himself to despair".41 The events leading up to Fay's arrest shed light on the complex nature of the judicial system and the attitudes of society toward religion. It also reveals the limitations of newspapers as objective sources of information, because the story of Fay is contained within an existing editorial slanted to put him in a negative light.

The most serious objection to Fay from the printer's point of view was that he had been a Catholic priest before his conformity to the Church of Ireland.42 According to the Hibernian Journal, Fay had travelled to China as a chaplain on an East Indiaman in hopes of rapid wealth, and indeed he made a fortune of £1,500. This was invested in at least a dozen pieces of property in Dublin, including his home in Paradise Row. Fay's wife gave birth to a son in this home.43 His career with the church of Ireland ran into trouble as a result of rumours and court action. In November 1780, Fay offered a reward of five guineas for information leading to the conviction of the "atrocious villains" who had posted up hand-bills claiming that the Archbishop of Dublin had disqualified him from officiating in any clerical capacity.44

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38 Conran [Conran] discharged by proclamation, D.Q.S., in H.J., 03.10.92.
39 H.J., 17.06.89; Duke ofLeinster: H.J., 10.08.89.
40 D.E.P., 26.10.90
42 M.P., 23.11.90.
43 H.J., 28.03.83.
44 H.J., 27.11.80.

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Fay then became known as "Father Fay, the couple beggar", a term of abuse implying that society refused to accept his switch to the Established Church at face value. In November 1786, the commission of oyer and terminer indicted him for assaulting and cutting Bridget Duffy at Drumcondra, but he was discharged from court on his giving some compensation to the prosecutor. Apparently Fay had made enemies in the city. More legal trouble followed, but this time over his property acquisitions which became a matter of criminal litigation. In June 1788, Patrick Fulham, a distiller in Bow Street, charged Fay with forging a note with intent to defraud him and his brother John, in the sale of their farm at Harriestown in Co. Meath. Fay tried to buy the farm with the forged note, arising out of a repossession which he apparently instigated. On 6 September 1788, the Dublin quarter sessions convicted him of forgery, and the Recorder sentenced him to death.

Fay petitioned the Lord Lieutenant for mercy, arguing that he had "repeatedly solicited a trial" (probably at the Court of Exchequer, a civil court where such disputes would normally be resolved). In addition, Fay expressed disbelief that he "could be tried for forgery as a capital felony". He did not employ defence counsel at his trial, "which otherwise it must be evident he would have done". On 13 September 1788, Fay hired a counsellor of "great eminence" who moved for a writ of error, but his objection was not sustained. In late October, the Recorder sentenced Fay to hang on Saturday 8 November 1788. On the morning of the hanging day, however, Fay received a pardon on the condition that he transport himself out of Europe for the rest of his life. Unhappy with the terms of his pardon, Fay petitioned the Lord Lieutenant to remain in Ireland to settle his affairs.

Despite "powerful solicitations", the Lord Lieutenant turned down Fay's request, and he was transported on the Duke of Leinster. After bribing the captain (unnamed), Fay jumped overboard off the Saltee islands near the Wexford coast. He then made his way to Liverpool, where he took passage to Bordeaux, setting himself up as a free merchant in the cheese and earthenware business. In October 1790, Fay returned to Dublin because "he was cheated by his tenants of the rents of his houses, and he would sacrifice his own against some other of their lives, or get his money". He also claimed the people of

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45 H.J., 01.11.86; also see, W.H.M., Nov. 1786, pp. 613-616.
46 H.J., 20.06.88; and H.J., 23.06.88.
48 Patrick Fay to Lord Lieutenant, October 1788: National Archives, Dublin, Prisoners' petitions and cases, MS 21.
49 H.J., 29.10.88.
50 H.J., 17.11.88.
51 H.J., 10.06.89.
52 H.J., 15.06.89; H.J., 17.06.89; and also see "An account of the sums paid in the Treasury Office for the transportation of convicts within the four last years", Jan. 1790: Commons' Jn. Ire., vol. 13, p. cccli.
53 H.J., 10.08.89.
54 H.J., 30.10.89.
"Bordeaux did not like him, as a priest reformed to the Protestant church". When Shea arrested him in April 1795, Fay's initial desperation gave way to a determination to fight for his right to live in Ireland. On 25 June 1795, his defence counsel, who included Curran, Duquery, Doyle and Colles, were unsuccessful in their attempt to have charges dropped against him, but they did manage to force the Attorney General to postpone his trial to the next term. As no other trial was reported, Fay probably left Ireland while on bail.

Apart from arresting returned transports, Shea was also concerned in preventing escapes. In March 1789, he captured two prisoners who had just escaped from a boarded enclosure at the Tholsel, where they were waiting to be called to trial at the quarter sessions. Eight other prisoners, however, did escape. The Tholsel was not a secure place, as indicated by the manner in which the prisoners escaped. A couple of prisoners managed to lift a loose flag at the bottom of the enclosure, and all 10 prisoners then let themselves down through the opening into a kitchen on the Nicholas Street side of the Tholsel. Shea seized one coming out of the kitchen window, and then found another, a young boy, "coiled up in one of the stew-holes" in the kitchen. After this escape, the boarded enclosure was replaced by an iron cage, but even this did not prevent escapes. In November 1790, a little boy, who had just been sentenced to transportation for seven years, slipped through the bars of the iron cage at the Tholsel. Quite by chance, Shea arrested the escaped boy over two weeks later, spotting him at a police watch house where he had been taken, charged with the theft of a silver cream ewer from a haberdasher's shop in Stephen Street.

Shea was also concerned about the high numbers of suicides. In 1788, 1789 and 1790, an average of 9.3 suicides a year occurred, but in 1791, 1792 and 1793 the average was 3.6 per year occurred, suggesting that Shea and the other inspectors had an impact in this sensitive area. In December 1790, Shea investigated the death of Mary Fitzgerald, who died of self-strangulation. Fitzgerald's body was found with a ribbon tied twice round her neck in a house in Maiden Lane. Shea followed up his investigation with a report submitted to his immediate superior, John Carleton, divisional justice of Stephen's green division. Shea was not alone in taking action on suicides.

In December 1787, a woman, half-starved for want of food, attempted to commit suicide by throwing herself and her child into the Liffey. A policeman, however, stopped the woman from carrying out her plans. Maguire brought the woman before Richard Moncrieffe, divisional justice of the Rotunda division, "who, in conjunction with the Rev

55 M.P., 23.11.90.
56 H.J., 29.06.95; also see W.H.M., July 1795, p. 94.
57 H.J., 27.03.89.
58 H.J., 24.11.90.
Mr Anderson of Liffey Street chapel, collected a sum of money". Collections for such victims indicate that the police were sympathetic to suicide victims. In August 1789, divisional justice Carleton prevented a woman, who was "very decent looking ... but with a distress and melancholy painted in her countenance, that no language can describe", from returning to her lodgings, where only hours earlier she had been discovered hanging by the neck. After Carleton warned her "against a repetition of her crime", she was summarily committed to the House of Industry. As in the Maguire case, a collection was raised on her behalf.61

In addition to fighting gangs, Shea investigated crimes directed against Dublin shopkeepers. On 11 October 1790, James Murphy burgled the premises of John Dooley, a master shoemaker in South Great George's Street, stealing footwear valued at £30. After forcibly removing the window shutters to Dooley's shop, Murphy employed a boy to climb into the shop to commit the burglary.62 On 20 October, Shea arrested Murphy with a pair of Dooley's boots on his feet. After being tried and convicted at the commission of oyer and terminer, Murphy was hanged on 30 October.63

However Shea did not get involved when Dooley indicted his journeymen shoemakers with combination less than four years later. In July 1794, the commission of oyer and terminer convicted four journeymen for having formed an illegal society called the "Crispin [trade] Union" in order to increase their wages in the previous April. Books, papers and cards had been found on them where they were meeting at Higginson's ale house in High Street. The four men had been listed as members of the "Superior Counsel" which oversaw the activities of the union.64 They were sentenced to 12 months in gaol and placed on bail for three years.65

Shea protected more than the business interests of merchants; he also saw to their personal security at their residences. On 13 April 1794, Francis Bennet, a merchant, was attacked and robbed within steps of his door at 84 Fleet Street. He was knocked down with a clenched fist, severely cut, beaten and bruised. Bennet recognized one of his attackers as Michael O'Berne, a man whom he had known for 15 years. O'Berne forcibly stole Bennet's gold watch, a gold chain, and two gold seals, biting Bennet's finger to obtain possession of the valuable items. He also stole his hat and all the money he had about him. After the attack, the robbers tried to make peace with Bennet, suggesting that the attack was a part of a vendetta. Bennet received an anonymous letter indicating where his watch, chain

60 H.J., 03.12.87.
61 H.J., 05.08.89.
62 H.J., 15.10.90.
63 John Dooley -v- James Murphy, Comm., in H.J., 22.10.90.
64 H.J., 25.07.94.
65 Miles Keogh -v- Charles White, John Shortal, John Millally, and Adam Murphy, Comm., in H.J., 30.07.94.
and seals could be found. He did not take the bait but instead, he lodged examinations against O'Berne, and called in the services of Shea to track down his property.

After reading the anonymous letter, Shea proceeded to a public house in Chancery Lane owned by Joseph Sallary, aged 70. Shea confiscated from the old man a watch, chain and seals, but only the watch proved to be Bennet's property. Accompanied by a party of police, Shea then went back to Sallary's public house to recover Bennet's chain and seals, which were found on another of Sallary's watches. Shea then arrested Sallary, but he claimed that a man named John Horish had given him the stolen watch, chain and seals.66 Thus, Sallary lodged examinations against Horish, but Shea refused to arrest him. To avoid prosecution, meanwhile, Horish fled to Liverpool until after Sallary's trial. On 23 July 1794, the commission of oyer and terminer heard the trial. Shea's testimony damaged any hope either defendant might have entertained of being acquitted.67 The jury returned with guilty verdicts against both men, recommending O'Berne as an object of mercy. On his way from the dock to the carriage to take him back to Newgate, O'Berne made an attempt to escape by running up Christ Church Lane but Shea, a sheriff and two soldiers secured him at the corner of Nicholas Street. On Monday 28 July 1794, O'Berne was sentenced to hang and Sallary to transportation for seven years.68

Despite O'Berne's initial fears, his well-connected friends and his brother exerted pressure on "several members of administration".69 This had the desired effect, as his hanging was respited twice in the space of two months.70 Meanwhile, Horish returned to Dublin from Liverpool upon Sallary's conviction. O'Berne's brother tracked Horish down, and Alderman Carleton lodged him in gaol to stand trial on Sallary's original indictment in September 1794.71 Sallary then petitioned the Lord Lieutenant for a free pardon, claiming that Shea and Horish were on terms of "mutual friendship".72 Dublin Castle endorsed the petition "to be laid by 17 October 1794". Horish was apparently released. By February 1795, O'Berne's hanging had been respited seven times, and he was finally pardoned on condition he transport himself out of Europe. On Sunday, 16 August 1795, O'Berne sailed in a ship bound to America.73 The Bennet robbery is suggestive of the amorphous character of the criminal fraternity in Dublin. This was a typical job for Shea, tracking down stolen property and getting to know the local receivers. If Shea was on terms with

66 Joseph Sallary to Lord Lieutenant, 17 Oct. 1794: National Archives, Prisoners' petitions and cases, MS 50.
68 H.J., 30.07.94.
69 H.J., 15.08.94.
70 H.J., 22.08.94.
71 H.J., 03.09.94.
73 H.J., 19.08.95.
Horish, as Sallary claimed, the only conclusion one could draw is that Shea was doing his job.

Shea also knew his way around the barracks in Dublin, which were growing in size at the start of the French wars. In the early hours of Sunday morning 20 October 1794, William Wittenham, a serjeant, violently assaulted and robbed James Bardin Palmer of a gilt metal watch, a chain, and a gold seal in Fishamble Street. On the preceding Saturday night, Palmer had dined with his brother and sister at a friend's house in William Street, the three family members leaving just before midnight. Palmer accompanied his brother and sister for part of the way to their home near the Royal Barracks in the north-west quadrant of the city, until he "considered them out of danger" from robbers. On the way back to his home in Bishop Street, Palmer walked up Fishamble Street until he came to St. John's church just above Copper Alley. A group of soldiers who were "making a riotous noise" attacked him, but as "the lamps of St. John's church burned very clear" he "threw his eye sharply" onto the face of Wittenham.

On the following Monday morning, Palmer asked Shea to investigate an offence which contained the elements of unwanted surprise and frustration in the process of detection. Soldiers had certain judicial advantages over ordinary citizens because military courts often held sway over civil and criminal proceedings. Without hesitation, Shea "proposed to go to the barracks and have all the soldiers there drawn up in order to examine" them. This suggests that Shea had enough confidence in his own reputation to expect the military establishment to allow him to investigate a serious criminal offence. Indeed an officer assembled the soldiers at Shea's request, giving Palmer the opportunity to identify the man who robbed him. Instead of making his mind known in the presence of Wittenham, Palmer went to Thomas Fleming, divisional justice of the Stephen's Green division, with whom he lodged examinations against Wittenham; the soldier was arrested the following day and committed to prison to stand his trial.

At the commission of oyer and terminer, a juror requested that Shea give testimony. This request was disallowed by the judge because he was well aware of the impact that Shea would have had on the jury. That a judge was all too confident in Shea's abilities is a telling reminder of how far the police force had risen in the estimation of the legal establishment. Of course the judge was protecting Wittenham, as Shea's testimony would have been "dangerous ... to the life of the unfortunate prisoner". In fact, after the jury found Wittenham guilty and the court had duly sentenced him to be executed on Saturday 29 November 1794, the judge reassured Wittenham that on application to government his sentence would be changed.

At the following commission of oyer and terminer in December 1794, Wittenham pleaded a royal pardon on the condition that he be

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74 James Bardin Palmer -v- William Wittenham, Comm., H.J., 29.10.94.
75 H.J., 03.11.94.
shipped abroad.\textsuperscript{76} In sum, Wittenham was granted his pardon thanks to the support he received from some influential people who testified on his behalf at the trial, such as Captain Neal O'Donnell of his regiment, and also the regimental quarter-master.

Shea's role in the police served to shore up the force in the eyes of the community. He travelled widely in his capacity as a divisional inspector, which would suggest that he had special powers none of the other inspectors had. In April 1792, Shea and William Edmonds, the inspectors for the Stephen's Green division, pursued a gang to Co. Wicklow, where they committed a burglary at "Priest Newtown". At trial, six members of the gang were sentenced to be executed for the burglary.\textsuperscript{77} It also seems possible that Shea established good communications with police commissioners Nathaniel Warren and William James. On 4 April 1793, Shea was dispatched by James to make an arrest at Philipstown (Daingean), Co. Offaly of two men who were subsequently hanged for the murder of Counsellor Grady.\textsuperscript{78} When Shea arrested Patrick Fay in February 1795, he immediately took him to Warren for committal to Newgate.

Thus far most historians have confined their examination of the 1786 Police Act to a discussion of the bitter political conflict it aroused between the Whigs and the government. While taking the factional politics into account, the main aim here has been to examine the police force itself as an object worthy of consideration. In the seven years between 1789 and 1795, the \textit{Hibernian Journal} reported about 25 arrests and about eight trials in which Shea played an important role. This formed a sub-sample that cut across a wide range of police activities, and thus became the focus of a broader examination into the role of police itself. The \textit{Hibernian Journal} did not limit its reporting, and indeed some of the divisional justices received a great deal of publicity. The newspaper also reported on the activities of some well-known magistrates. In the 16 years between 1780 and 1795, the \textit{Hibernian Journal} often reported on the activities of justices Francis Graham and Robert Wilson, both reported to have made 60 arrests and 43 arrests respectively over the 16-year period. None of these men, however, were ranking policemen, and thus their role was of secondary importance here.

As noted, the activities of William Beckford, the leader of the Blackrock association, were also extensively reported. In contrast to the police, the association was a far less significant agency and it enjoyed no specific legal status. The association derived its powers solely from William Beckford, in his capacity as a magistrate. In July 1792, Beckford opened a magistrate's office at the house of one Mrs. Whitworths in Blackrock at a cost of 50 guineas a year; he had four constables under him.\textsuperscript{79} In August 1792, William Butler, one of the four constables, arrested a robber and conveyed him to Kilmainham

\textsuperscript{76} William Wittenham pleads his majesty's pardon, Comm., in \textit{H.J.}, 22.12.94.
\textsuperscript{77} \textit{H.J.}, 25.04.92.
\textsuperscript{78} \textit{H.J.}, 08.04.93.
\textsuperscript{79} \textit{Minute book}, 13 July 1792: N.L.I., Dublin, MS 84.
gaol. On his return to Blackrock, Butler was waylaid by other members of the robber's gang who wounded him fatally. He was the first and only policeman employed by the Blackrock association known to have been killed in the line of duty. Bridget Butler, the widow, petitioned the association for compensation on the grounds that her husband was in the employment of Beckford at the time of his death, a petition which resulted in an award of five guineas. Given that the association's preamble offered no such arrangement, this case may have set an important precedent in protecting the rights of all surviving family members of police officers who died in the line of duty.

Butler's death apparently caused a weakening of morale among the three remaining constables. In May 1793, constable William Haskins refused to obey Beckford's order "to quell a violent riot" that had erupted following a funeral wake. As a result, Beckford himself arrested two of the rioters. This provoked a violent confrontation, forcing him and his two captives to seek refuge at Byrne's Arms tavern in Blackrock. Eventually, a cavalry regiment from Dublin was called in to prevent the mourners from breaking down the tavern. In the aftermath of the affair, Beckford prosecuted his disobedient constable for neglect of duty. While the outcome of the prosecution against Haskins is not known, Beckford seems to have survived the crisis, although his role in the association changed.

In the changed political climate after 1795, Beckford became involved in political policing, a role which did appear to suit the needs of the Blackrock association for the prevention of crime. Beckford was called upon to ask every householder in Blackrock to sign an "oath of allegiance" to king and constitution, and to "return to this association the names of the persons in the said parishes (if any) who shall decline to sign the said declaration". As a result, Beckford compiled a list of 93 loyal supporters who signed the oath. In July 1797, he received his final payment for the upkeep of the magistrate's office. Thus ended the Blackrock association for the prevention of crime, which for 15 years had been dominated by one man. With its changed direction, it had moved too far from its stated goals as set out in its preamble to justify its continued existence.

In summary, the new city police matured into a well-organised force which saw the development of a highly regarded professional, inspector William Shea. During the nine-year life of the new police, Henry Grattan led the opposition against the Police Act in the House of Commons, while Napper Tandy led the battle against it in the lower house or "the commons" of Dublin Corporation. While the factional politics divided public opinion in the city, Shea showed a remarkable ability to distance himself from the feuding camps. In any event, other more explosive developments were beginning to make themselves felt by the

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80 ibid., 17 Aug. 1792: N.L.I., Dublin, MS 84.
81 ibid., 25 July 1793: N.L.I., Dublin, MS 84.
82 H.J., 31.05.93.
83 Minute book, 15 Sept. 1796: N.L.I., Dublin, MS 84.
84 Minute book, 7 July 1797: N.L.I., Dublin, MS 84; NB: This is the last meeting recorded in the manuscript.
mid-1790s. In his last action as an inspector, Shea investigated the mysterious deaths of three men killed by Captains Armstrong and Moore in an apparent robbery in Baggot Street on 21 September 1795.\(^85\) One of the dead men, who was named Hunt, had been a deserter from a regiment, suggesting that the men may have been killed deliberately. According to \textit{Walker's Hibernian Magazine}, Shea had been looking for Hunt, but when he found him it was too late.\(^86\) Could there have been a political motive behind the attack in the face of the infiltration of the regiments by the defenders?\(^87\)

On 12 February 1795, Grattan moved a bill in the House of Commons to repeal 26 Geo. III. c. 24 (1786) and 28 Geo. III. c. 45 (1788). What prompted Grattan to put forward the bill at this particular time? For years, Grattan had been fighting for the repeal of the police acts, but with no luck whatsoever. In March 1792, Dublin Castle said that Grattan's latest proposals to repeal the acts were "hardly worth mentioning".\(^88\) Three years later, however, Grattan received support from an unexpected quarter, Dublin Castle itself. In January 1795, the new Lord Lieutenant, the Whig Earl Fitzwilliam, called for the establishment of a "strong police universally established under the mark of a Yeomanry Cavalry".\(^89\)

With Fitzwilliam at the helm, Grattan struck while the iron was hot. In the House of Commons, he cited four main factors that made it a necessity to abolish the police: the enormous expense of keeping the force running; the huge debts it had incurred; the heavy burden of taxation on the householders of Dublin; and the failure of the force to recruit enough policemen to maintain law and order in the city.\(^90\) A week after Grattan introduced the bill, Fitzwilliam was forced out of office.\(^91\) With Fitzwilliam out of the way, it was probably feared that the government would muster its usual arguments against Grattan's bill; the exact opposite was the case. Six weeks after Fitzwilliam had departed, Dublin Castle was of the opinion that "the existing police is condemned".\(^92\) On 5 June 1795, the Police Act of 1795 received the Royal Assent.\(^93\)

Under 35 Geo. III. c. 36, the police administrative bodies were reduced to a fraction of their former size. The four districts became two--the North Division and the South Division.\(^94\) A superintendent magistrate replaced the three previous police

\(^{86}\) W.H.M., Nov. 1795, pp. 477-479.
\(^{87}\) Smyth, James, "Dublin's political underground in the 1790s", in O'Brien, \textit{Parliament, politics & people} p. 147.
\(^{88}\) Hobart to Bernard, 19 Mar. 1792: P.R.O. H.O. 100/37/36-37; for Grattan's arguments and debate which followed, see H.J., 16.03.92.
\(^{89}\) Fitzwilliam to Portland, 5 January 1795: P.R.O. H.O. 100/56/81-86.
\(^{90}\) "Committee ... to enquire into the state of the police of the city of Dublin", 16 Feb. 1795: \textit{Parl. reg. Ire.}, vol. 15, (1795), pp. 110-111.
\(^{91}\) Palmer, \textit{Police and protest} p. 133.
\(^{94}\) \textit{Statutes (Ire.)} 35 Geo. III. c. 36 (1795).
commissioners, and two divisional justices replaced the four previous ones. The superintendent magistrate had an annual income of £600, and the two divisional justices had an annual income of £300. Thus a whole layer of administrative staff was wiped out. The three remaining salaried positions were filled by aldermen who were nominated by the upper house of Dublin Corporation (subject to the approval of the lower house). Furthermore, each division was placed under the control of only one inspector or "peace officer", each of whom exercised control over 25 constables. Thus the police establishment was reduced to two inspectors and 50 constables, who worked alongside the parish watch system.

The Police Act of 1795 delighted Grattan and the Whigs because it returned to the local parishes a full measure of control over the running of the watch. Each parish selected nine residents to become directors of the watch; they were responsible for employing their own watchmen.95 What pleased many householders about the new act was that the police tax on houses valued at over £5 was reduced from 1s. 6d. to 1s. 3d., a decrease of 17 per cent. Finally, the watchmen themselves were happy with the arrangement: they were to receive an annual income of £18, the same wages paid to the former policemen.96 At noon on 29 September 1795, the parish watch reappeared on the streets of Dublin for the first time in nine years. They gathered first at their respective watch-houses, and then paraded through the city in show of unity and support.97 A few weeks later, the parish directors joined together to establish a uniform set of rules governing the activities of the watch in both districts.98 Cracks however began to emerge over the issue of funding for the parish watch. At a meeting of the church wardens and directors of the watch on 13 October, it was reported that the Lord Lieutenant had not paid the promised funds to finance the watch, amounting to £3,332. They called on the Lord Mayor to put pressure on Dublin Castle over this matter.99

Meanwhile, Shea was appointed as one of the peace officers under the new Police Act. In his first action in that capacity, he investigated the theft of goods from William Parker, who owned the Birmingham warehouse in Kennedy's Lane. On 9 November 1795, Shea arrested Sarah Wiggan, the wife of Thomas Wiggan, on charges of receiving goods stolen from Parker.100 On 15 April 1796, Shea testified at the Wicklow assizes against Thomas Wiggan and his wife Sarah, who were both found guilty of receiving stolen goods.101 When the yeomanry began their operations in Dublin in October 1796,

95 H.J., 24.06.95.
96 H.J., 02.10.95.
97 H.J., 02.10.95.
99 H.J., 16.10.95.
100 W.H.M., November 1795, pp. 477-479.
two of the former divisional justices of police took up leading roles. John Carleton became captain of a cavalry corps and John Exshaw a captain of an infantry corps; Shea was probably not asked to join. It is indeed likely that the chief inspector regretted the demise of the Police Act of 1786, but he could take comfort in the knowledge that he had left his imprint on a force which was decades ahead of its time.

Chapter 10

Post-War Transportation

Most histories of transportation from Ireland are marked by fixed points of reference: they either examine the transportation of convicts to North America from 1703 to 1775, or they examine the transportation of convicts to Australia from 1791 to 1868. Few if any historians have examined the transportation of Irish convicts in the period immediately following the American War of Independence.1 During the American war, transportation to the mainland colonies was suspended. As the war drew to an end, it was understood that the United States would not be prepared officially to receive convicts. This was understood but not accepted in practice.

England resumed its former practice of transporting convicts to the Americas in 1783, but only two transport vessels sailed before the operation was shut down for good less than a year later. In July 1783, a transport ship called the George sailed with about 125 convicts from London. It was falsely reported that its destination was Nova Scotia, a necessary precaution to avoid tipping the authorities off in the United States. The George also changed its name to the Swift, as an added precaution. It ran aground in a convict rebellion off the Sussex coast, where about 25 prisoners escaped. It finally reached Baltimore, Maryland, where after a great deal of delay most of the convicts were sold. In April 1784, a second ship called the Mercury sailed from London with 179 convicts, but it was refused entry by all American ports along the Atlantic coast. In the end, the convicts landed in the British Honduras, thus alarming the residents. Their protests brought an end to English transportation to the Americas.2 England only resumed transportation in 1786, when she embarked on an ambitious plan to establish a convict colony in New South Wales.3

1 Lockhart, Some aspects of emigration pp. 80-97.
2 Ekirch, Bound for America pp. 233-235.
Table 9
Transportation from Dublin and Ireland, 1784-95.

<table>
<thead>
<tr>
<th>Departure</th>
<th>Transport Vessels</th>
<th>Destination</th>
<th>Dublin</th>
<th>Ireland</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov. 1784</td>
<td>Nancy</td>
<td>St. Kitts-Nevis</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td>Sept. 1785</td>
<td>Ann Mary Ann</td>
<td>Maryland</td>
<td>126</td>
<td>176</td>
</tr>
<tr>
<td>June 1786</td>
<td>Dragon</td>
<td>Virginia</td>
<td>145</td>
<td>190</td>
</tr>
<tr>
<td>June 1787</td>
<td>Providence</td>
<td>Maces Bay</td>
<td>91†</td>
<td>183</td>
</tr>
<tr>
<td>Oct. 1787</td>
<td>Chance</td>
<td>Bahamas</td>
<td>59†</td>
<td>118</td>
</tr>
<tr>
<td>June 1788</td>
<td>Nancy</td>
<td>Connecticutt</td>
<td>100†</td>
<td>200</td>
</tr>
<tr>
<td>Oct. 1788</td>
<td>Providence</td>
<td>Cape Breton Is.</td>
<td>63†</td>
<td>126</td>
</tr>
<tr>
<td>June 1789</td>
<td>Duke of Leinster</td>
<td>Newfoundland</td>
<td>57†</td>
<td>115</td>
</tr>
<tr>
<td>Nov. 1789</td>
<td>Duke of Leinster</td>
<td>Leeward Isles</td>
<td>44†</td>
<td>89</td>
</tr>
<tr>
<td>Apr. 1791</td>
<td>Queen</td>
<td>Port Jackson</td>
<td>85</td>
<td>153</td>
</tr>
<tr>
<td>Dec. 1792</td>
<td>Boddingtons</td>
<td>Port Jackson</td>
<td>61</td>
<td>152</td>
</tr>
<tr>
<td>Dec. 1792</td>
<td>Sugar Cane</td>
<td>Port Jackson</td>
<td>62</td>
<td>153</td>
</tr>
<tr>
<td>Aug. 1795</td>
<td>Marquis Cornwallis</td>
<td>Port Jackson</td>
<td>119†</td>
<td>238</td>
</tr>
<tr>
<td>Total</td>
<td>13 Vessels</td>
<td></td>
<td>9 to Am; 4 to NSW</td>
<td>1,112</td>
</tr>
</tbody>
</table>

†: estimated.


What happened when Ireland resumed transportation to the Americas has never been addressed. Roger Ekirch who has studied the history of the last two ships from England failed to entertain the possibility that Ireland might have resumed transportation to the Americas. Thus Ekirch is wrong when he stated that transportation to the Americas ended in 1784.4 After the Treaty of Paris was signed ending the war in September 1783, pressure was put on the Irish parliament to draft "a bill for transporting offenders to the British settlements in America, such as Canada, Nova Scotia, as well as to the African and East India colonies".5 After the war, Ireland became the sole supplier of convicts to the Americas. Transportation allowed judges to sentence convicts to a secondary form of punishment rather than to capital punishment, saving many lives from the hangmen's noose. It also relieved the problem of over-crowding in gaols while at the same time giving offenders a chance to start a new life after several years of servitude. It was also a cheap way to dispose of unwanted convicts, costing an average of £1,247 per transport ship, which included clothing, victualing and passage.6 Irish transportation turned a handy profit

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4 Ekirch, Bound for America pp. 234-236.
5 H.J., 08.09.83.
6 "Account of the number of convicts transported from Ireland in the years 1787, 1788 and 1789 and the number of convicts brought back to Ireland", Jan. 1790: Commons' jn. Ire., vol. 13, p. cccli.
for ship masters who sold convicts "as slaves or workmen" for terms ranging from three to seven years at a price of between £8 and £9 each.  

The Lord Mayor of Dublin had been in charge of contract negotiations with city merchants for the transportation of convicts since 1726, when the Irish parliament had begun passing laws to facilitate this form of secondary punishment. The merchants "were chiefly interested in the profits to be made" from the business. Audrey Lockhart discovered that after rival groups of merchants petitioned parliament for the transport contract in 1739, one group undercut the rest by half with a price of £3 per head, which thus became the official rate. Between 1703 and 1775, the usual places where convicts were boarded onto waiting vessels were George's Quay and Sir John Rogerson's Quay on the south side of the Liffey.

Ireland resumed transportation to the Americas in 1784, but the embarkation site for convicts was transferred to the North Wall. This was a change necessitated by the closing of the former city prison on the south side of the city, and the opening of Newgate prison on the north side in September 1780. Newgate prison served as a collection depot for convicts from all over Ireland. Prisoners were escorted in carts to the North Wall. After their departure from Dublin, the transport vessels did not usually make any stops in Irish ports, but on two occasions transport vessels called in at Cork to pick up convicts: in September 1785, the Ann Mary Ann picked up 50 convicts from Cork; in June 1786, the Dragon picked up 45 convicts from Cork.

Ekirch's calculations of the numbers of convicts transported from Ireland in the eighteenth century tend to confirm the figures in Table 9. In the period between 1718 and 1775, Ekirch estimated that Ireland transported about 13,000 people, an average of 227 people per year. In the six years between November 1784 and November 1789, it is estimated here that Ireland transported approximately 1,397 men and women on nine vessels to different ports in the Americas, an average of 233 people per year. This indicates that the average number of people transported from Ireland to the Americas before the war was similar to the average number transported in the period 1784-89. Lockhart discovered that the province of Leinster accounted for nearly half of all Irish transports sentenced between 1737 and 1743. Although the proportion of Leinster transports is not

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7 H.J., 20.10.88.
8 Lockhart, Some aspects of emigration p. 83.
9 ibid., p. 89.
10 ibid., p. 88.
11 ibid., pp. 91-92.
12 H.J., 17.09.88.
13 Ekirch, Bound for America p. 25.
15 Lockhart, Some aspects of emigration p. 89.
known during the 1780s, there is no reason to suppose that the proportion would have changed.

The Lord Mayor usually negotiated the contracts for the transportation of convicts when the supply reached a critical figure. Once the number of convicts awaiting transportation in Ireland reached this point, he would negotiate a contract with a ship owner to transport the convicts for 5-10 guineas per head. Between May 1787 and November 1789, six transport vessels left Dublin. Convicts were indented as servants by the Lord Mayor in order to increase their market value on their arrival in the colonies. Some captains managed to reach their destination, unload their human cargo and return to Dublin within two months, just in case more convicts were available for the passage.

Transportation lacked mechanisms to safeguard the basic human rights of convicts. Once the ship left port, the role of the Lord Mayor ended. An open-ended clause in the contract gave masters the right to land convicts at any "port or ports in North America" of their choice. The only definite clause in the contract stated that captains "shall not permit any of said convicts or passengers to return back with said ship". This left the system wide open to abuse. Indeed, some ship commanders contracted by Dublin Corporation displayed a complete disregard for the safety and well-being of Irish convicts, landing them without food or clothing in the dead of winter or in the middle of nowhere.

Transportation was characterised by lack of planning and organisation, and thus likely to lead to disaster. Six months after the Mercury sailed from London, the Nancy sailed from Dublin, thus indicating that Ireland was following England's example. In the third week of November 1784, the first transport vessel since the American war left Dublin with about 200 convicts on board at a total cost to the Irish Treasury of £500. About 100 convicts came from Dublin gaols, representing half of the total. Although the Dublin grand jury bought clothes for the convicts, they sailed without enough food and water. On the day of departure, a detachment of soldiers escorted the convicts to the North Wall, where the convicts boarded lighters to ferry them to the Nancy in Dublin Bay.

The Hibernian Journal falsely reported that the Nancy was destined for the island of Great Abaco in the Bahamas, just as the English newspapers had done. Before crossing the Atlantic, Captain Michael Cunnim sailed to the Canary Islands off the north-west coast of Africa to buy provisions. According to the Hibernian Journal, new arrivals to the islands must wait for clearance from the health office, or else face harsh reprisals. Without waiting for clearance, Cunnim landed 46 convicts in three boats on the island of "Ferro" (probably Hierro). According to the Hibernian Journal, a horrific massacre took place, as

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16 ibid., p. 90.
17 H.J., 25.10.84.
18 H.J., 17.09.88.
19 H.J., 19.11.84.
20 Hierro was spelled Ferro in H.J., 17.09.88, see also H.J., 23.05.85.
all 46 convicts were "surrounded and put to death by the army".21 With the remaining convicts, Cunnim proceeded across the Atlantic to St. Kitts-Nevis, part of the Leeward Islands.

In the wake of this fiasco, the Lord Mayor negotiated a contract with a master who sailed directly to the former British colonies, where he sold his cargo as indentured servants in much the same way as transport merchants had always done throughout the eighteenth century. In September 1785, the second vessel, called the Ann Mary Ann, sailed with 126 convicts from Dublin and 50 from Cork. The Hibernian Journal again falsely reported the destination of the transport vessel. Instead of going to Nova Scotia, as reported, Captain Duncan Nevin sold his cargo as indentured servants at Georgetown, Maryland, a port with a long history of trading transports.22 (Between 1746 and 1775, almost 10,000 transports from England had disembarked in Maryland.23 According to Ekirch, the overwhelming majority of convicts were transported to three colonies, Virginia, Maryland and Pennsylvania).24

The Lord Mayor then arranged a contract with a third vessel, the Dragon of Dublin, which sailed in June 1786. As the convicts were waiting to be transported on the Dragon, riots broke out at Newgate.25 This is suggestive of the harsh and over-crowded conditions at Newgate, the main collection depot which would fill up with transports from other gaols in Ireland in the weeks and months before each transport vessel sailed. The Hibernian Journal reported that the vessel was going to the West Indies, now a familiar piece of misleading information as to the destination. In August 1786 and after collecting 145 convicts from the North Wall and 45 convicts in Cork, Captain Hamilton sailed to Alexandria, Virginia, where he sold the convicts "in a lump" to Mr. John Fitzgerald, a merchant. The rather large lump of 190 convicts were probably going to work in a local manufactory. In 1770, 55 Irish convicts had been sold from a single shipload to work at an ironworks factory in Maryland.26

In October 1786, Whitehall informed Dublin Castle that it was planning to transport convicts to Australia, news that aroused the interest of the Lord Lieutenant.27 At that time about 100 men and women in Irish prisons were awaiting transportation to the Americas. Thinking England had a better idea, Dublin Castle offered to convey the Irish convicts to either Portsmouth or Plymouth, where they could join up with the first English fleet on the long voyage to Botany Bay, but Whitehall rebuffed the offer.28

21 H.J., 23.05.85.
23 Ekirch, Bound for America p. 73.
24 ibid., p. 114.
25 H.J., 02.06.86.
26 Ekirch, Bound for America p. 145.
28 Sackville Hamilton to Evan Nepean, 2 Dec. 1786: P.R.O. H.O. 100/18/391.
On 3 May 1787, the Providence transported 133 males and 50 females to North America at a cost of £1,888.29 Typically, early reports about their destination were misleading. It was stated that part of the cargo would travel to Botany Bay, after landing some of their number in the United States. Captain Napper sailed for Shelburne, a town on the lower east side of Nova Scotia, but the residents refused to allow the vessel to land. Some of them (the residents) would no doubt have remembered an incident which occurred just over 50 years earlier. In 1735, a cargo of 40 Irish convicts "ran their vessel aground off Nova Scotia, murdered the entire ship's company, and ran off among local Indians and French settlers".30 Napper then sailed round the southern tip of the island, landing at Maces Bay, an unsettled part of mainland Canada about 50 kilometres north of the United States border, where he deposited the convicts.31 Having survived the Atlantic crossing on board the Providence, the convicts were then forced to hike over rough terrain into the United States, where it was said that those who survived the ordeal became servants.32

Another example of the disastrous policy of transporting convicts to North America in the post-war period occurred in October 1787, when Captain Stafford, of Barmouth, Wales, transported 118 convicts from Dublin on board the Chance for £944. On 12 October 1787, the Hibernian Journal reported that the Chance sailed for Africa, but in fact the ship sailed for the Bahamas. After landing on the island of Inagua, the convicts lost 69 of their number due to the "extremist hardships" on the "totally desolate" isle.33 A vessel from New England rescued the 49 survivors, attended to their needs, and deposited them in Massachusetts.34

It was the British provinces on the north Atlantic that began to take action against some of the more recent arrivals from Ireland. In July 1788, the town of St. John's on the eastern coast of Newfoundland expelled two Irish convicts, and furthermore sent a messenger to Dublin Castle to collect their return trip fare. William Condron, "an incorrigible rogue and vagrant", and Elinor Kennery, "a common prostitute" who exposed her infant on a Newfoundland wharf, were shipped back to Ireland on the brig Ann and Francis bound for Waterford in June 1788. Dublin Castle took the attitude that Newfoundland was an upstart colony impudently sending convicts back before the expiration of their sentences. It demanded "a stop to a practice of this nature [returning convicts]; the illegality and inexpediency of which are sufficiently obvious".35

30 Ekirch, Bound for America p. 109.
31 Maces Bay was spelled as Machias Bay; see H.J., 17.09.88.
32 H.J., 17.09.88.
33 Inagua was spelled as Heneaga; see H.J., 17.09.88.
34 W.H.M., Nov., 1787, pp. 612-615; also see H.J., 15.10.87.
35 Buckingham to Sydney, 17 July 1788: P.R.O. H.O. 100/23/298.
In June 1788, Captain Robert Winthrop transported 200 convicts at a price of £1,754, on the Nancy, the vessel which was the first to sail from Dublin after the American war. As transports from all over Ireland arrived at Newgate in May to await shipment on the Nancy, fighting broke out between the country and city (Dublin) transports. Describing as an "alarming and serious" riot, the Hibernian Journal laid the blame on the country transports who had tried to get over a wall separating the men from the women. Although some prisoners joined the military in putting down the riot, soldiers shot dead two convicts.

A quick journey across the Atlantic, the vessel lost "but very few [convicts] on the voyage". Captain Winthrop confined the convicts in separate holds on the ship: males were "bolted and properly secured", while females were "only kept locked up". In mid-July 1788, the Nancy arrived at Winthrop's native town of New London, Connecticut, where he broke the cargo up for sale. Dublin Corporation paid Winthrop £7 10s. per convict, but Winthrop increased his takings by selling some convicts as indentured servants for three years in New London. He hired a smaller vessel to re-transport the remaining convicts southward as indentured servants. It was not long before Winthrop's ploy of re-transporting convicts as indentured servants was found out. A loyalist who served in the British army during the war, Winthrop paid some form of compensation "to appease the wrath of his fellow-citizens", the details of which were not clear.

On 18 October 1788, Captain Debenham left the North Wall of Dublin with about 150 convicts, escorted from Newgate by a squadron of horse and two companies of foot soldiers. Dublin Corporation paid Debenham £1,106, including a flat rate of £6 per head. This was over £1 below Winthrop's price. Despite tight security precautions, one prisoner managed to escape. He was Anthony Molloy and he got off the Providence by bribing the captain to allow him to jump overboard where a lighter was waiting to pick him up. Six months later justice Robert Wilson arrested Molloy in Francis Street in possession of two pistols and detailed directions for coining, and he committed him to Newgate where he waited for the next transport vessel.

Another convict who should have sailed on the Providence, but did not, was Frederick Lambert. Lambert's story began at least five years earlier, when in July 1783...

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37 H.J., 23.05.88; H.J., 19.05.88.
38 H.J., 10.09.88.
39 H.J., 16.05.88.
40 H.J., 17.09.88.
41 H.J., 22.10.88.
42 H.J., 21.01.89.
43 H.J., 06.04.89.
44 For a popular account of Lambert, see John Edward Walsh, Ireland sixty years ago (Dublin, 1851), pp. 69-70.
the commission of oyer and terminer convicted him of robbing Paul Ham of his watch, a hat and eight shillings in Arran Street.\textsuperscript{45} Three men had committed the robbery, but Ham could only recognise Lambert because he had a pronounced limp as a physical disability.\textsuperscript{46} The son of a deceased counsellor, he was sentenced to hang but the Lord Lieutenant reprieved him on condition that he transport himself out of the country within six months and not return for 14 years.\textsuperscript{47} Three years later, however, he returned to Dublin passing himself off as his brother's rent collector, and was eventually arrested for returning before the expiration of his sentence and committed to Newgate to stand trial.\textsuperscript{48} In July 1786, at the commission of oyer and terminer, Counsellor Caldbeck succeeded in postponing his trial, but apparently he was remanded in custody for the next two years.\textsuperscript{49} In June 1788, at the Court of King's Bench, Lambert claimed that he had returned to Dublin by sheer accident.\textsuperscript{50} In a show of good will, the Attorney General accepted his plea of ship-wreck and granted him a pardon on condition that he transport himself out of Europe for the rest of his life.\textsuperscript{51}

In August 1788, while awaiting transportation on the \textit{Providence}, he shared a cell in Newgate with a violent and dangerous offender named Francis Bathurst, who was serving a three-year gaol sentence for throwing a child from a window three stories high thereby breaking his legs.\textsuperscript{52} In prison, a violent confrontation broke out between the two men leaving Bathurst cut open by a razor blade from the chest to the lower abdomen.\textsuperscript{53} Surviving the attack, he pressed charges against Lambert under the Chalking Act, which referred specifically to premeditated cases of maiming and especially murder rather than to heated incidents where little or no premeditation occurred such as in this gaol-house brawl.\textsuperscript{54}

In October 1788, at the commission of oyer and terminer, Bathurst exhibited his wound in court, which somehow convinced the judge and jury that crime had come within the scope of the Act; Lambert's counsellor argued the reverse unsuccessfully.\textsuperscript{55} Therefore the judge sentenced him to death, making this the only example in the study of a death sentence being passed under the Chalking Act where the victim had not died of his wounds. In accordance with the law, he was hanged at the front of Newgate two days after his trial on Thursday 30 October 1788. His hanging turned into death by torture, because

\begin{enumerate}
\item Paul Ham -v- Frederick Lambert, Comm., in \textit{H.J.}, 28.07.83.
\item H.J., 06.08.83.
\item H.J., 11.08.83.
\item Rex -v- Frederick Lambert, Comm. (trial postponed), in \textit{H.J.}, 19.07.86.
\item H.J., 28.07.86.
\item H.J., 25.04.88.
\item Rex -v- Frederick Lambert, King's Bench, in \textit{H.J.}, 11.06.88.
\item Report of Bathurst's crime: \textit{H.J.}, 25.05.87; Denis Magaray -v- Francis Bathurst, Comm., in \textit{H.J.}, 23.07.87.
\item H.J., 22.08.88; see also \textit{D.E.P.}, 30.10.88.
\item \textit{Statutes} (Ire.) 23 & 24 Geo. III. c. 56 (1784).
\item Francis Bathurst -v- Frederick Lambert, Comm., in \textit{H.J.}, 31.10.88.
\end{enumerate}
the hangman fed the wrong thickness of rope into the pulley. When Lambert dropped, the rope wrenched free of the pulley forcing him to struggle against the rope for several minutes before giving up to death. With difficulty the hangman wound his body down onto the front steps of Newgate.56

The Providence had meanwhile sailed on a voyage across the Atlantic ocean, lasting less than a month. According to the Hibernian Journal, 46 passengers perished en route.57 Due to the inclemency of the weather, Captain Debenham decided against a plan to sail through the St. Lawrence River to an interior part of Quebec province, where he had intended to sell the convicts as indentured servants.58 Instead, the captain diverted from his intended course, landing the transports on an uninhabited part of Cape Breton Island in December 1788. Several drowned in the landing, while another 20 died before they reached the nearest town. Those that survived did so out of the generosity and goodwill of the inhabitants of Cape Breton, who maintained them at public expense for the duration of the winter. Lieutenant Governor Macarmick withdrew £787 from the public coffers to cover their expenses, money that was paid back by Dublin Castle.59

Not surprisingly, a few of the convicts committed some "atrocious" crimes on the island. In July 1789, news reached England of the convicts who had landed on the island of Cape Breton "destitute of provisions or clothing" at the beginning of the previous winter. This deeply embarrassed the government. In a letter written on 27 July 1789, Whitehall ordered Dublin Castle "not to direct or authorize the transportation of offenders to the colonies".60 Dublin Castle ignored Whitehall's instructions, allowing one more transport vessel to leave Dublin on 7 November 1789.

Within two weeks, Dublin Castle was to regret its action. On 23 November, Dublin learned that 79 Irish convicts were on their way back from Newfoundland by way of Portsmouth, in a ship that was in effect marked returned to sender. The background to this episode was now familiar. Five months earlier, on 12 June 1789, a ship named the Duke of Leinster transported 115 convicts from Dublin at a price of £1,009.61 Typically, the Hibernian Journal mistakenly reported that the ship was destined to Baltimore, Maryland. A squadron of horse and four companies of foot soldiers accompanied the convicts from Newgate prison to the North Wall. Despite the precautions, three unnamed convicts leapt overboard in Dublin Bay. One of them drowned in the attempt, but the others managed to swim to a waiting lighter.62 Both convicts, however, were arrested playing skittles in

56 Much of this information is derived from a short anonymous biography of Lambert, which appeared in H.J., 31.10.88.
57 H.J., 17.06.89.
59 Sackville Hamilton to Bernard, 15 May 1792: P.R.O. H.O.100/37/132-133
62 H.J., 17.06.89.
Thomas Street, and conveyed to their old quarters two days later. In addition, Molloy, who escaped from the previous transport vessel (see above), jumped overboard into a waiting boat. Patrick Fay, whose background has been discussed in the previous chapter, also escaped from the *Duke of Leinster*.

Meanwhile the convicts on the *Duke of Leinster* had an uneventful journey across the Atlantic, landing in Newfoundland, an island that was still coming to terms with the forced repatriation to Ireland of Condron, the vagrant, and Kennery, the prostitute, just a year earlier (see above). After unloading the convicts, the *Duke of Leinster* beat a fast retreat to Dublin in a seven-week return trip voyage, for which it was estimated the master earned £500. After the convicts landed, the Governor of Newfoundland arrested all of them, citing the threat they posed to the island’s profitable fishery. Several districts in Newfoundland raised £461 to cover almost half of the £917 it cost to send the convicts back. Dublin Castle reimbursed Governor Milbanke, although it objected to paying the £461, claiming this was a gift. Put on board a vessel bound for England, the convicts arrived in Portsmouth on 23 November 1789. It is interesting to note that a list of their names and criminal records had gone to Newfoundland and back again. This indicates that Dublin Castle was not remiss in sending the indents of transported convicts, contrary to its failure to provide indents of convicts transported to Australia in later years. Although no deaths were reported in Newfoundland, only 79 out of 115 convicts returned to Dublin, leaving 36 unaccounted for.

In view of this second major embarrassment, Whitehall was irritated with Dublin Castle for letting matters get out of control and ordered the Castle to stop transporting convicts to the Americas, as the practice was "highly improper and is productive of so much expense and inconvenience". Under the Police Act of 1786, Ireland had no choice but to send convicts to the former British colonies in the Americas. Meanwhile, the convicts from Newfoundland stayed in Portsmouth for a month longer than expected, while Dublin worked out the legal implications of shipping them back to Ireland. Under Irish law, the courts were obliged to prosecute as a capital felony any persons who returned transported convicts before the expiration of their sentence. Under these conditions, the Irish courts issued a warning to both the captain of the returned transport vessel and the messenger who accompanied the convicts, advising them "to take shelter in some of the

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63 *H.J.*, 19.06.89.
64 *H.J.*, 10.08.89.
67 Shaw, *Convicts & the colonies* p. 171.
68 Whitehall to the Lords Justices of the King's Bench, 25 Nov. 1789: P.R.O. H.O. 100/27/289-290.
69 *Statutes (Ire.)* 26 Geo. III. c. 24, cl. 64-70 (1786).
neighbouring ports of the British coast". Apparently, the captain and messenger got away safely, although it is not known where they landed the convicts.

In January 1790, 73 men and six women returned to their former lodgings in Newgate, which was to cause a major disturbance at the gaol which spilled over into the city and indeed other parts of Ireland. Seven months after their unexpected arrival, Newgate was the scene of one of the most dramatic prison take-overs and mass escapes since the Gordon rioters delivered hundreds of prisoners at London's Newgate prison in June 1780. With the arrival of the returned convicts, Newgate prison contained more than 175 men and 25 women under sentence of transportation. On Tuesday 6 July 1790, hundreds of prisoners staged a roof-top protest and a take-over of the gaol, while dozens managed to escape in the confusion. It began when a group of prisoners forced the keys out of the hands of a deputy gaoler, making them the "absolute masters of the interior part of the prison". Most climbed on the roof of Newgate to make their grievances known. They threw slate and timber onto military guards below who called for reinforcements.

To avoid bloodshed, the Lord Mayor ordered the guards back from their positions along the outer walls surrounding Newgate. Rev Mr. Gamble, a prison chaplain, offered to become a hostage of the prisoners, but the prisoners rejected his offer. At dusk, the Lord Mayor ordered the military to put down the revolt. From positions round the prison and on the tops of houses opposite, soldiers peppered the roof-top with fire, forcing the prisoners to retreat into the gaol where they were secured by the military guards and the gaolers. While this was occupying the attention of the prison guards, a group of 40 prisoners escaped from Newgate. One knot of 14 prisoners dug their way below the foundation of the gaol into the sewers linking Newgate prison and the Liffey River. Noxious sewer gases poisoned five prisoners, guards captured three at the mouth of the sewer on the Liffey river bank, and six managed to escape. Some of those who escaped were arrested in the city shortly afterwards, but others managed to return to their families in their native towns. Six executions of escaped prisoners in different towns throughout Ireland were reported in August 1790.

Soon after the takeover and escape, a Dublin grand jury sent a committee to investigate conditions at Newgate. Their investigation resulted in plans for major alterations to the prison, plans that were exhibited at the Royal Exchange in September.
1790. After approving the plans, the grand jury presented £1,000 for the construction of an outer wall round the gaol to prevent escapes, and £3,000 for the construction of private apartments for the gaoler and his staff. Major internal repairs with additional funds were also approved. The work however did not begin and conditions at Newgate deteriorated. In October 1790, 100 males and 50 females were awaiting transportation, and 150 prisoners were either awaiting trial or were serving time.

Dublin's police commissioners wrote up two parliamentary reports highly critical of the poor conditions within Newgate. In 1792, the police commissioners recommended that a new prison be built to replace the existing one. According to the report, Newgate had "more the appearance of a ruin than a place for the confinement of felons". In December 1794, police commissioner William James demanded an explanation from the Dublin grand jury about the "work that had never been done". James also raised questions about the missing £5,000 that had been approved in 1790, saying that "no account had been returned in what manner that sum had been expended".

Although the major modifications to Newgate were never in fact carried out, the Dublin grand jury and quarter sessions made key changes in the management and staff of the prison. A series of embarrassments prompted the changes. On 12 April 1790, an American named Redmond escaped from the prison with the aid of Mathew Nulty, aged 35, a messenger employed at Newgate. A member of a gang headed by George Barrington, Redmond had been convicted of picking pockets and was sentenced to transportation. After his escape from prison, Redmond returned to London, according to the Hibernian Journal. Apart from organising gaol breaks, Nulty had acquired a bad reputation at Newgate for selling liquor inside the prison. In June 1790, the Dublin quarter sessions sentenced him to transportation for aiding and abetting Redmond in his escape. Meanwhile, over-crowding at Newgate occupied the attention of Dublin

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79 H.J., 01.10.90.
80 £3,000: H.J., 10.09.90; £1,000: H.J., 01.10.90.
81 H.J., 20.09.90.
82 Quote: H.J., 01.10.90; 300 prisoners: M.P., 02.10.90.
83 "Report from the commissioners of police, of the state of the several gaols and prisons within the district of the metropolis, in which persons charged with or guilty of felony, misdemeanor or breach of the peace are confined, as visited by them the 19th January, 1791", 27 Jan. 1791: Commons' Jn. Ire., vol. 14, p. Ivii.
84 "Report from the commissioners of police, of the present state of the several gaols, and prisons within the district of the metropolis, wherein persons charged with or guilty of treason, felony, misdemeanor or breach of the peace, are confined", 23 Jan. 1792: Commons' Jn. Ire., vol. 15, part 1, p. xii.
85 H.J., 24.12.94.
86 D.E.P., 16.10.90; also see W.H.M., Apr. 1790, p. 382.
87 M.P., 18 Dec. 1790; see also H.J., 16.04.90.
88 H.J., 07.05.90.
89 H.J., 19.10.89.
90 Rex -v- Mathew Nulty, D.Q.S., in H.J., 04.06.90; also see W.H.M., Apr. 1790, p. 382; and June 1790, pp. 574-575.
Corporation, which approved a plan by Jeremiah Fitzpatrick to transfer 50 convicts to the city Bridewell in James's Street.\footnote{W.H.M., June 1790, pp. 574-5.}

In October 1791, Richard Cox, the gaol-keeper of Newgate, was indicted for negligence arising out of the escape of John Ryan from Newgate.\footnote{H.J., 05.10.91; H.J., 14.10.91} The commission of oyer and terminer convicted Cox and imposed a hefty fine on him of £40.\footnote{Rex -v- Richard Cox, Comm., in H.J., 31.10.91.} William Simpson temporarily took over Cox's responsibilities as head gaoler. Simpson was a former beadle employed by the House of Industry to arrest drunk and disorderly vagrants, a job which occasionally brought the wrath of rioters down on his head. Simpson's first act as gaoler was to fire upon a group of inmates who had refused to retire to their cells.\footnote{H.J., 09.11.91.} As noted, in July 1792, Dublin Corporation elected Tresham Gregg to serve with Cox as the joint gaol-keeper of Newgate.\footnote{Gilbert, Calender of Ancient Records Vol. 14, p. 279.} The near escapes by the Robinson gang and the Walshes, which were foiled by police commissioner William James, suggest that Simpson had not brought the volatile situation inside Newgate under control.\footnote{H.J., 23.07.92.} Under the new arrangement, Simpson continued on as a turnkey but Gregg took over as acting head. In sum, the prison rebellion of July 1790, the escape of Ryan and the attempts to escape prompted Dublin Corporation to implement much-needed changes in management at Newgate.\footnote{"Report from the commissioners of police ... 19th January, 1791", 27 Jan. 1791:Commons' Jn. Ire., vol. 14, p. lvii.}

As indicated by Table 10, the courts sentenced over 1,000 offenders to prison and to other forms of punishment. Most were petty offenders, but some had committed serious crimes as well. Almost no segregation of prisoners obtained in either Newgate or Kilmainham, and petty offenders were confined with hardened felons. Not only did this result in gaol riots, but petty offenders had little protection against hardened criminals. The exception proves the rule: on Saturday 6 November 1784, a felon was hanged at the front of Kilmainham gaol, having been convicted of robbing an inmate within the prison.\footnote{Rex -v- Prison Robber, K.Q.S. (?), in H.J., 08.11.84.} It is evident that the Dublin quarter sessions sentenced more convicts to prison than the commission and the Kilmainham quarter sessions combined. This suggests that the Recorder's court (also called the Dublin quarter sessions) adopted more of a reformatory approach in its sentencing policy than the other two courts. It would be interesting to link Jeremiah Fitzpatrick to the Recorder, but the evidence only indicates that the prison reformer worked with Dublin Corporation after the Duke of Rutland appointed him as Inspector General of prisons in May 1786.\footnote{H.J., 29.05.86.}
The Dublin courts and secondary forms of punishment: imprisonment, whipping, pillorying, branding, fines.

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The Irish transports meanwhile were in trouble in a distant part of the world. In January 1790, the governors of two islands in the West Indies had arrested an entire cargo of Irish convicts along with the commander of their transport vessel. At the centre of this latest fiasco was the same transport vessel, the Duke of Leinster, whose human cargo had been returned from Newfoundland to Dublin earlier. In this latest episode, the Duke of Leinster sailed from Dublin with 89 convicts on 7 November 1789. Dublin Corporation paid its captain William Christian £5 5s. per head, the lowest contract rate. In the West Indies, Christian broke up his cargo into two lots, landing them on separate islands. First, he landed 54 convicts on the island of Barbuda "destitute of every necessary". He then sailed to Anguilla, part of the Leeward Islands, but the inhabitants learned of the nature of his visit and arrested him and the 35 convicts.

On Barbuda, the convicts had called "themselves redemptioners ... bound to America". Having given them food and shelter, the inhabitants of Barbuda had even raised a sum of money to support them in their quest. As soon as word reached Barbuda from

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100 The *Duke of Leinster* is also spelled the *Dublin of Leinster* in the "Account of the number of convicts transported", Jan. 1790: *Commons' Jn. Ire.*, vol. 13, p. cccli.
Anguilla, however, the mood of islanders turned ugly. They arrested all 54 convicts, charging them with stealing 14 watches from a watch-maker's shop and stealing communion plate from a church. The evidence suggests that some of the convicts eventually returned to Dublin. William Dalton, whose path we have already crossed in April 1784, was one of the names listed as having been among those transported from Dublin on 7 November 1789. He apparently returned because in October 1791, police inspector William Shea arrested him for robbing the Earl of Clanwilliam of his gold watch, three gold seals, and a purse containing a five-guinea note on Inchicore Road.

Whitehall, of course, reacted sharply at the news from the West Indies, as it had come just three months after the Newfoundland fiasco. It demanded an explanation from Dublin Castle of the events leading up to the most recent departure of the Duke of Leinster. Had the Castle not followed Whitehall's orders not to transport convicts to British possessions in the Atlantic? The answer may never be known, because responsibility for transportation was not effectively in the hands of the Lord Lieutenant. Where the line of responsibility was not clearly defined, the decision making process could have disastrous consequences.

Without doubt, Whitehall did write two letters ordering Dublin Castle to stop transporting convicts to the Americas, the first dated 27 July and the second 25 November 1789. According to a close reading of the correspondence between Whitehall and Dublin Castle, the Castle appears to have first ignored Whitehall and then covered up for its incautious behaviour. In response to Whitehall's questions, it claimed that orders not to transport convicts to the colonies in the Americas were received on the "25th of November; 18 days after the vessel [Duke of Leinster] had sailed from hence". The Duke of Leinster was the last transport vessel to sail with convicts from the British Isles to North America, and not the Mercury. Thus ended nearly a century of Irish transportation to the Americas. Taking Ekirch's estimate and the estimate here, the number of convicts transported from Ireland to North America from 1718 to 1789 (not including 1776-1783) was 14,400.

In April 1790, the Lord Lieutenant took over control over transportation under 30 Geo. III. c. 32 (1790). From that moment on, Dublin Corporation lost control over the transportation of convicts to the Americas. A delay of about 18 months took place before the first cargo of convicts from Irish prisons sailed for Australia. This caused considerable

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102 Hobart to Evan Nepean, 25 Mar. 1790: P.R.O. H.O. 100/29/198; on a list of transports, the name of William Dalton appeared.
103 H.J., 26.10.91.
anxiety in Dublin, which had been accustomed to more frequent sailings. In April 1791, Whitehall finally organised the transportation of 133 males and 22 females on the Queen, which sailed from Cork Cove and arrived at Port Jackson on 26 September 1791.°° Seven men died on the Queen, and the entire cargo landed in a feeble and emaciated state. An inquiry into the condition of the convicts found that the second mate on the Queen had fraudulently cheated the convicts of their rations.°° After the first sailing, Whitehall suggested that Dublin Castle find Irish shipping to transport its convicts to Australia, as English shippers were "adverse at the taking out Irish convicts without a military guard, and we have no such guard to furnish."°° Dublin Castle did not take up Whitehall's suggestion to find Irish shipping, and Whitehall could not find transport vessels until October 1792.

This caused another long delay between the first sailing to Botany Bay and the second. By March 1792, the gaols in Ireland were over-flowing, as 250 men and 60 women were awaiting transportation.°°° This caused considerable concern in Ireland, as it appeared to Dublin Corporation that the English government would no longer empty Ireland's gaols on a regular basis. By August 1792, Dublin Castle estimated that the 400 prisoners awaiting transportation were becoming "so numerous as to create considerable danger of infection--their turbulence renders it difficult to guard them from escape".°°° On the last Sunday in September 1792, a riot erupted in Newgate, sparked by prisoners who grumbled that the time confined in Newgate was not "deducted from the time they were to be transported for".°°°° They attempted to escape, but a military guard at Newgate prevented them, killing one and wounding another.°°°°° By October 1792, 200 prisoners were confined in Newgate waiting to be transported, many having been delayed for anything up five years from starting their sentences.°°°°°

Against this background, Dublin Corporation seized the initiative on transportation, as it had done after the American war. On 1 September 1792, Lord Mayor Henry-Gore Sankey proposed a far reaching plan to Dublin Castle, underlining the determination of the Corporation to resume transportation of Irish convicts to the Americas. Sankey promised to "procure a vessel every way well appointed, capable of accommodating 300 passengers and ... with sound wholesome provisions, and every accommodation befitting men in their situation (clothing excepted) to be examined and approved of by competent judges". Tacitly

107 Robinson, The women of Botany Bay p. 91; also see A.G.L. Shaw, Convicts & the colonies p. 363; Robinson's figures for the Queen and Shaw's figures for the Boddingtons, Sugar Cane and Marquis Cornwallis, are employed here.
111 Westmoreland to Henry Dundas, 4 Aug. 1792: P.R.O. H.O. 100/37/200-201.
112 H.J., 28.09.92.
113 Hobart to Evan Nepean, 28 Sept. 1792: P.R.O. H.O. 100/37/281.
114 H.J., 19.10.92.
acknowledging past mistakes, Dublin Corporation put forward a package safeguarding the social and economic rights of all involved. First, the Lord Mayor set out fixed destinations where Irish convicts would be received, a departure from the former system of transporting convicts willy-nilly across the Atlantic, in effect address unknown. These destinations extended over three continents: Sierra Leone, the western coast of Africa; Baltimore, Maryland, Savannah, Georgia, and ports in North and South Carolina, all in North America; and Cartagena, Columbia, South America.

The proposed destinations did not represent much of a change in comparison to previous landing points over the past century. Ekirch has found that British and Irish convicts were transported across a large area, including 18 mainland colonies in North America, six islands in the Caribbean, and the island of Bermuda.\textsuperscript{115} This diaspora was to be properly controlled under Sankey's plan. Sankey promised to regulate the system, ensuring that ship commanders were to land convicts at agreed destinations where they would be "humanely treated". Third, Sankey proposed to transport convicts twice a year at a cost of only 10 guineas a head, which was more frequent and less costly than the cost to transport convicts to Port Jackson. Finally, Sankey promised a period of seven years of uninterrupted transportation, a contract that the government could break in the event of Dublin Corporation not complying with the agreed terms.\textsuperscript{116} Dublin Castle supported this plan, sending Whitehall copies of the Sankey's letters and his modifications. But the English government did not respond to Sankey's proposal, indicating once and for all that transportation in the old mode was over.

Despite the rejection, Dublin Corporation's plan did nudge London into action on Irish convicts. On 20 October 1792, Whitehall "discovered by accident a few soldiers at Chatham belonging to the New South Wales corps, which can be spared as a guard to the [Irish] convicts during their passage".\textsuperscript{117} Dublin Castle, however, wanted a firm guarantee the Whitehall would not waste any more time in organising another shipment of convicts, citing political tensions. Dublin Castle warned the English government that "it is of much importance to us to get them away as soon as possible ... the scenes before us in Europe and the questions presented to the public may possibly agitate the multitudes".\textsuperscript{118} On 3 December 1792, Whitehall reassured Dublin Castle that it had engaged the services of William Richards, the contractor for the first fleet, to transport convicts in Ireland.\textsuperscript{119} Whitehall said that two transport vessels, the \textit{Boddingtons} and the \textit{Sugar Cane}, were ready.

\textsuperscript{115} Ekirch, \textit{Bound for America} p. 112.
\textsuperscript{116} Henry-Gore Sankey to Hobart, 1 Sept. 1792: P.R.O. H.O. 100/37/238-239.
\textsuperscript{117} Nepean to Hobart, 20 Oct. 1792: P.R.O. H.O. 100/38/34-35.
\textsuperscript{118} Hamilton to Nepean, 27 Nov. 1792: P.R.O. H.O. 100/38/103-104.
\textsuperscript{119} Whitehall to Hobart, Dec. 1792: P.R.O. H.O. 100/38/150-152; also see Robinson, \textit{The women of Botany Bay} p.86.
to sail from Cork Cove after 15 December 1792. This proved to be an under-estimation of the time necessary to organise the ships.\textsuperscript{120}

In the second week of December 1792, two troops of horse and two companies of foot soldiers escorted 92 male and 31 female convicts in carts from Newgate to the North Wall, where they were put on board a lighter. They were then transferred to a waiting ship called the \textit{Hibernia}, chartered to deliver them to Cork. Three men and four women did not make the journey due to sickness. During the operation two prisoners, "Jemmy the Schemer" and Andrew Morgan, managed to escape while they were being tied into the carts just outside Newgate. Another convict tried to escape, but he was shot through the shoulder and then put on board the \textit{Hibernia}. A company of foot soldiers were also put on board the \textit{Hibernia} for the journey to Cork.\textsuperscript{121}

The convicts had been waiting in Cork over a month before the first transport vessels sailed. They waited aboard the \textit{Hibernia}, which was not equipped for that purpose. Many of the convicts were sick by the time the transport vessels arrived at Cork. Before the \textit{Boddingtons} embarked, two surgeons restored most of the convicts to a fair degree of health. The \textit{Boddingtons} sailed with 125 males and 20 females on February 15, 1793. Only one of the sick convicts died aboard it. The \textit{Sugar Cane} sailed with 110 males and 50 females on the following 12 April. One of its convicts was shot dead after he was found without leg irons on. The \textit{Boddingtons} arrived in Port Jackson on 7 August 1793 and the \textit{Sugar Cane} on 17 September 1793.\textsuperscript{122}

In October 1794, Dublin Castle reminded Whitehall that it had been nearly two years since the last two transport vessels had left Cork Cove. 160 men and 40 women were now awaiting transportation in Irish gaols, causing considerable over-crowding once again.\textsuperscript{123} Conditions in Newgate worsened in the following year. In May 1795, eight prisoners attempted to escape from the gaol, and two were successful including one Ralph, who had been awaiting transportation for five years.\textsuperscript{124} In June 1795, Whitehall responded to pressure from Dublin Castle by sending a transport vessel to Cork. When the \textit{Marquis Cornwallis} arrived, however, a minor mutiny was in progress aboard the ship. The 26 soldiers who were to act as convict guards on the vessel had become "riotous and discontented" because they had "no officer with them nor ... arms or ammunition". They also had not been paid bounty money and allowances, and the food provided to them was inedible.\textsuperscript{125}

Riots were also sweeping London in 1795. E.P. Thompson has described the riots in London of 1795-96 as the last time the labouring poor were to rise up against high food

\begin{footnotesize}
\begin{enumerate}
\item \textsuperscript{120} Hobart to Nepean, 3 Dec. 1792: P.R.O. H.O. 100/38/113.
\item \textsuperscript{121} \textit{H.J.}, 14.12.92.
\item \textsuperscript{122} Bateson, \textit{The convict ships} pp. 145-147.
\item \textsuperscript{123} Weslmoreland to Portland, 8 Oct. 1794: P.R.O. H.O. 100/52/220-221.
\item \textsuperscript{124} \textit{H.J.}, 01.05.95.
\item \textsuperscript{125} Pelham to John King, 26 June 1795: P.R.O. H.O. 100/58/79.
\end{enumerate}
\end{footnotesize}
prices; he called this period the end of the "moral economy".\textsuperscript{126} In Dublin, riots were taking place as well. Military detachments were posted at warehouses located near the Grand Canal Harbour in Rainsford Street to prevent looting of corn meal and flour.\textsuperscript{127} The riots aboard the Marquis Cornwallis delayed its departure until August. Meanwhile convicts began arriving in Cork. From Dublin, two transport vessels arrived with 80 prisoners, half of whom were females. The relatively high proportion of women was due to the French wars. According to reports, the government was encouraging convicted felons to enlist in the military.\textsuperscript{128} Meanwhile, the courts showed a greater enthusiasm to sentence women to transportation.\textsuperscript{129} According to the Hibernian Journal, the three Dublin courts sentenced 57 women to transportation from 1790 to 1794, but only 32 women between 1785 and 1789, an increase of 78 percent.

When the Marquis Cornwallis sailed, 168 men and 70 women filled her hold. The occupational status of some of the convicts is revealed by the working implements put on board the ship: six looms for making sail cloth and "sundry articles for the manufacture of coarse linens". This suggests that the convicts were labouring people.\textsuperscript{130} It cost £127, but the implements were worth it, because the bill was paid after four advice notices were sent.\textsuperscript{131} Given the pre-existing tensions aboard the vessel before she sailed, the journey to Australia was not a pleasant one as seven convicts "died of wounds in mutiny" during the voyage.\textsuperscript{132}

After the American War of Independence, Dublin Corporation resumed transportation to the Americas as a cheap solution to the problem of over-crowding in gaols. Neither the United States nor the remaining British colonies, however, were prepared to receive Irish convicts officially. Previously, ship masters could expect to make handsome profits from the sale of the convicts as indentured servants. This made it worth their while to safeguard the lives and health of the convicts. After the war, however, the climate was more uncertain and prospects of sales were eroded. Ship masters suddenly saw in their human cargo a liability, with the result that untold suffering, hardship and death characterised the final six years of transportation to the Americas.

In the 68 years between 1718 and 1789 (not including 1776-1783), it is estimated here that 14,400 convicts were transported to the Americas, an average of 212 people per year. It is not known how many convicts died before they reached their destinations, but

\begin{thebibliography}{99}
\bibitem{126} Thompson, \textit{The making of the English working class} p. 63.
\bibitem{127} \textit{H.J.}, 10.06.95.
\bibitem{128} \textit{H.J.}, 17.07.95.
\bibitem{129} \textit{H.J.}, 22.06.95.
\bibitem{130} Sackville Hamilton to John King, 16 Sept. 1795: P.R.O. H.O.100/58/314.
\bibitem{131} ibid.; "Invoice of sundry articles shipped by Order of Sackville Hamilton on board the Marquis of Cornwallis Captain Richardson for Botany Bay August 8, 1795": P.R.O. H.O.100/58/316; Sackville Hamilton to John King, 23 Oct. 1795: P.R.O. H.O.100/59/56; Sackville Hamilton to John King, 16 Nov. 1795: P.R.O. H.O.100/59/83.
\bibitem{132} Shaw, \textit{Convicts & the colonies} p. 363.
\end{thebibliography}

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the evidence from the last six years of transportation to the Americas suggests that a
sizeable percentage in the period did not survive the ordeal. Once transportation to Australia
began in 1791, this dark side of Irish history was completely buried. Nothing in the
historiography of transportation has ever been written on the subject. Transportation
historians such as Ekirch have failed to consider whether Ireland had resumed
transportation to relieve the over-crowding in her gaols after the war; they have only
considered the question in so far as England has been concerned. It is hoped that the crime
and transportation gap in Irish historiography has been partially filled here.
Chapter 11

The Dublin Hanged

In the 16 years between 1780 and 1795, between 197 and 243 convicted felons were hanged in Dublin and in Co. Dublin, an average of between 12.3 and 15.2 per year. The number of hangings per year increased steadily each year up to 1787, when it began to decrease steadily to the end of the period under study. Only in 1793 did the hanged count rise upward to its mid-1780s height. The abortive bell-shaped curve with a spike at the end describes a pattern that is consistent with the economic fluctuations and the effects of war and peace during this time. A subsistence crisis seriously affected living conditions for poor people in Dublin from 1782 to 1784. James Kelly has discovered that 50 per cent of the population of the three most populous parishes in the south-west quadrant of the city, Sts. Catherine, Luke, and Nicholas Without, were in need of poor relief in the spring of 1784.1 Meanwhile, the American War of Independence came to an end in 1783, and thousands of demobilised troops considerably swelled the population of the city. Both the subsistence crisis and the demobilisation would have been significant factors contributing to an increase in social disruption and crime in the early to mid-1780s.

In 1787, the hanged count reached its highest point with as many as 34 people hanged in the year, an average of nearly three hangings per month. It was no accident that the new police had completed their first full year of operation in that year. A charged atmosphere swept the city and county of Dublin, carrying a "get-tough" message into all three courts. The influence of the new police is also revealed in an examination of the sharp rise in the hanged count in 1793, the same year which saw the arrival of Defenderism in Dublin. City constables went so far afield as Cos. Wicklow and Offaly to make arrests of known Defenders, at least four of whom were hanged in that year. This was also the year in which food riots and mutinies of enlisted soldiers swept Dublin. Between 19 and 20

1 Kelly, "Scarcity and poor relief", p. 54.
felons were hanged in 1793, which is confirmation that the city had a serious problem with maintaining law and order in that year.

Table 11
Hanged count for Dublin
(including 46 unreported hangings where death sentences were probably carried out).

<table>
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<th>Year</th>
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<th>DF</th>
<th>KM</th>
<th>KF</th>
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In 1788, the hanged count dropped sharply, as seen in Table 11, and it continued its downward slope (with the exception of 1793) to a low of only five hangings in the last year under study. Apart from a few rough patches, the 1790s were a period of economic growth and building activity in the city and county, raising the standard of living for thousands of working people. Dickson has found evidence which indicates the beginning of a "marked recovery, helped by parliamentary backing" in the mid-1780s. During this time, some of Dublin's largest construction projects were undertaken, such as the Custom House, the Four Courts, and both the Grand and Royal Canals.

An examination of the hanged count shows that the commission of oyer and terminer hanged more felons than the other two courts. The Kilmainham quarter sessions hanged the second largest number of felons, and the Dublin quarter sessions hanged the

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2 Dickson, "The place of Dublin", p. 182.
least number of felons. From an examination of table 10 in the previous chapter, it would appear that the Dublin quarter sessions heard far more trials than the other two courts. According to the *Hibernian Journal*, it sentenced 546 offenders to secondary kinds of punishment apart from transportation, while the commission sentenced 319 offenders to secondary forms of punishment. On the other hand, the Kilmainham quarter sessions sentenced 131 offenders to secondary forms of punishment.

The large difference in the number of offenders sentenced to secondary forms of sentencing may reflect an inadequate interest on the part of the *Hibernian Journal, Walker's Hibernian Magazine, Dublin Evening Post*, and the *Freeman's Journal* in the proceedings of the Kilmainham quarter sessions. In jumping ahead slightly to table 12, which examines the "confirmed" hanged count, we notice that these newspapers and magazines followed up on the death sentences ordered by the commission of oyer and terminer and the Dublin quarter sessions more than they did those imposed by Kilmainham quarter sessions. The number of "unreported" hangings for the first two courts is substantially less compared with the county court.

The newspapers and magazines confirmed that the commission hanged 83 felons, but failed to confirm the death sentences of 11 felons, which when added together in table 11 makes a total of 94 hangings. They also confirmed that the Dublin quarter sessions hanged 42 felons, but failed to confirm the hangings of seven felons, which when added here makes a total of 49 hangings. They also confirmed that the Kilmainham quarter sessions hanged 54 felons, but failed to confirm the death sentences imposed on 28 felons. Put in another way, the newspapers and magazines failed to inform their readers of 11 hangings by the commission, seven hangings by the Dublin quarter sessions, but an astounding 28 hangings by the Kilmainham quarter sessions (the hangings of an additional 18 convicted felons were ordered by other courts). The Kilmainham quarter sessions apparently took a tougher line on crime, particularly under Serjeant (at law) John Toler who chaired the sessions from 1782 to October 1789.3 During his eight-year chairmanship, the Kilmainham quarter sessions convicted and hanged between 33 and 52 felons.

Up to the end of 1782, hangings took place at or near Stephen's Green on the south-side of the city (with the exception of an execution in August 1784). The site was selected in large part because it provided ease of public access. Hanging days had become an event of minor importance on the social calendar, as the publicity surrounding the death sentence reached deep into every nook and corner of the city and county. Hangings were characterised by processions in which the condemned prisoners were followed by crowds solemnly walking, or defiantly as the case may be, to the "fatal tree". From 1783, hangings in the city took place at the front of Newgate prison on the north-side. Thus saw the end of

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3 Toler succeeded Robert Sipthorp in 1782, and was himself succeeded by Robert Day in 1789; see *Wilson's Dublin Directory, 1782-89*. 191
the centuries-old hanging processions in the city. Hangings in the county often took place at the front of Kilmainham gaol. In 1783, hangings also began to take place at Kilmainham commons, "Gallows Hill", which was located near the Grand Canal Bridge. At least two hangings took place not at the traditional sites but near the scene of their crimes; in both cases the hanged men had been convicted of murder. Afterwards, their bodies were chained inside an iron cage, a gibbet which was nailed to the top of a long wooden beam and planted at the nearest crossroads. This was a forceful reminder to discourage others from committing the same types of crime.

Hangings were prone to producing much violence in the early 1780s, and indeed the hanging processions had become the subject of much speculation. The Volunteers were noted for intervening on hanging days to prevent the crowds from getting out of control. On Saturday 18 March 1780, a rumour circulated that a rescue had been planned to prevent the execution of four men. This provoked an immediate response from the Dublin Volunteers, the Liberty Rangers, and the Rathdown Horse corps, all of whom assembled to maintain law and order at a hanging of four men named Reid, Duffy, Farrell and Hickey.

Just before the entire party was to have set off from old Newgate, a writ of error was received by the High Sheriff which respite Farrell and Hickey from the gallows. Under normal conditions, such a respite would have been signed and delivered before the actual day of execution. This unexpected delay prompted a sub-sheriff to ride off to Booterstown to the home of Samuel Bradstreet, Recorder of the Dublin quarter sessions, to authenticate the writ of error. This allowed time for a massive crowd to assemble at old Newgate, while the Volunteers kept order. When the sub-sheriff returned with the news that indeed two of the four condemned men had been respited, it was decided to confirm the legality of executing the other pair. More people gathered at old Newgate to hear the outcome of this decision. Finally, the sub-sheriff came back with the news that the hanging of Duffy and Reid could proceed.

Duffy and Reid, who had been convicted at the Dublin quarter sessions for a burglary of plate from a house on George's Quay, were put in a cart attended by the sheriffs, while two columns of Volunteers were placed on either side of the cart and a detachment of horse closed both ends of the two columns. In this fashion "they made a very solemn and silent procession to Stephen's Green", where the Volunteers formed a square round "the fatal tree" to prevent a "vast concourse of people" from disrupting the hanging. But the previous delays had taken their toll on Reid, aged 60, who "seemed totally absorbed in the horrors of his situation, and died in a wretchedness of mind not to be conceived". In contrast, Duffy, aged 27, maintained a calm composure to the end of the

5 For references to Volunteer interventions on hanging days, see Snodaigh, "Some police and military aspects", pp. 223-224.
6 Rex -v- Duffy and Reid, Comm., in H.J., 25.02.80.
ordeal, turning to the sheriffs in reproach at "how any man could be brought to the place of execution without a clergyman". As the noose was being adjusted, he called out to a soldier in a regiment of Highlanders "to take care to put his body in the coffin". Duffy was then "turned off [executed] without any apparent concern". It would be a mistake to interpret the reference to Duffy's calm composure as a sign that death had become a matter of some indifference to society in the eighteenth century. Peter Linebaugh has pointed out that the behaviour of the condemned person "suggests the opposite--the supreme importance of death".

The purpose of the Volunteers was not only to keep the crowds in order, but more specifically to prevent friends and family members from taking possession of the bodies of the dead. After the violence of death, families believed that the bodies of their loved ones had become objects worthy of fulfilling their previous wishes and these could only be satisfied in the proper hands. This could result in the body being removed to the house of the prosecutor, particularly if it was believed that the prosecution had been a malicious one. It could also result in the body being removed to a wake where friends and family would gather before it was finally laid to rest.

The Volunteers often ringed the Green to prevent those assembled from getting too close. Just before they were "launched into eternity", the condemned could usually shout declarations over their heads to family and friends. This happened at the hanging of Edward Kinshelagh, a butcher, on Saturday 21 October 1780. Before family and friends, Kinshelagh declared his innocence of having robbed one Mr. Murphy, a dairyman on the North Strand. To show his innocence, Kinshelagh led the crowd in a prayer that "the gates of heaven might be shut against him if he was guilty". This worked the crowd up to a fever pitch of excitement and fury, which was unleashed at the sight of his dead body. They broke through a formation of Volunteers to snatch it, with the view of taking it from Stephen's Green to the front doorstep of Murphy's home on the north side. In the meantime, the sheriffs and the Volunteers reassembled with enough speed to prevent the mob from carrying out their plans. In the aftermath of the incident, the Volunteers stated that the next body snatching would be punished with a dissection at the College of Surgeons.

On Saturday 23 December 1780, George Lowe delivered a written declaration to a sheriff before he was hanged at Stephen's Green. In his dying letter, Lowe acknowledged his guilt in a burglary of a Mr. Norclift's house at Glasnevin, for which he

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7 H.J., 17.01.80.
8 Linebaugh, Peter, "The Tyburn riot against the surgeons", in Hay et al., Albion's fatal tree, p. 102.
9 ibid., p. 117.
10 H.J., 27.10.80.
11 D.E.P., 31.10.80
had been convicted at the commission of oyer and terminer in the same month. In addition, Lowe said that another man named Hall Fitzsimons was innocent of a separate house burglary. In July 1780, the commission of oyer and terminer had convicted Hall Fitzsimons of a burglary of a Miss Hamilton in Glasnevin of plate and sentenced him to death. As no report of his hanging was found, it suggests that the dying declaration exonerating him was taken seriously.

While some hangings took place in Stephen's Green itself, many others took place at a location directly east of Stephen's Green, along Baggot Street or the "Ball's-bridge Road" as it was sometimes called. While the high sheriffs considered the area directly east of Stephen's Green as a suitable ground for executions, it is unlikely that the residents shared the same opinion. A fire destroyed 130 loads of hay opposite a gallows erected in the "Ball's-bridge Road", caused by people carelessly smoking pipes under a rick of hay while watching the execution of a woman on Saturday 2 March 1782. The woman was found guilty of murdering her husband at the commission of oyer and terminer in February 1782; her sentence had been initially respited at the recommendation of the jury. The fire at the hanging was put out by engines from St. Anne's parish.

On Saturday 20 July 1782, five men were hanged at or near Stephen's Green, in the largest group hanging that year, which probably attracted large crowds to the neighbourhood. (John Rorke was executed for forging and uttering two drafts; Edward Curley was executed for a street robbery; John Cotter was executed for the burglary of Mr. Dobson's house in Mecklenburgh Street; and John Wall, alias "Jack the Smasher", and John Murdock, for the robbery of Benjamin Houghton in Marrowbone Lane.) More than three months later, huge crowds came to see the hangings of Thomas Heney and John Murray because it was believed that the executioner was a woman. They were convicted at the Dublin quarter sessions of the burglary of the home of George McCutchen, a timber merchant on Ellis Quay. Murray and Heney were part of a large criminal fraternity, many of whom were executed within weeks of each other. Despite the size of the gang and the number of their crimes, the community directed their fury against the alleged woman executioner, the high sheriffs having paid her an "unusual sum" for hanging the men. She was denounced as "an outrage against the sex ... a proof of barbarism". There are no further reports of women executioners, which suggests that the community had made its point.

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13 Mr. Norclift (Nordleigh) -v- George Lowe, Comm., in H.J., 18.12.80.
14 Miss Hamilton -v- Hall Fitzsimons, Comm., in H.J., 12.07.80.
15 H.J., 04.03.82.
16 Rex -v- Husband-killer, Comm., in H.J., 20.02.82; also H.J., 01.03.82.
17 H.J., 22.07.82.
18 H.J., 03.07.82.
19 H.J., 11.11.82; and W.H.M., Nov. 1782, p. 607.
20 George McCutchen -v- Thomas Heney and John Murray, D.Q.S., in H.J., 01.11.82.
21 H.J. 11.11.82.
Anger against keeping the gallows on the south side boiled over in the wake of a violent body-snatching riot on Saturday 21 December 1782. It was to be the last hanging in Stephen's Green, with the exception of a singular execution in August 1784, before the gallows were moved to the front of Newgate prison. Like other body-snatching riots, it involved a man well-known among the local criminal fraternity. Patrick Dougherty, a wine porter, was the leader of a large gang which was reported to have committed several armed robberies. At 10 o'clock at night on Tuesday 13 August 1782, Dougherty and George Coffey, both of them armed with pistols, had robbed Thomas Moran, a wine merchant who lived on Lower Ormond Quay. The robbery occurred on Bachelor's Walk, and they took his watch, seal, key, a pen-knife, a pair of silver shoe-buckles and his shoes.

During the incident, Moran was able to get a good look at the two men in the evening light of summer so that on Friday night, 4 October, Moran spotted Coffey on Bachelor's Walk. Coffey was taken to prison and questioned for two hours until he confessed to the whereabouts of his leader. On the following day, Dougherty, "Captain of the Miscreants", was arrested at his lodgings in Abbey Street, pistols and powder being found in his possession. In December, at the commission of oyer and terminer, Moran testified that Dougherty and Coffey robbed him at gun point of goods worth nearly £15. Having offered no defence, Dougherty was convicted (no report of Coffey's sentence appeared), and he was sentenced to hang only three days later. At the hanging, the Dublin Volunteers turned out in force to prevent a threatened outbreak of violence. They managed to keep the crowds back until after the hanging, when his family and friends broke through a wall of men to rescue the body. They defiantly carried the body to the house of his prosecutor, Moran.

In hot pursuit, a detachment of the same Volunteers rushed to Lower Ormond Quay, where they snatched the body back from the crowd, and ran with it to the front gate of Trinity College where they offered it to the professors of anatomy for dissection. In the end, the porters slammed the front door of the College on their faces. Afterwards, the family and friends of Dougherty recovered his body, whereby it was "taken for burial". This example illustrates how the poor people of the city fought to maintain the integrity of Dougherty's corpse, which was about to be brutally violated by the anatomists of Trinity College. Dissection had become part and parcel of the policy of "class discipline", a discipline upheld by the propertied classes from which the early Volunteers were recruited.

22 H.J., 14.08.82.
23 H.J., 07.10.82.
24 Thomas Moran -v- Patrick Dougherty and George Coffey, Comm., in H.J., 18.12.82.
25 H.J., 20.12.82.
26 Linebaugh, "The Tyburn riot against the surgeons", p. 117.
In the aftermath of the Dougherty hanging, the Lord Lieutenant ordered that hangings were to take place on the city's north side, at the front door of Newgate prison in Green Street. It was not a decision made on the spur of the moment. In December 1781, a year earlier, it was also proposed to move the place of execution to Newgate, because "the dress and apparatus of it ... makes an impression on the mind". As a penal institution Newgate was a complete failure, but as a venue for public hanging spectacles it became an immediate success. From January 1783, convicted felons were hanged high up against a prison wall facing eastwards where turrets jutted out on both sides. Created was a spectacle far more dramatic than any seen at Stephen's Green. Friends and family lost any power they once had at Stephen's Green, being reduced to helpless spectators, fighting for position against thousands of total strangers. Meanwhile, the hangman held the power in his hand, an iron lever which when pulled, opened the false step on the platform to drop the condemned felons plunging down to death.

Ironically, the decision to move the gallows was justified on the grounds that hanging processions had become too public an affair, and therefore nothing was to be gained by "bringing unhappy wretches through a city, amid the sighs, and too often the commendation, pity, and tears of the common people". In reality, the location of the new gallows was far more accessible to the "common people", as Green Street was surrounded by small shops and in close proximity to one of the biggest food markets in Dublin, the Ormond fruit and vegetable market. Tens of thousands of people were to take time off from their shopping or selling to descend on Green Street to observe the hangings.

Connolly's assertion that "the operation of the criminal law in eighteenth-century Ireland ... was not by contemporary standards particularly bloodthirsty or cruel" may require modification. John Beattie has examined the records of the Surrey assizes in England for the same period under study here. Surrey is comparable to Dublin in population size and mixture. In 1801, Surrey county had a combined population of 278,000; in 1798, Dublin city and county had a combined population of 268,000, a difference of only 10,000 people in favour of Surrey. The populations of urban Surrey and Dublin city were similar at 177,000 and 182,000 respectively, and likewise the populations of rural Surrey and Co. Dublin were similar at 101,000 and 86,000 respectively. Hence, about 60 per cent of the population of Surrey lived in Southwark and the surrounding urban parishes of London, and about 65 per cent of the population of the city and county Dublin lived in the city. Such similarities make a comparison between the hanged counts worthwhile. As seen in table 12, Beattie found that 98 males and six females were hanged.

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27 *H.J.*, 05.12.81.
28 *H.J.*, 27.12.82.
29 Connolly, "Albion's fatal twigs", p 120.
30 Beattie, *Crime and the courts in England*, p. 28; for Dublin city population estimates, see Dickson, "The place of Dublin", p. 179; for Co. Dublin estimates, see chapter 12.
in Surrey in the 16 years between 1780 and 1795, compared with 187 males and 10 females who were reported to have been executed in Dublin in the same period (this does not include an additional 46 "unreported" hangings). The three Dublin courts thus executed 89 more males and four more females than the one Surrey court, a difference of nearly 90 per cent more executions in Dublin.

The comparison between Surrey and Dublin is somewhat complicated by the presence of London across the Thames river. One needs to bear in mind that the Old Bailey undoubtedly sentenced to death some felons who were residents of Surrey, even though their crimes had been committed either in the City of London or in Middlesex; the Old Bailey did not deal with offences committed in Surrey. The comparison is also complicated because Dublin had two more courts than Surrey's one. In contrast to the Dublin and Kilmainham quarter sessions, the Surrey quarter sessions were not dealing with capital offences by this time. However all of the capital offences committed in Surrey were being handled by the Surrey assize court.

Like the Surrey hanged count, the Dublin one indicates that the 1780s saw a more severe sentencing policy compared with the 1790s (with the exception of 1793). In the 10 years between 1780 and 1789, 138 people were hanged in Dublin for an average of 13.8 per year, while in the six years between 1790 and 1795, 59 people were hanged for an average of 9.8 per year, a difference of four hangings per year on average.

Less than a year after Dublin moved its gallows, London did the same. The last hanging at Tyburn was in November 1783, after which the London gallows were moved permanently to the yard at the front of Newgate prison. Beattie has noted that the primary reason for the closure of the "hanging tree" was to eliminate the processions through the streets of London and to reduce the number of spectators at Tyburn. McLynn also pointed out that the memories of the Gordon riots, followed by a crime wave in 1782-3, worked in favour of the decision to stop "the boisterous crowd disturbances at the increasingly frequent executions". Linebaugh has found that the decision to move the London gallows achieved the desired effect of reducing the crowds at the hangings. In December 1783, the first execution took place at London's Newgate, in which ten men were hanged in the yard from a drop platform. In contrast to London, the decision to move the gallows to the front of Dublin's Newgate prison achieved the exact opposite effect. Judging by reports in the newspapers, the number of spectators attending the hangings at the front of Dublin's Newgate prison often reached as high as 10,000.

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32 I would like to thank Professor John Beattie for providing me with a table of the number of felons who were convicted by the Surrey assizes and hanged between 1780 and 1795. I would also like to thank him for his comments which accompanied the table; see Beattie, *Crime and the courts in England* p. 533.
Table 12
Hanged count: Dublin/Surrey
(not including the 46 unreported hangings in Dublin).

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On Saturday 4 January 1783, Patrick Lynch was the first felon to be hanged at the front of Newgate prison in Green Street. Only the day before, he had been tried at the Dublin quarter sessions and convicted under the Chalking Act of robbing and disfiguring one Mr. Dowling with two pistol shots to his face.37 Counsellor Masset first argued unsuccessfully that Lynch's pistol went off by accident, then he moved to arrest the judgement of death, asserting that his crime did not come within the meaning of the Chalking Act, but this motion was likewise rejected.38 A member of a large gang, he had been tried for several other robberies, including the burglary of George McCutchen's house. With less than 24 hours between his trial and his hanging, city scavengers had no time to clean up the streets surrounding Green Street "as not a creature could get a sight of

37 Mr. Dowling -v- Patrick Lynch, D.Q.S., in H.J., 03.01.83.
38 Statutes (Ire.) 17 & 18 Geo. III. c. 11 (1778), which stipulated dissection by the surgeons.
that spectacle without being over their ankles in mire".39 When he appeared on the front steps of Newgate, the executioner tied a noose round his neck, the rope being attached to a mechanical apparatus on the first landing. Suddenly, he was hoisted up in the air by a pulley affixed to the window just above the front door.

The body swung from noon till four in the afternoon, during which time thousands of people pressed forward from the streets leading into Green Street to view the spectacle. Many adjoining streets were made impassable throughout the entire day. After the hanging, his body was cut down and delivered over to the surgeons for dissection. As a result of criticisms of Lynch's hanging, it was decided not to hoist convicts up "like woolsacks" or to suspend their bodies for more than an hour at future hangings.40 Work began on the construction of an elaborate iron platform attached from the middle first-floor window of Newgate, overlooking Green Street.41 In March 1783, the modified machine in the gallows was completed. Meanwhile, local Dublin wits who used to call the gallows on Baggot Street a "picture frame" and "puzzling sticks", were now calling the gallows at the front of Newgate a "city crane" and the "fall of the leaf".42 Its second victim was Patrick Mathews, aged 20, the first felon to have been hanged from the new drop platform at Newgate prison.43 The gaoler at Newgate apparently took the idea of a drop platform from the gaoler at Kilmainham, who had hanged three men on the drop at Gallows Hill three months earlier. Mathews was hanged in front of large crowds on Saturday 15 March 1783.

In March 1783, the commission of oyer and terminer convicted Mary Purfield of setting fire to the offices and house of Mr. Morgan at Blanchardstown.44 Purfield, who was the only person reported to have been convicted of arson in Dublin during the 16-year period, was apparently a servant who had harboured a grudge against her master for four years. On Saturday 22 March 1783, she was strangled to death, and her body was flung onto a burning pyre at Gallows Hill.45

In December 1783, the commission of oyer and terminer convicted Mary Fairfield and constable Funt of stabbing to death Funt's wife, Mary Funt, née Burne, a wet nurse. Not much is known about the crime, as the circumstances were "too shocking to relate", but the court sentenced Fairfield to be burned at the stake.46 In an attempt to avoid her fate, she pleaded pregnancy not only at the December sittings of the commission, but also at the February and July 1784 sittings. In response to the first two pleas, a jury of matrons

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39 *H.J.*, 06.01.83.
40 *H.J.*, 20.01.83.
41 For illustration of Dublin's Newgate gallows, see Craig, *Dublin 1660-1860* plate 33, following p. 352.
42 *H.J.*, 20.05.83.
43 *H.J.*, 14.03.83.
44 Mr. Morgan -v- Mary Purfield, Comm., in *H.J.*, 03.03.83.
45 *H.J.*, 21.03.83.
46 Rex -v- Catherine or Mary Fairfield and Constable Funt, Comm., in *H.J.*, 17.12.83.
returned a verdict of pregnancy by which her execution was respited to the following sessions on both occasions. At length, it was decided she was not pregnant.  

On Saturday 21 August 1784, Mary Fairfield was placed in a cart and led through the streets of Dublin in the last hanging procession to Stephen's Green in the period under study. A vast crowd watched the "solemn" procession make its way to the Green. The new 20-man guard, which had just been hired by Dublin Corporation to supplement the parish watch, surrounded the cart on which Fairfield rode. The uniformed constables were armed with swords and staves. In addition, a party of Lord Drogheda's horse kept the "giddy multitude" at bay. On the Green, the hangman strangled her to death and tossed her body into a burning fire.  

In burning the bodies of the two women, the commission of oyer and terminer had inflicted the most humiliating form of collective punishment. The families and friends would have been left only with the charred remains of the corpses, a violation of the traditional rights to wake the bodies in their natural state. As these were the last reported incidents of judicial incineration in Dublin up to 1795, it suggests that the College of Surgeons and the anatomists at Trinity College had finally persuaded parliament to put an end to the burning of convicted female felons at the gallows.

Collective punishment, however, remained the hallmark of the legal system. In 1784, parliament passed a act that empowered the surgeons and anatomists to have access to the bodies of convicted felons just days after their trials. Under the Houghing Act of 1784 (23 & 24 Geo. III. c. 56), the hangman was obliged to execute convicted felons within two or three days from the day of their trials, during which time they could only eat bread and water. The speed of the process allowed the surgeons and anatomists to conduct dissections on bodies that were less likely to have been ravaged by the effects of "gaol fever" or typhus, diseases usually contracted in gaol. At the same time, the speedy deaths and dissections fulfilled the requirements of "class discipline", in punishing the families and friends of the convicted felons.

The surgeons and anatomists were apparently in agreement with government policy to adopt tough measures against convicted felons. On 15 June 1787, a letter appeared in the Hibernian Journal, proposing that parliament pass legislation giving surgeons the authority to amputate the limbs of convicted felons while still alive in order to transplant the limbs onto soldiers or sailors whose limbs had been shot off in war. Anonymously written by one "Heister" to the College of Surgeons, the letter offered detailed instructions to surgeons on how to perform such transplants. Judging from the letter, it would appear that Heister had experience in transplant surgical procedures. He acknowledged that "the patients [convicts] will be thrown into violent convulsions; but these considerations should not

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47 H.J., 23.08.84.
48 Mary Fairfield pleads her pregnancy, Comm., in H.J., 21.07.84.
prevent them persisting in the experiment". He also proposed that convicts surviving the ordeal be entitled to Royal pardons.\textsuperscript{49} The poor of Dublin had thus every reason to regard the surgeons and anatomists with some suspicion.

As already noted, hangings at the front of Newgate did not carry the same risk of riots as hangings at Stephen's Green. Thus the courts had less to fear from the thousands of people who turned up on hanging days in Green Street. Over two consecutive weekends in August 1783, five people were hanged, four men and a boy, all probably members of the same gang. Tens of thousands of people descended on Green Street to see the hangings. The first hanging day involved two men who were no strangers to the courts. One was Christopher Burgess had been arrested in Red Cow Lane by Michael Toole, the under-gaoler of Newgate, in November 1782. Disguised as a countryman, Burgess was found with 17 false keys and pick-locks in his possession, and he was charged with a burglary of a home in Channel Row.\textsuperscript{50} In December 1782, at the commission of oyer and terminer, he was convicted and sentenced to serve in the navy.\textsuperscript{51} But a month later the American War of Independence was over, and the process of demobilisation began for thousands of men. This included Burgess and other convicted men who were discharged by the navy on the Dublin quays in February 1783.\textsuperscript{52}

After his two-month absence from Dublin, Burgess began to commit crime again. In March, he was charged with the burglary of a hatter in Temple Bar.\textsuperscript{53} In July 1783, at the Dublin quarter sessions, he and an accomplice named Patrick Godfrey were convicted of robbing tobacco and wine from Simon Christie's warehouse in Church Street.\textsuperscript{54} Burgess attempted to escape from prison by sawing off his irons, but George Roe, keeper of Newgate, managed to secure him in time.\textsuperscript{55} On Saturday 2 August, Burgess and Godfrey were hanged, but the executioner failed to adjust the noose around the neck of Godfrey properly. Burgess died instantly, but it took Godfrey 25 minutes to die. He clung onto the body of Burgess for most of the time, but his strength eventually gave out. Before a crowd estimated at 10,000 people, their "feelings ... during this shocking conflict, must be better conceived than described".\textsuperscript{56} While the newspaper may have exaggerated the number of people at the hanging, the details of the hangings seem too exact to be an exaggeration of the torture and trauma suffered by the felon and the crowd.

\textsuperscript{49} H.J., 15.06.87.
\textsuperscript{50} H.J., 20.11.82.
\textsuperscript{51} Rex -v- Christopher Burgess, Comm., in H.J., 18.12.82.
\textsuperscript{52} H.J., 17.02.83.
\textsuperscript{53} H.J., 19.03.83.
\textsuperscript{55} H.J., 30.07.83.
\textsuperscript{56} H.J., 01.08.83.
On Saturday 9 August, James Egan, John Short, aged 14, and one Woods were executed on the same platform at Newgate before an "immense multitude".\textsuperscript{57} Egan and Short were convicted at the commission of oyer and terminer for the robbery of James Moore Davis in July 1783 (the details surrounding the trial of Woods are not known).\textsuperscript{58} As noted in chapter seven, it was the Davis robbery that had led to the formation of the Blackrock felons association in December 1782. At the hanging, the crowd was shocked at the sight of John Short, so "small in stature" that a "universal and loud ... shriek" filled Green Street. Short, it was said, was one of the youngest and smallest persons ever to have been hanged in Dublin.\textsuperscript{59}

In the execution madness that gripped Dublin in the mid-1780s, at least eight innocent men were hanged. On Saturday 20 March 1784, Hugh Feeney and John Murphy were executed at Gallows Hill, just minutes before the hangman received word that the Lord Lieutenant had reprieved the two from execution. "They were instantly cut down, but the lamp of life being extinguished, every effort used for their recovery proved ineffectual".\textsuperscript{60} This must have been viewed with great concern by the legal establishment, given the publicity surrounding the events. Feeney and Murphy had been convicted at the commission of oyer and terminer of the burglary of Luke Gardiner's house in Phoenix Park of valuable clothing.\textsuperscript{61} At the time of this well-planned burglary, in January 1784, Gardiner was away in London. A gang numbering 14 people had organised a convoy of carts to remove a vast quantity of possessions from Gardiner's house.\textsuperscript{62} After Feeney and Murphy were sentenced in March 1784, serious doubts arose about the safety of the conviction. A respite order delayed their hangings from 15 March to the twentieth. The subsequent reprieve indicates that new evidence had exonerated the men from any guilt in the crime.

Four months later, Gallows Hill was the scene of another hanging of three innocent men, a mistake however which only came to light over a year later. In January 1784, Mr. Magrath was robbed at the Royal Hospital wall of his watch, coat, and buckles. The robbers made McGrath recite the Lord's prayer before one of them attempted to stab him.\textsuperscript{63} Henry Binns and John and Peter Mullen were convicted of the robbery and were executed at Gallows Hill on Saturday 24 July 1784. Before they were hanged, the three men "in the most solemn manner, declared their innocence".\textsuperscript{64}

\textsuperscript{57} \textit{H.J.}, 08.08.83.  
\textsuperscript{58} James Moore Davis -v- John Egan and John Short, Comm., in \textit{H.J.}, 28.07.83.  
\textsuperscript{59} \textit{H.J.}, 08.08.83.  
\textsuperscript{60} \textit{H.J.}, 22.03.84.  
\textsuperscript{61} Luke Gardiner -v- Hugh Feeney and John Murphy, Comm., in \textit{H.J.}, 05.03.84.  
\textsuperscript{62} \textit{H.J.}, 14.01.84.  
\textsuperscript{63} \textit{H.J.}, 14.01.84.  
\textsuperscript{64} \textit{H.J.}, 28.07.84.
Their innocence was attested about 15 months later, when John Hugan acknowledged that he had robbed McGrath, and that he had prevented one of his accomplices from killing him. On Saturday 22 October 1785, John Hugan, Daniel Devay and William Shanley were executed, having been convicted at the Kilmainham quarter sessions for the robbery of Thomas Bolts on Glasnevin Road in August 1785. All three were part of a large gang which had carried out several other robberies in this period. In a written statement given to the sheriffs just before his hanging, Hugan declared that his gang had carried out the robbery of Magrath, and that Binns, and the two Mullens had nothing to do with it. Hugan's statement disturbed many critics of the harsh penal code; in 1785 as many as 34 people were hanged, more than nine more than in the previous year. One critic argued that Hugan's letter "should serve as a warning both to jurors and prosecutors not to be too positive in cases where life of a man is concerned". In short, five innocent men were hanged at Gallows Hill in a space of four months in 1784.

Three innocent men were hanged in January 1785, but the evidence took seven months to come to light. On Saturday 23 July 1785, Thomas Cartwright, Michael Shoughnessy, Jeremiah Reily, Charles Fallon, James McMahon were hanged at Gallows Hill in Kilmainham. The details of the trials of last four are not clear, but it seems they had robbed Mr. Hanlon's bleach green at Bluebell. We only know for certain that the Kilmainham quarter sessions convicted Cartwright of robbing Mr. Monaghan's bleach green at Kimmage. Attended by two Catholic priests, the five men confessed to many burglaries, including the burglary of both Christian Nash's house in Kimmage and Thomas Murphy's house in Kilmacud, each situated beyond the southern boundaries of the city. However three men had already been hanged for these crimes at Gallows Hill on Saturday 22 January 1785. The three--Edward Doyle, Roger Mathews and Nicholas Eager--had indeed declared their innocence till their dying breath. Meanwhile the hanging of the five men on Saturday 23 July 1785, went badly wrong as their physical body weight proved too much strain on the gallows, causing it to collapse as soon as the drop platform was released. While the men lay "half strangled on the ground", the executioner was determined to continue on with the business: he hanged them in separate bunches. Two of the bodies were still in a stable on the following day without kin to bury them.

67 H.J., 26.10.85.
68 H.J., 31.10.85.
70 Mr. Monaghan -v- Thomas Cartwright, K.Q.S., in H.J., 18.07.85.
72 H.J., 27.07.85.
73 H.J., 29.07.85.
In addition to the eight innocent men hanged at Gallows Hill between March 1784 and January 1785, at least two more innocent men were hanged at the front of Newgate prison in April 1791. Chief Inspector Shea arrested a returned convict named Garret Ryan for robbing Jonathan Taylor of his bank notes, cash, a hat and watch, all amounting to £70, in Thomas Street in March 1791. It is not clear what became of Ryan, but Shea may have obtained false information from him. In early April 1791, the Dublin quarter sessions convicted Laurence Lynch and John McDermot of the Taylor robbery, and both were sentenced to hang at the front of Newgate prison on Saturday 23 April 1791. While the two men steadfastly maintained their innocence of the crime for which they were to suffer, they admitted many other crimes "for which they deserved death". Typically, confirmation of their innocence came to light in the form of a dying declaration long after their execution. In September 1792, George Robinson admitted that he had robbed Jonathan Taylor just as he was about to be hanged on Gallows Hill (see chapter nine). Robinson said that Lynch and McDermot had been entirely innocent of the crime. (Robinson also admitted to robbing a Mr. Fagan's house in Co. Westmeath, thereby exonerating a convicted felon named Sullivan who was hanged at Mullingar for the said crime.) In all, the evidence indicates that 10 men were innocent of the crimes for which they were hanged, representing five per cent of the "reported" hanged count in the 16-year period.

Guilt or innocence did not seem to matter much to the crowds in Green Street who flocked to see the hanging machine in action, devouring one felon after another. On Saturday 15 October 1785, a huge throng turned out to see the execution of James Ennis who was convicted of killing his mother with a razor. During the hanging, a number of people "impelled by the weight of the crowd, fell into a cellar, and many of them were dangerously hurt". Shortly after the Ennis hanging the courts took some short-lived steps to put an end to the public spectacles in Green Street, which were now dangerously out of control. Three changes were introduced: the gallows were moved from the platform at the front of Newgate to the inside court within the walls of the prison; the public was not allowed to enter the prison at the time of the hangings; and the hangings took place in the sight of the remaining convicted felons, the judges and city sheriffs. By eliminating the publicity surrounding executions, family and friends of the convicted felons had no way of knowing when their loved ones were to be executed. It was yet another form of collective punishment, by denying them the right to witness the death agonies.

74 H.J., 21.03.91.
75 Jonathan Taylor -v- Laurence Farrell (name spelled Lynch in H.J., 27.04.91) and John McDermot, D.Q.S., in H.J., 04.04.91.
76 H.J., 27.04.91.
79 H.J., 09.11.85.
The first two men to be hanged within the walls of Newgate were William Ready and Maurice Fitzgerald, both of whom had been convicted of separate robberies. In early October 1785, Ready was arrested for the burglary of Richard Daly's stables in Drumcondra, in which eight coach windows were stolen. Also arrested was Thomas Deacon, charged with receiving the stolen glasses: both were committed to Newgate to face trial. Later in the month, the commission of oyer and terminer convicted both of them, sentencing Deacon to prison for 12 months and Ready to death. As for Fitzgerald, his gang had robbed Robert Ahmuty, a merchant in Dublin, and two other people with him on Santry Road in early September 1785, but the Dublin Volunteers managed to secure one of them who was committed to Newgate. At the end of the month, Alderman Richard Moncrieffe arrested Fitzgerald, but charged him with the burglary of a quilt owned by James Gillseanear. In the end, the commission of oyer and terminer convicted Fitzgerald for the robbery of Ahmuty and sentenced him to death. Ready and Fitzgerald were due to hang on Saturday 5 November 1785, but whether the sentences were carried out, remained a mystery until a report appeared in the Hibernian Journal, which cited the "good effects" of the private executions of the two men as "a very inconsiderable crowd (sic), if compared with those on former occasions, attended".

The practice of hanging people inside Newgate without any publicity came under heavy criticism almost immediately. Arguing against the "the omission of the usual notoriety as to day and hour", a critic praised "the salutary consequences resulting to society from the terror which public executions impress on minds prone to evil". Eventually such criticism put pressure on a prominent Dublin judge to call for the restoration of public executions. Charging a grand jury at the commission of oyer and terminer in May 1785, Judge Robinson condemned the "private manner ... [of execution which] divested it of its horrors". Robinson claimed that public executions were "productive of more awe and terror in the breasts of evil-doers" than private executions. This was followed up by calls for "the awful preliminaries which ought to attend public executions". Meanwhile, the Police Act of 1786 provided fresh impetus for a tougher attitude against crime. In December 1786, public executions returned to Green Street.

Hangings in Co. Dublin were widely publicised before, during and after the short-lived ban in the city. It would seem that the courts took advantage of the brief interruption
of public hangings at Newgate. In November 1785, John Farrell broke into the cabin of John Browne, aged between 80 and 90, where he grabbed the old man and held him over an open fire to make him confess where his money was kept. The heat from the fire was so intense that one of his eyes started out. At the commission of oyer and termiter, Alderman William James suggested that Farrell be hanged near the site of the crime on Tallaght Hill. He was indeed a dangerous offender; at a previous commission of oyer and termiter he had been convicted of assaulting two girls, needle-makers in Cook Street, and sentenced to two months in prison where it was alleged he planned the burglary of Browne. On Saturday 31 December 1785, Farrell was hanged and gibbetted at the Seven Mile Stone. On the morning of his execution, a troop of horse guards from the garrison escorted him to Tallaght Hill, where thousands, including many from the surrounding counties, were waiting to see him hang. A farmer from Blessington, Co. Wicklow, was robbed of 18 shillings by a gang of highwaymen on his way home from the execution. Along with another farmer, the victim pursued the gang to Hollywood Glen, below Blessington, but they escaped.

Another similar execution took place on Gallows Hill only three months earlier. In September 1785, Robert Jameson stabbed to death James Kelly, a mathematician and a stone-cutter, in a bleach green near Chapelizod. A coroner's inquest returned a verdict of wilful murder. Jameson attempted to flee the area, but Lieutenant Stevenson, a member of the Dublin Volunteers, captured him at a distance of 20 miles from Dublin. He had Kelly's watch on his possession. In March 1786, the commission of oyer and termiter convicted Jameson and sentenced him to be hanged and gibbetted. On Saturday 18 March, he was hanged on Gallows Hill, and his body was gibbetted on a tall wooden beam. Over a week later, the gibbet was chopped down, but the gaoler of Kilmainham re-erected it. Three weeks after the hanging, the gibbet was again attacked, but on this occasion the wooden beam on which the gibbet was nailed, had been dragged down the hill and thrown into the Liffey, and his corpse was stripped of its irons and buried in a shallow grave on Gallows Hill.

90 H.J., 30.11.85.
95 H.J., 30.12.85.
96 H.J., 04.01.86.
99 H.J., 13.03.86.
100 Rex -v- Robert Jameson, Comm., in H.J., 06.03.86.
101 D.E.P., 30.03.86.
102 D.E.P., 11.04.86.
Hanging days in Green Street caused considerable chaos for local residents. In March 1785, some of the residents petitioned Dublin Castle to remove the place of execution from Green Street to the rear of the prison. Over the next few years, the local community kept up their opposition to the gallows at regular intervals. Complaints were often voiced in the wake of hangings that went badly wrong. One such execution was that of Patrick Malone on 27 October 1792. He had been convicted at the Dublin quarter sessions of the robbery of June Haughton (the absence of the transcript of Malone's case in Trials at Large appears to confirm that Vincent Dowling did not publish a complete record of the trials heard at the October Dublin quarter sessions).

At the front of Newgate, the hangman judged Malone to be lighter than he really was. At the nadir of his descent, Malone's rope snapped, plunging him onto the steps of Newgate with the noose still round his neck. While Malone was contemplating his second life, soldiers fired their rifles into the air to prevent a possible rescue attempt on the condemned man. Thousands of people turned foot and stampeded through the narrow streets, one spectator being killed and many others injured. Malone was carried back into Newgate alive, where it was decided to draw up an petition to have his sentence respited, and this was immediately despatched to the Lord Lieutenant for his signature. But Malone's plea for mercy was rejected on the grounds that no appeal on his behalf had been made before. At his second hanging, a shorter length of rope was fed into the machine, and this time the noose held fast.

In the wake of the Malone riot, the residents in Green Street obtained the ear of Henry Hutton, a city sheriff who brought forward an execution of a letter carrier to an earlier hour in the day. This prevented a repetition of the events attendant on previous hangings whereby the local residents "could neither get into or out of their houses, nor could any person have access to them, let their business be ever so urgent, for four or five hours". In June 1793, the commission of oyer and terminer convicted Patrick Hayden, the postal worker, of illegally opening letters and removing bank notes worth £30. He was executed at the unusual time of 8:45 in the morning at the front of Newgate on Saturday 20 July 1793. This was too early for the disruption of traffic on the normally congested market day. Hutton, the city sheriff, received the thanks of the neighbourhood for his attention to their wishes.

In 1793, between 20 and 22 people were hanged, compared with eight or nine in the previous year, a dramatic increase of nearly 150 per cent. In the same year, Dublin saw the effects of a severe food shortage and the onset of the French Wars. In April 1793,

103 H.J., 23.03.85.
104 June Haughton -v- Patrick Malone, D.Q.S., in H.J., 10.10.92.
105 H.J., 29.10.92.
106 H.J., 29.07.93.
107 Post Office -v- Patrick Hayden, Comm., in H.J., 28.06.93; also see H.J., 18.02.93.
108 H.J., 29.07.93.
several riots and mutinies occurred in the city as military parties began to recruit young men to serve in the French wars.\textsuperscript{109} In addition, a number of food riots swept the Liberties throughout the summer, as hungry people looted food supplies coming into the city from the country.\textsuperscript{110} Dublin was not alone in facing a severe economic recession and the war panic in 1793. A French invasion scare also swept London in 1793, such that two innocent men were hanged, drawn and quartered on the mere suspicion of their being members of a society which advocated republican ideas.\textsuperscript{111}

In Dublin, the government organised a massive hunt for a group of Defenders who were alleged to have murdered a prominent counsellor named William Grady.\textsuperscript{112} On Monday night, 11 March 1793, he was robbed of his purse by five men in Park Street near Lower Merrion Street. One of the robbers shot him with a pistol, and he died of his wounds four days later.\textsuperscript{113} Grady was apparently a member of the Volunteers as they attended his body to St. James's church.\textsuperscript{114} After the robbery, a large police operation was mounted to capture his killers, who were alleged to be members of the Defenders, a republican organisation which had just been formed.\textsuperscript{115} Several men were captured in Cos. Wicklow and Offaly. On Friday 28 June 1793, the commission of oyer and terminer convicted John Delany and Laurence and Patrick Penrose, two brothers who were Quakers, for the murder of Grady.\textsuperscript{116} The commission also convicted Edward Boyce, who was connected with the Defenders, for firing a loaded pistol at a policeman with an intent to kill.\textsuperscript{117} Four days later, the four men were hanged, probably under Murder Act of 1791 (31 Geo. III. c. 17), which ruled that convicted murderers must be hanged within four days of their trial. Boyce and Delany were hanged together, followed by the two Penrose brothers, who "before they were turned off, took an affecting leave of each other".\textsuperscript{118}

In the turbulent events of the mid-1790s, Newgate saw many more hangings designed to deter the growth of Defenderism.\textsuperscript{119} In December 1795, for example, the commission of oyer and terminer convicted James Weldon, a member of the Meath Defenders who had infiltrated a militia regiment in Dublin.\textsuperscript{120} On Wednesday 2 March 1796, Weldon was executed at the front of Newgate prison before thousands of people, "numerous beyond example". After he was hanged, his body was drawn back up onto the

\textsuperscript{109} Enlistment riots and mutinies: H.J., 26.04.93; and H.J., 03.05.93.
\textsuperscript{110} Food riots: H.J., 07.06.93; H.J., 19.08.93; and H.J., 23.08.93.
\textsuperscript{111} McLynn, Crime and punishment p. 335.
\textsuperscript{112} For references to Defenderism in March 1793, see Smyth, "Dublin's political underground in the 1790s", p. 137.
\textsuperscript{113} H.J., 13.03.93; and H.J., 18.03.93.
\textsuperscript{114} H.J., 20.03.93.
\textsuperscript{115} Police operation: H.J., 29.03.93.
\textsuperscript{116} Rex -v- John Delany, Laurence and Patrick Penrose, Comm., in H.J., 01.07.93.
\textsuperscript{117} Rex -v- Edward Boyce, Comm., in H.J., 01.07.93.
\textsuperscript{118} H.J., 03.07.93.
\textsuperscript{119} MacNevin, Thomas, Lives and trials (Dublin, 1846), pp. 299-479.
\textsuperscript{120} Rex -v- James Weldon, Comm., in H.J., 23.12.95.
platform for decapitation, where the hangman made "many ineffectual strokes of the axe and applications of the knife", before holding the "head of a traitor" before the crowds.\textsuperscript{121} James Smyth has suggested that such examples of repression prevented the growth of Defenderism in Dublin.\textsuperscript{122}

In summary, an examination of the Dublin hanged sheds light on the evolution of law and order in Dublin. As many as 243 felons were hanged by the three Dublin courts in the 16-year period. In the mid-1780s, the number of hangings increased dramatically, and likewise the number of policemen increased dramatically with the passing of the Police Act of 1786. Dublin had come to grips with high levels of crime. In January 1783, the gallows were moved from Stephen's Green to the front of Newgate, a well-protected security zone but still within the sight and hearing of the public. Newgate put a stop to most of the rioting over the bodies of the felons and encouraged the growth of the public hanging spectacles. Newgate hangings attracted thousands of people, whose numbers became so enormous that in 1786 and 1787, convicted felons had to be hanged within the prison yard. Public spectacles were also a regular occurrence at Gallows Hill in Kilmainham. In the 1790s, the number of hangings diminished substantially, but the courts never forgot the fear and power embodied within the gallows and the public hangman. In 1793, the hangings of several political prisoners at the front of Newgate seem to have been an effective deterrence in stemming the growth of Defenderism in Dublin.

\textsuperscript{121} H.J., 04.03.96.
\textsuperscript{122} Smyth, "Dublin's political underground in the 1790s", p. 147.
Chapter 12

Conclusion

Many changes of great historical importance have occupied the attention of this study. The beginning of the period, 1780-95, saw the Gordon riots followed in the coming years by the demobilisation of thousands of troops. It was a time of great instability at home and abroad. The Irish parliament passed new legislation to curb the spread of violence in the workshops in the Liberties and in the streets of Dublin, from the Combination Act of 1780 to the Police Act of 1786. Tough new legislation was also passed where "hanging was not punishment enough". Overall, the measures served as a deterrence to the growth of violent criminal activity in Dublin. Other events, of course, helped the legislators and the police to reduce the level of crime. The French wars of 1793 saw the emergence of the recruiting serjeants who relieved Dublin of thousands of young men who might have otherwise turned to crime. By the end of the period, the crime wave of the mid-1780s had been finally brought to a halt.

An analysis of homicide rates has always been an indicator of levels of violence for crime historians. From the evidence gathered here, it would appear that murder was rife in Dublin. This tends to bolster general arguments that violence was much more widespread in pre-industrial urban society than in modern times. Over the 16-year period, there were about 189 murders reported, for an average of 11.8 murders per year. In some years only a handful of murders were reported and in other years more than two dozen murders were reported: indeed, the number of murders increased dramatically in the years 1785 and 1790. The standard deviation for the murder rate over the 16-year period was high at 6.9, confirmation of the sporadic nature of violence in Dublin. The murder rate may not have been predictable, but rates of suicide and infanticide were. There were about 82 suicides.

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1 Anon., *Hanging Not Punishment Enough* (London, 1701); from where the famous quote has been taken.
2 Cockburn, "Patterns of violence in English society", pp. 70-106, for a good example.
reported, an average of 5.1 per year. The standard deviation for the suicide rate for the 16 years was only 2.6, indicating the chronic severity of the problem. At the same time, there were about 34 infanticides reported, an average of 2.1 a year, with a standard deviation of 2.0.

Even though levels of violence provided much scope for scare-mongering, the *Hibernian Journal* did not engage in the sort of distortion and exaggeration of violence that characterises modern tabloid newspapers. It could indeed be argued that contemporary newspapers under-reported high levels of violence. Much criminal activity among the poor presumably left no trace, as it did not affect the upper classes of society. An analysis of indictments for property theft reveal that it was the propertied classes, the tradesmen and merchants, who prosecuted poor people in court. An in-built bias must be accepted in studying crime levels.

Infanticide is a secretive crime by its very nature. Not only were the bodies of newborn infants discovered with regularity, but the bodies of small children up to the age of four-years-old were found. This suggests that children of all ages were treated indifferently or even cruelly in a period of rapid urban expansion and population growth. In the background to individual acts of infanticide, the Foundling Hospital committed infanticide on a massive scale throughout the period (institutional crime, however, is not covered in this study). Like infanticide, an examination of suicides reveals a consistent pattern of people violently taking their own lives. In the three years 1788 to 1790, suicides claimed the lives of at least 28 men and women, an average of 9.3 victims a year. From the crime sample, the evidence indicates that the vast majority of suicides were low status people from all ages and occupations. Events leading up to the deaths of some victims suggest that criminal activities played a role. While some suicides were committed by members of the elite, the vast majority seem to have been committed by the poor. This is suggested by the largest proportion, over 27 per cent of the suicides, committed in the south-west quadrant, probably the poorest section of the city. In seeking to control suicide, the authorities sometimes disallowed victims their right to Christian burial. The evidence indicates that the same authorities allowed church burials for wealthy suicides. In other words, one's status in society had a bearing on most aspects of entitlement in Dublin, from birth to death.

In an examination of the victims of homicide, the number of women killed sheds light on the domestic nature of the crime, although the increase in homicidal violence in 1785 appears to have been linked to the demobilisation after the American war. In the 16-year period, women were the victims of much violence, including the murders of 12 women by their husbands. In one year, 1790, seven women were murdered, including one

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3 *H.J.*, 16.04.83.
4 Maxwell, *Dublin under the Georges* pp. 157-162.
by her husband, and six women killed themselves. Despite the violence directed at women in the home, not many male offenders were taken to court for violent crimes against females. One man was hanged for killing his wife and another man hanged for killing his mother, the only two men hanged for killing women. However it was reported that 52 women were murdered and 10 women suffered suspicious deaths. A high level of violence in the home may have been perpetuated by a judicial system that showed an indifference to the plight of women.5

In the years following the introduction of the police in October 1786, the frequency of rape and violent assaults showed a sharp decline. The evidence indicates that assault prosecutions increased rapidly after 1786, suggesting that victims were more willing to seek legal redress. In the eight years between 1780 and 1787, 65 trials were brought on grounds of assault, but in one year, 1788, victims brought 54 trials to court, indicating that the new police encouraged the increase in prosecutions. Violent assault was a serious problem in Dublin for men and women in the first part of this period. In 1782, 14 women were assaulted, two wives by their husbands and two mothers by their sons. This indicates that a high level of violence obtained in the family. Assaults peaked in 1788, suggesting that the introduction of the police in Dublin may have shocked public awareness to a higher social consciousness in their interpersonal relationships and may have made potential criminals more aware that they might be caught if they committed crimes.

Rape was a crime that diminished, or appears to have diminished, towards the end of the period, but was a serious problem in the mid-1780s, particularly in the first few years after the introduction of the new police. As chapter three pointed out, children were particularly vulnerable to the crime of rape, with reports indicating that young girls were taken into prostitution at a very early age. An absence of prosecutions and convictions against rapists suggests that women had little incentive to go to the police. Against 55 rapes, six of which resulted in death, many others in disease, only two people were hanged for the crime, one of whom was Sarah Delany who organised the rape of Ann Mathews (see chapter 4).6

An examination of combinations reveals more about the dynamics of labour integration in Dublin than about the sociology of crime. The incidence of combinations reported in the Hibernian Journal was linked to increased economic opportunities and less to political instability. Reports of combinations peaked in 1780, 1784, 1790 and 1792. The peak in 1780 came when the local economy showed signs of a recovery, having just passed through a commercial recession in the previous two years. A second peak in 1784 came at the end of a period of elevated food prices, when signs of economic stability and growth in the economy were reasserting themselves. When combinations peaked in 1790 and in

5 Cockburn, "Patterns of violence in English society", p. 96.
6 H.J., 13.07.95.
1792, it was a time when the building boom was at its height. In 1790, political instability over the contested election of the Lord Mayor of Dublin may have slightly contributed to strife in the labour area. A commercial recession in 1792-3, combined with rising food prices, led to a sharp increase in combinations in 1792.7

Prosecutions for combination-related activity reveal a great deal about the changing nature of relationships between employers and the work force, particularly as Dublin's dominant commercial position on the island declined in the face of Ulster's growing economic independence in the early 1790s.8 In one case in July 1792, journeymen tailors were working no more than three days per week for their employer.9 At the time, it was reported that 60 journeymen tailors had emigrated from Dublin. Where they went is not known, but without them and others like them the tailor's combination committee appears to have pulled back from high levels of violence. In 1795, the journeymen tailors resolved a wage dispute peacefully, taking it to arbitration before the Dublin quarter sessions.10

This suggests that migration flows are an important consideration when analysing combination crime in Dublin. Indeed, violence expressed itself in attacks against immigrants to Dublin from the countryside or from other countries. This is evident in the case of the carpenters who fought a long battle to prevent employers from importing cheap labour from the provinces and from across the Irish Sea during the great building boom in Dublin in the early 1790s.11 Attacks on immigrants were particularly pronounced in the building and weaving trades. Overall, the Chevalier thesis, which holds that immigrants to Paris suffered from the "pathological nature of urban living" in the first half of the nineteenth, does not seem to apply to Dublin in the late eighteenth century.12

Carpenters who immigrated to Dublin had accepted job offers in the belief that their chances of increasing their standard of living in Dublin far outweighed the risks of their being assaulted or robbed. It was the capitalist nature of labour integration, particularly with respect to skills, which determined the relationship between masters and journeymen carpenters. The Combination Act of 1780 was never intended to criminalise the journeymen of Dublin, but it did increase the strength and bargaining power of the illegal combination committees. Those journeymen who pursued wage claims in good times were legitimated, while those journeymen who pursued violence in bad times were demonised. This balance of good and evil gave the Dublin artisan class a new sense of power, encouraging more solidarity than ever before.

8 Dickson, "The place of Dublin", pp. 188-89.
10 H.J., 22.07.95.
11 H.J., 08.08.91.
12 Chevalier, Labouring classes and dangerous classes p. 10.
Changing patterns of consumption tempted men and women to risk their lives in thieving. This was further complicated by the introduction of a variety of exogenous factors. Some criminals returned from transportation to the Americas, while others were disbanded soldiers and returned sailors. In addressing the question of crime among sailors for London in the eighteenth century, Linebaugh has said that "both the merchant marine and the Royal Navy drew upon the strolling and vagabond population to fill their manning requirements. Sailors were held in lock-ups, gaols, crimping houses and the hated hulks". If sailors came back to commit crimes in Dublin, it was not their experience in Dublin which is at fault, but exogenous factors.

Linebaugh's discovery that 60 per cent of the Irish people hanged in London actually came from Dublin casts light on the exogenous nature of crime in London. This highlights a problem in applying Chevalier's thesis to Dublin, in that migration patterns in Paris assumed a province-to-city model, while migration patterns in Dublin may have assumed a two-way capital city-to-capital city pattern. The *Hibernian Journal* reported countless crimes among skilled workers, such as the journeymen tailors, but the problems facing unskilled workers who emigrated for the most part from the countryside were under-reported. Hence, an in-built bias must again be accepted towards criminality affecting the more skilled workers in Dublin.

Constantia Maxwell noted the exogenous nature of criminals in her work on Dublin, in which she quoted an account in *Walker's Hibernian Magazine* about thieves with English accents. Indeed, police agencies in England and Dublin shared intelligence. After the Gordon riots, it was feared that many English criminals who were liberated from prison by the rioters on 6 June 1780, would flee from London to Dublin. An escape from the prison hulks at Woolwich in London in 1782, prompted the Lord Mayor of Dublin to open lines of communication between Dublin and Bow Street magistrates to apprehend "those offenders and atrocious villains who fly from justice to either city". Two months later, a list of 117 criminals was drawn up by the magistrates in London. In the immediate aftermath of the Gordon riots, the Liffey Street Chapel was burgled of plate by four soldiers. Within six months of the riots, at least three Catholic clergymen were attacked: Rev. Mr. Barnabas O'Farell who had large paving stones thrown at him in Britain Street in July 1780; Rev. Mr. Boylan who was attacked in Anglesea Street in October and later died of his wounds in November; and Rev. Mr. Conolly who was wounded by gunshot in

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14 ibid., p. 94.
16 H.J., 11.10.80.
17 H.J., 04.10.82.
18 H.J., 06.12.82.
19 H.J., 16.06.80.
Ranelagh Road on Christmas Day. The picture, therefore, that emerges of criminality is a complex interplay between pre-existing social relations which led to criminal opportunism and exogenous factors such as war, insurrection and religious conflict. As a fast-growing city, Dublin drew together this violent mixture which only cooled down with the introduction of the police force, thereby neutralising the various contenders.

A geographical analysis of the distribution of crime shed more light on the nature of criminality in Dublin city and county. Far more crime occurred in the two southern quadrants of the city than in the two northern quadrants. This is of course partly explained by a difference in population, as 62 per cent of the population lived on the south side of the city. According to a Whitelaw's census of 1798, the north side of the city contained 68,231 inhabitants, including both the 7,000 soldiers who were stationed at the garrison and the 1,637 inhabitants at the House of Industry. At the time, the population of the south side of the city was 113,081.

For the 16 years between 1780 and 1795, the two northern quadrants had a combined total of 1,244 crimes, while the two southern quadrants had a combined total of 2,396 crimes, or nearly twice as many crimes occurred on the south side of the Liffey than on the north side. This pattern is also reflected in the levels of crime found in the suburbs, where north Co. Dublin had 291 crimes, while south Co. Dublin had 506 crimes. This latter difference, however, does not appear to be entirely a direct result of a difference in population, but in part due to the idiosyncratic nature of the Hibernian Journal. Judging from the frequent reports of crime committed from Donnybrook to Blackrock, the newspaper had more contributors and readers along the Blackrock Road than along the roads to Drogheda or to Naas.

What were the populations of north and south Co. Dublin in 1798? To answer this question, one must compare Whitelaw's census of the city of Dublin in 1798 with the Census of Ireland in 1821. Whitelaw calculated that the population of the city of Dublin was 172,091 in 1798; the Census of Ireland in 1821 calculated that the population of the city was 185,881. Where Whitelaw did not examine the population in Co. Dublin, the Census of Ireland did. After making adjustments for baronial neighbourhoods in the county which Whitelaw would have considered as being part of the city, it has been estimated that the population of north Co. Dublin was 46,466 people in 1821, and the population of south Co. Dublin was 47,167 people in 1821. To arrive at the estimated populations of north and south Co. Dublin in 1798, one must reduce these figures by 7.4 per cent to reflect the adjusted population of the city in 1798.

20 O'Farell: H.J., 05.07.80; Boylan: H.J., 01.11.80; Conolly: H.J., 31.12.80.
Therefore the estimated population of north Co. Dublin and south Co. Dublin were almost the same, that is 43,000 or 44,000 in 1798. In total, the estimated population of Co. Dublin would have probably been 86,704 in 1798. One could argue that this estimate is invalid for the purposes of the thesis because it is being applied to information gathered over a period that extended back almost 20 years, from 1798 to 1780, and presumably the population of Dublin would have been smaller in 1780 than in 1798. In response, one could argue that the population of Dublin might have been actually higher in the early 1780s compared with the late 1790s due to the number of people who emigrated from Ireland to America after the American War of Independence, particularly in 1784, the last year of a three-year subsistence crisis.\(^2^3\) Leaving these arguments aside, in view of the absence of any other population estimations of Co. Dublin in this period, one must make do with the available material.

Given the limitations, north Co. Dublin and south Co. Dublin had nearly equal populations in 1798, 43,000 people and 43,700 people respectively, but according to the *Hibernian Journal* north Co. Dublin had far less reported crime than south Co. Dublin, 291 reported crimes and 506 reported crimes respectively. This is partly explained by a noticeable lack of interest in the towns of Rush, Skerries and Balbriggan on the part of the newspaper. It almost seems that the only crime which interested the *Hibernian Journal* was the smuggling of tobacco and wine in which the seaside ports had some expertise. At the same time, the criminal fraternity may have had more reason to be interested in south Co. Dublin than in north Co. Dublin. Robbers had considerable opportunities awaiting them by breaking into the villas along the Blackrock Road and robbing the wealthy landowners in their carriages.

For the sake of analysis, the sample of reported crimes has been divided into two halves, comparing the last eight years between 1788 and 1795 with the first eight years between 1780 and 1787. The sample of reported crimes has also been divided along geographical lines (see map of the city of Dublin). Four quadrants have been imposed on the map of the city, two on the north side of the River Liffey and two on the south side. On the south side of the Liffey, the area to the west of and including Parliament Street, Copper Alley, Fishamble Street, Werburgh Street and Bride Street has been designated as the south-west quadrant, and the area to the east has been designated as the south-east quadrant. The area to the south but not shown on the map has been designated as south Co. Dublin. On the north side of the Liffey, the area to the west of and including Capel Street, Constitution Hill, and the Royal Canal has been designated as the north-west quadrant, and the area to the east has been designated as the north-east quadrant. The area to the north but not shown on the map has been designated as north Co. Dublin.

\(^{23}\) Kelly, "The resumption of emigration", p. 79.
It has been estimated from Whitelaw's census of 1798 that the south-west quadrant had a population of 66,301 people. According to the *Hibernian Journal*, the same quadrant had 415 crime reports in the last eight years, or a crime rate of 782:100,000. In the first eight years, the newspaper reported 785 crimes in the south-west quadrant, a rate of 1,484:100,000. Thus the crime rate was reduced in the second half by 47 per cent as against the first half. It has also been estimated that the population of the south-east quadrant was 46,780, and according to the newspaper the same quadrant had 559 reported crimes in the latter eight years, a rate of 1,494:100,000. In the first eight years, the newspaper reported 640 crimes, a rate of 1,710:100,000. In this case, the crime rate was reduced in the last half by only 13 per cent. This suggests that the police were more successful in creating a deterrence in the Liberties than in the south-east quadrant. By the same token, in the last half of the period, the crime rate was still twice as high in the south-west quadrant than in the south-east quadrant. It may also suggest that the *Hibernian Journal* had better coverage of crime in the south-west quadrant than in the Liberties.

It has also been estimated that the population of the north-west quadrant was 31,859, and the newspaper reported that the same quadrant had 282 crimes in the last eight years, a rate of 1,106:100,000. In the first eight years, the newspaper reported 455 crimes, a crime rate of 1,785:100,000. The crime rate was therefore reduced in the second half by 38 per cent. It has been estimated that the population of the north-east quadrant was 29,379, and the newspaper reported that the same quadrant had 168 crimes in the last eight years, a rate of 715:100,000. The newspaper reported 337 crimes in the first eight years, a rate of 1,434:100,000. Thus the crime rate was therefore reduced by 50 per cent in the second half. As the rate of crime was lower in the north-east quadrant than in the north-west quadrant in the second half, it suggests that the police were more effective in reducing crime in the north-east quadrant.

It is important to note a short-lived act which empowered the residents of Rutland Square to establish their own watch in examining the sharp decline in the crime rate in the north-east quadrant. Despite its repeal two years later, the new police seem to have kept the crime rate down in the square. With less of a crime problem compared to other parts of Dublin, it therefore would have been a good place for young families to settle down. Indeed, the north-east quadrant as a whole may have attracted the interest of speculative builders partly for this reason. In the 1790s, the area in and around Mountjoy Square was built at a "prodigious pace". For example, parliament passed legislation creating a new parish of St. George's to meet the needs of the growing community in 1793. Thus, the fight against crime may helped towards the development of the north-east quadrant in this period.

24 *Statutes (Ire.)* 23 & 24 Geo. III. c. 57 cl. 82 (1784).
25 Craig, *Dublin 1660-1860* p. 263.
26 *Statutes (Ire.)* 33 Geo. III. c. 53 (1793).
It has been estimated here that the population of north Co. Dublin was 43,000. The *Hibernian Journal* reported that the same area had 117 crimes in the last eight years, a crime rate of 340:100,000. The newspaper also reported 172 crimes in the first eight years, a crime rate of 500:100,000. Thus the crime rate was reduced in the second half by 32 per cent. It has also been estimated that the population of south Co. Dublin was 43,700. The newspaper reported that the same area had 191 crimes in the last eight years, a crime rate of 547:100,000. The newspaper also reported 259 crimes in the first eight years, a crime rate of 741:100,000. Thus the crime rate was therefore reduced in the second half of the period by 26 per cent. Overall it would seem that the police were effective in establishing a strong deterrence to criminal activity in the suburbs of Dublin, though it must be remembered that they had the assistance of the Blackrock felons association.

In absolute terms, the biggest reduction in crime took place in the south-west quadrant, with 370 less crime reports in the second half of the period compared with the first half. This reduction is all the more striking compared with the reduction in the two city quadrants north of the Liffey. The lowest crime rate in the latter half of the period was found in the north-east quadrant. Criminals had more to choose from in the south-west quadrant, with its high concentration of industry, shops and warehouses. Some streets appear frequently in the sample, such as Francis, Thomas, and James's Streets, as well as Dirty and Back Lanes, which were lined with shops and warehouses. Many of the warehouses served the markets, one of the largest of which was in the middle of Thomas Street just inside the Liberties before Cutpurse Row. This area was a nest of tiny streets and lanes, presenting robbers with few deterrents. Possibilities for retreat after the commission of crimes were seemingly infinite, thus making it difficult for victims to pursue criminals.

Under the old manorial system in the Liberties, policing was a jurisdictional problem that only benefitted robbers. Indeed, St. Catherine's parish was divided at Thomas Market into two jurisdictions, one for the city and the other for the Liberties. Furthermore, city maintenance seemed to have stopped at Thomas Market with Francis Street, running along the city walls, known for its poor lighting, and "the adjoining lanes and alleys ... totally answerable to the midnight depredations of the disturbers of society". Thomas Street contained several public houses where robbers were known to meet. These included the Talbot Inn where the Robinson gang had planned one of their robberies. With the introduction of the new police, however, the area fell under a single jurisdiction with its own divisional justice.

Even with the new police, the inhabitants formed their own nightly patrols to guard areas just inside the city limits where Cutpurse Row joined with High Street leading into

27 *H.J.*, 11.08.83.
Skinner's Row, a densely populated area. This area bordered on a gambling and prostitution zone linked by Fishamble Street to Copper Alley, Smock Alley and Parliament Street. In addition, just below High Street was Skipper's Lane, near Merchant's Quay, another area rife with prostitution. Above Skinner's Row, leading along Werburgh Street, into Bride Street and as far as Kevin Street, were a group of alleys that surrounded St. Patrick's Cathedral, which attracted street robbers.

In short, the south-west quadrant presented the most opportunities for an active police force to increase their arrest rate almost overnight. That the number of arrests went up sharply in the south-west quadrant is largely due to the efforts of Thomas Emerson, a divisional justice who led the police force in their campaign of arrests. At least 153 arrests took place in this quadrant, a greater number than in any other quadrant. This figure amounted to 27 per cent of all arrests in the city in the first 15 months after the introduction of the police. It was in those 15 months that the south-west quadrant probably took on the character of an occupied territory. Despite some weakness, the campaign achieved considerable success: one of the largest coining operations was broken up in the Liberties and over 24 males and 21 women were arrested for various robberies.

The Hibernian Journal reported only 81 fewer crimes in the south-east quadrant in the last eight years compared with the first eight years, indicating that the crime problem was more intractable in this quadrant. Crime reports actually went up slightly from 118 to 120 between 1787 and 1788. This area was a locus of criminal organisation, benefiting in part by a warren of lanes and alleyways imposing few deterrents to criminal activity. In 1788, there were about 31 crimes reported in the Temple Bar area, of which 10 occurred in Dame Street (crimes committed from Parliament Street over to Smock Alley and up along Fishamble Street, even though contiguous to Temple Bar, have been counted as being in the south-west quadrant). Street robbers often gravitated to this area of high street prostitution and gambling, which was shaped like a long finger, running from College Green along Dame Street up to Parliament Street, down to Essex Bridge, back again along Essex Street through to Temple Bar and to the bottom of Fownes Street.

Some robberies and thefts were committed by prostitutes, many of whom were minors who were whimsically called "imps of vice." In January 1788, a mantua-maker was robbed of a striped satin gown and some ribbon by prostitutes in Cope Street. Street prostitution and gambling often provided cover for robbers looking out for prospective victims at night. Many observers wanted to control prostitution and to eliminate open street-walking. "When they crowd our streets by night, and appear publicly in them every hour of

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29 H.J., 29.03.90.
30 H.J., 05.10.91.
31 H.J., 13.10.88.
32 H.J., 14.11.88.
33 H.J., 25.01.88.
the day, a young fellow cannot go about his master's business without being led into
temptation, and is often involved in ruin before he has time to reflect”.34

The Temple Bar area posed delicate problems for the police, particularly in dealing
with the prostitutes who serviced the soldiers guarding Dublin Castle. Other parts of the
south-east quadrant also presented problems, including the area between Townsend Street
and Irishtown. Sailors made their way from the vessels to the Temple Bar area through this
section. In addition, the residential and shopping district bounded by Dublin Castle, Trinity
College, Merrion Square and Stephen's Green, the golden rectangle, presented
opportunities for burglaries and petty theft.

Slightly more crime reports came from the north-west quadrant of the city,
compared to the north-east quadrant. In part, this is due to the location of Capel Street in
the former sector, a street which attracted many shop-lifters and burglars to its many shops.
In addition, the densely populated area bounded by Ormond market and Newgate gaol
drew many different kinds of petty criminals, operating among the bustling stalls or in the
crowds watching executions. At the same time, a compact area of prostitution was located
in Mary's Lane and a side-street called Little Booter Lane. In the first three months of the
newly formed police, 41 men and 12 women were arrested in the north-west quadrant, not
to mention 35 lamplighters who were rounded up at a "combination meeting".35

In the north-east quadrant of Dublin, crime was contained by the efforts of the St.
Mary's association. A densely populated parish, it was estimated that 190 public houses
were open for business in St. Mary's parish.36 Given the history of policing in the
quadrant, it is no accident that the new police pursued an aggressive policy. They made 28
arrests between October and December 1786, compared to only 10 arrests made between
January and September of the same year. A total of 32 men were committed to Newgate by
divisional justice Moncrieffe, almost all charged with robbery.37 Compared to the high
numbers of women arrested in the south-west quadrant, only four women were arrested in
the north-east quadrant in the first three months of the new police. This may be due to the
small number of brothels in the quadrant, which few were located in Strand Street just
above the North Wall, within walking distance of the new Custom House.

A small percentage of crime reports came from north Co. Dublin, while in
comparison nearly double the reports came from south Co. Dublin. Justice Graham was
one of the most active magistrates in the northern part, and it could be argued that his
efforts were in large part responsible for keeping crime down. Indeed, his arrest rate is
second to none, with over 60 arrests and at least six men hanged as a result, in a career
which spanned the whole of the 16-year period. In 1786, Graham made at least 17 arrests,
his largest ever annual number, indicating his commitment to the new police. In February 1787, he called upon Chief Secretary Thomas Orde to establish a force of mounted police in north Co. Dublin, because the new police had driven "great numbers of villains ... out of town". Graham referred specifically to the poor resources applied to the fight against smuggling. In his letter to Orde, Graham referred to the death of a revenue officer named John Legget, who was killed in an engagement when "a large party of armed smugglers from the sea coast near Rush guarded 23 carts loaded with valuable run goods and forced their way through the northern suburbs into Dublin". Graham’s call for a mounted police apparently fell on deaf ears, and in any event the 40-strong cavalry police formed by the new police in the city was gradually phased out of existence by 1790.

In contrast to north Co. Dublin, the *Hibernian Journal* reported almost twice as many crimes in south Co. Dublin in the same period. Faced with a growing crime problem, the Blackrock felons association organised a deterrence specifically against highway robbers on the Blackrock Road road from Booterstown to Bray. Other factors were responsible for the high number of crime reports in south Co. Dublin. Every August, Donnybrook Fair was staged, which increasingly became a venue for drunk and disorderly conduct. In addition, the Crumlin races, an annual meeting lasting a week in late September or early October, occasioned some crime. In 1788, a riot erupted at the races over the sale of ale, porter and spirits at tents set up for the occasion. In the following year, a gang carried out a string of robberies and attacks on people going to and coming from the races on the road from Dolphin's Barn, resulting in the attempted rape of a tradesman's wife and a fractured leg for another woman. The western side of south Co. Dublin was the scene of many highway robberies. When the Grand Canal opened for business in the mid-1780s, it absorbed "seven parts in ten" of the traffic in goods and people that formerly travelled along the old Western Road, now more deserted and more vulnerable to highway robbers. This was particularly true for the Kilmainham Road, from the Black Lion turnpike to Bluebell, extending five or six miles from Dublin. At the same time, robbers were not unmindful of the canal, since there were many reports of crimes at the locks on the canal.

As noted, the Dublin hanged count has shown that the 1780s saw a more severe sentencing policy than the 1790s; the year 1793 is the exception that proves the rule. After the American War of Independence a dramatic upsurge in hangings occurred in London and Surrey as well as in Dublin. Between 1783 and 1787, the Old Bailey was responsible for

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39 Palmer, *Police and protest* p. 120.
40 *H.J.*, 15.10.88.
41 *H.J.*, 28.09.89.
42 *H.J.*, 07.01.88.
43 *H.J.*, 11.01.88.
the hangings of 348 convicted felons, up 82 per cent over the previous five years. The Surrey assizes hanged 42 felons in 1783, 1784 and 1785, compared with the hangings of only seven felons in the three previous years, a huge increase of 500 per cent. The three Dublin courts meanwhile hanged 62 felons in 1783, 1784 and 1785, compared with the hangings of 25 felons in the three previous years, a sharp increase of 148 per cent. One year in particular stands out above the rest. In 1785 the number of hangings reached an all-time record in all three places. The Old Bailey hanged 97 felons in 1785; the Surrey assizes hanged 23 felons, compared with only 11 the year before, and the three Dublin courts hanged 25 felons, compared with 16 in the previous year. This is confirmation that the "Bloody Code" was at its bloodiest in England and in Ireland after the American War of Independence.

In Dublin, Surrey and London, only between five and seven per cent of the felons who were hanged, were female. Capital punishment was thus directed mainly at the male criminal population in Ireland and England. At Tyburn between 1703 and 1772, Linebaugh found that 92 women (7.4 per cent) were executed out of a total of 1,242 people in the 69 years. At Kennington Common, Beattie found that 6 women (6.1 per cent) were executed out of a total of 104 people in the 16 years between 1780 and 1795. In Dublin, 10 women (5 per cent) were executed out of a total of 197 reported hangings between 1780 and 1795. Linebaugh also discovered that 17 Irish women (10 per cent) were among the 92 women hanged at Tyburn. This is three per cent over the expected average, which indicates a slightly greater propensity of the English courts to sentence Irish women to capital punishment.

Portia Robinson has found that 62 per cent of all the women that were transported to Botany Bay from Ireland were from Dublin in the eight years between 1788 and 1795. This finding is roughly analogous to Linebaugh's finding that 60 per cent of the Irish hanged in London were from Dublin. Both findings are remarkable in that Dublin's share of the national population was never more than 4-6 per cent in this period. More importantly, Robinson's findings are comparable to the findings here, which indicate a great propensity of the courts, particularly the Dublin quarter sessions under the Recordership of Denis George, to sentence women to transportation. The Dublin quarter sessions sentenced 84 women to transportation out of the total of 101 women reported in the Hibernian Journal to have been sentenced to transportation by the three Dublin courts between 1785 and 1795.

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44 McLynn, Crime and punishment p. 260.
45 Beattie, personal communication, (see chap. 1, fn. 99).
48 Robinson, The women of Botany Bay pp. 312-313
50 Dickson, "The place of Dublin", p. 178.
According to the *Hibernian Journal*, the three Dublin courts sentenced 312 males to transportation, and of these the Dublin quarter sessions sentenced 250, which is 80 per cent of the total. At the same time, the three Dublin courts hanged between 197 and 243 felons, and of these the Dublin quarter sessions hanged between 42 and 49 felons, which is about 20 per cent of the total. This suggests that the Recorder favoured transportation as against capital punishment. It was also reported that the commission of oyer and terminer sentenced 31 men and three women to transportation, but the same court executed between 83 and 94 felons. Likewise the Kilmainham quarter sessions sentenced 35 men and 32 women to transportation, but it hanged between 54 and 82 felons. This suggests that the latter courts favoured capital punishment over transportation.

In summary, high levels of violence characterised the 1780s, a time when most law-abiding citizens were obliged to travel in parties and to carry cudgels, sword-canies, and pistols on their persons. The repetitive nature of violence demanded extreme caution in going about one’s daily business. Violence was also widespread within the home. Women and children, apprentices and servants, were particularly vulnerable to attacks. The level of violence as measured by the number of murders over the 16-year period diminished substantially in the 1790s.

It has been suggested that the new police brought much of the violence under control. It could also be argued that both the parliament, in passing tough new legislation, and the courts, in implementing the new capital statutes, were just as effective as the police in establishing a deterrence to crime. The mid-1780s saw a dramatic increase in the number of public spectacles on Gallows Hill and at the front of Newgate prison. The surgeons and anatomists were authorised by law to collect the bodies of those convicted and hanged under the most punishing of statutes. Thus parliament and the courts sought to drive home the point that the growth of organised crime and the actions of violent offenders were not to be tolerated no matter what the cost in human life. With the resumption of transportation, they were also sending the same message to petty thieves.

Petty property theft was the major cause of crime in Dublin. In the four districts which were established under the Police Act of 1786, a wave of small property theft was brought under control, most notably in the south-west quadrant. With the introduction of the new police, much of the petty theft was reduced substantially. However the police seem to have had less success in halting the growth of organised crime in the city centre. The gangs that were forced to leave the city, kept up their criminal activities in the suburbs in south Co. Dublin. This in turn sparked the development of suburban crime-prevention associations, where highway robberies had become a serious problem.

By some accounts, gangs in the south-west quadrant actually feared the weavers more than they did the new police. The question remains open as to whether the notion of a "social criminal" is applicable here. Both the criminal gangs and the journeymen
committees shared some of the same tactics, such as breaking and entering, and the forcible removal of goods and property. According to the *Hibernian Journal*, the artisan committees attacked the houses and manufactories of master craftsmen not out of a desire to steal, but instead to intimidate them into complying with their industrial demands. Windows and furniture were often damaged, masters and families were injured, and journeymen who worked at sub-standard wages were occasionally killed or maimed, but such industrial crime seems to have been accepted as part and parcel of an established tradition.

At the same time, criminals who broke into the houses and shops of wealthy merchants also damaged property and inflicted serious injury or death. Was the commission of crime also seen as an established tradition? Because of the repetitive nature of property theft in the city, it would seem to suggest that indeed this was accepted as a traditional way of obtaining goods and services. In broad terms, the similarity between industrial crime and "crime-crime" may have been the vehicle by which a few dispossessed artisans passed through the experience of the former to become involved in the latter, thereby joining the ranks of the "lumpen proletariat".

After the American War of Independence the parish watch system was unable to cope with the crime wave unleashed by the demobilisation of troops. It was almost inevitable that a new police force was necessary, and indeed the Police Act of 1786 survived for nine years in the face of fierce factional politics. It fell victim to the Whig opposition led by Grattan and to the propertied classes in the city who were both opposed to the increase in police taxes and to the high cost of setting-up the first centralised police force in Dublin. The heavy-handed manner in which the police collected the taxes also worked against their survival. In the end, the new police had become a political liability for the government. The transition to a parish watch system in 1795 went smoothly at first, but its very ease concealed a changed reality as 1795 was not 1786. The crime wave of the mid-1780s after the American War of Independence had long been over. The French wars had relieved Dublin of a large slice of its young male population. By the time the parish watch raised its head again, Dublin had become a less violent, and perhaps a less spirited city.
Bibliography

Manuscripts

Bolton Papers
Papers of Thomas Orde, 1st Baron Bolton, National Library of Ireland, Manuscripts Collection, Dublin.

Correspondence of Thomas Orde, 1784-87

MS 15,926 (1) Richard Gladwill to Thomas Orde, return of St. Andrews parish, 24 December 1785.

MS 15,926 (1): "Account of the Number of Watch-men employed in the Several Parishes in the County of the City of Dublin Collected from the Returns to Parliament & Watch Houses", for the year ending 25 March 1784.

MS 15,926 (5): Henry Howison and Francis Armstrong to Thomas Orde, return of St. Mary's Parish, 21 February 1785.

MS 15,926 (15): J. Sparrow to Thomas Orde, return of St. Catherine's parish, 24 March 1785.

MS 15,926 (17): Robert Lowther to Thomas Orde, return of St. James's Watch, 22 February 1785.

MS 15,927 (1): [-] to Thomas Orde, "Heads of a Bill for improving the police of the City of Dublin, June 1778", [1784].
MS 15,932 (1): Nathaniel Warren to Thomas Order, "Memorandum on the police and city boundaries", 16 November 1784.

MS 15,939 (2): Francis Graham to Thomas Orde, Need for a force of mounted constables, 21 February 1787.

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Minute Book

Minute Book of the Blackrock Association: National Library of Ireland, Manuscripts Collection, Dublin: MS 84.

MS contains minutes of meetings from 1782 to 1797

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Official Papers: National Archives, Dublin.


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Prisoners' petitions & cases: National Archives, Dublin.

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Petition 10: Thirty female convicts, including Margaret Savage, and two male convicts to Lord Lieutenant, 27 August 1782.

Petition 12: George Cruise and Michael Hughes to Lord Lieutenant, 23 July 1784.

Petition 16: Allen Stewart to Lord Lieutenant, 18 July 1788.

Petition 17: John Philips to Lord Lieutenant, January 1792.

Petition 19: Joseph Harrington to Lord Lieutenant, August 1789.
Petition 21: Patrick Fay to Lord Lieutenant, October 1788.


Petition 50: Joseph Sallary to Lord Lieutenant, 17 October 1794.

Parliamentary Records

*Commons' Jn. Ire.*


Reports, Petitions, Accounts, etc.


"Return of licensed pawnbrokers", year ending 31 December 1787: *Commons' Jn. Ire.* vol. 12, part 2, pp. dciii-dciv.

"Account of the particulars of the charge made by the commissioners of police for incidents, from the commencement of their institution to the 25th of December, 1787": *Commons' Jn. Ire.* vol. 12, part 2, pp. dccii-dcciii.
"Account of the particulars of the charge made by the commissioners of police for *Hue and Cry* and stationery, from the commencement of their institution to the 25th of December, 1787": *Commons' Jn. Ire.* vol. 12, part 2, pp. dcciv-dccix.


"Account of the particulars of all sums expended by the commissioners of police", from 29 Sept. 1786 to 25 Mar. 1788: *Commons' Jn. Ire.* vol. 12, part 2, pp. dccccxxiii-dccccxxvi.

"Account of the receipts and expenditures of the commissioners of police from the 29th of September, 1787, to the 29th of September, 1788": *Commons' Jn. Ire.* vol. 13, pp. cl-clv.


"Account of the number of convicts transported from Ireland in the years 1787, 1788 and 1789 and the number of convicts brought back to Ireland in January, 1790": *Commons' Jn. Ire.* vol. 13, p. cccli.

"Account of the sums paid in the Treasury Office for the transportation of convicts within the four last years", January 1790: *Commons' Jn. Ire.* vol. 13, p. cccli.

"Account of the expense of the police establishment from its first institution to the 29th of September, 1790": *Commons' Jn. Ire.* vol. 14, pp. cclxxv-cclxxvi.

"Account of the amount of salaries paid to the commissioners of police and divisional justices since the first establishment of the institution to the 29 September 1790": *Commons' Jn. Ire.* vol. 14, p. ccxcviii.

"Report from the commissioners of police, of the state of the several gaols and prisons within the district of the metropolis, in which persons charged with or guilty of felony, misdemeanor or breach of the peace are confined, as visited by them the 19th January, 1791", 27 January 1791: *Commons' Jn. Ire.* vol. 14, p. lvii.

"Report from the commissioners of police, of the present state of the several gaols, and prisons within the district of the metropolis, wherein persons charged with or guilty of treason, felony, misdemeanor or breach of the peace, are confined", 23 January 1792: Commons' Jn. Ire. vol. 15, part 1, p. xii.

"Bill to prevent unlawful combinations of journeymen artificers", Mr. Graydon and Mr. Vandeleur, 10 March 1792: Commons' Jn. Ire. vol. 15, part 1, pp. 90, 93, 93, 101, 103.


* * *

Lords' Jn. Ire.
Journals of the House of Lords [of Ireland], 1634-1800 (8 vols., Dublin, 1779-1800).


* * *

Parl. reg. Ire.
The parliamentary register, or the history of the proceedings and debates of the House of Commons of Ireland [1781-97] (17 vols., Dublin, 1782-1801).

Bills, Reports, Petitions, Royal Assents


"Bill proposed by Sir John Blaquiere for the reform of the Foundling Hospital", 2 March 1791: vol. 11, (1791), pp. 257-258.

"Committee ... to enquire into the state of the police of the city of Dublin", 16 February 1795: vol. 15, (1795), pp. 110-111.

"An act for more effectually preserving the peace within the city of Dublin", receives Royal Assent, 5 June 1795: vol. 15, (1795), p. 404.

* * *

Statutes (Ire.)
The statutes at large, passed in the parliaments held in Ireland (1310-1800), 20 vols., (Dublin, 1765-1801).

The Statutes (Ire.)

B

Bull-beating: 19 & 20 Geo. III c. 36 (1780)

C

Chalking Act: 17 & 18 Geo. III. c. 11 (1778).
Coining Act: 23 & 24 Geo. III. c. 50 (1784).
Combination Act: 19 & 20 Geo. III. c. 19 (1780).
Combination and Bounty Act: 21 & 22 Geo. III. c. 43 (1781-82).
Commission of Oyer and Terminer at Tholsel: 3 Geo. II. c. 15 (1729)
Commission of Oyer and Terminer at Green Street: 35 Geo. III c. 25 (1795).

H

Houghing Act: 23 & 24 Geo. III. c. 56 (1784).

J

Justice of the Peace: 23 & 24 Geo. III c. 30 (1784).
Murder Act: 31 Geo. III c. 17 (1791)
Mutiny: 21 & 22 Geo. III c. 43 (1781-82)

Parish Watch Act: 17 & 18 Geo. III. c. 43 (1778).
Pawnbroking Act: 28 Geo. III c. 49 (1788).
Police Act: 26 Geo. III. c. 24 (1786).
Police Act (Amended): 28 Geo. III. c. 45 (1788).
Parish Watch Act: 35 Geo. III. c. 36 (1795).
Post Office Act (Amended): 28 Geo III c. 13 (1788).
Press Restrictions (Amended): 31 Geo. III c. 32 (1791).
Press Restrictions (Amended): 33 Geo. III c. 43 (1793).

Receivers of Stolen Property Act: 23 & 24 Geo. III. c. 45 (1784).
Riot Act: 27 Geo. III. c. 15 (1787).
Rutland Square Watch, contained in "An act of the more effectually paving, cleansing, and
lighting of the streets of the city of Dublin": 23 & 24 Geo. III. c. 57 cl. 82 (1784).

Seduction of Artisans: 25 Geo. III. c. 17 (1785)
St. George's parish: 33 Geo. III. c. 53 (1793).

Transportation to Americas: 26 Geo. III. c. 24 (1786).
Transportation to Australia: 30 Geo. III. c. 32 (1790)

* * *

U.K. Parl. papers

Journals of the House of Commons [of England, Great Britain, or United Kingdom].

Census of Ireland, 1821; "Abstract of the Answers and Returns": vol. 22, p. 411, (within
p. 411, see pp. 11-26).

* * *
Printed Matter

Newspapers

*Dublin Evening Post,* (Dublin, ).

*Freeman's Journal,* (Dublin, 1763-1924)

*Hibernian Journal,* (Dublin, 1771-1821).

* * *

Magazines

*Walker's Hibernian Magazine,* (Dublin, ).

* * *

Pamphlets

*Trials at large,* vol. 632, part 1 and 2, R.I.A., (Dublin, 1792); NB: vol. 632, part 1, is missing pages 209-216, which are found in vol. 631, part 5, R.I.A., (Dublin, 1792).


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Trials and Cases

as found in the said

Newspapers, Magazines, Pamphlets, and Petitions

A

Thomas Abbot -v- Thomas Emerson.
Robert Ahmuty -v- Maurice Fitzgerald.
Mary Amyott -v- Francis Amyott.
John Andrews -v- William Dalton.

B

Sam Baird -v- (19 Pin-makers).
David Bates -v- Margaret Collagan (Colligan) and Mary Dillon.
Francis Bathurst -v- Frederick Lambert.
John Bell and John Byrne -v- Richard White and Bartholomew Purdon.
Francis Bennet -v- Michael O'Berne and Joseph Sallary.
Bleach-green owner -v- Hastlers (father and son).
John Booth -v- Charles Dignam and Mrs. Dignam.
John Booth (and Peter Callage) -v- Charles Dignam.
Jane Brady -v- James and John Wade.

Peter Callage -v- James Maughan.
Peter Callage -v- Joseph MacDaniel (or McDonnell).
John Callaghan -v- Alexander Nesbitt.
Andrew Carty -v- Thomas Ward.
Simon Christie -v- Christopher Burgess and Patrick Godfrey.
Connor -v- James Donnelly and Nicholas Mulhall.
Daniel Craig -v- Mary Kelly.
Crowder -v- Sky.

Surgeon George Daunt -v- James Kennedy, Patrick Farrell, and James Gaynor.
James Moore Davis -v- John Egan and John Short.
Samuel Dixon -v- Thomas Casey and William Trevor.
Samuel Dixon -v- John McArdell.
John Dooley -v- James Murphy.
Mr. Dowling -v- Patrick Lynch.
William Dwyer -v- Patrick Reilly, Thomas Sheridan, and Richard Murphy.

Elizabeth Egan -v- Captain Robert Kindillan and Ann Carol.
Peter Egglesoe -v- Ann Foy.
John Exshaw -v- Richard Griffith, Sir John Freke, and Henry Hatton.

Alice Fitzgerald -v- Michael Sullivan.
Alice Fitzgerald -v- George Perry.
Patrick Flaskey -v- Patrick Dignam.
Sir Frederick Flood -v- William May.
Sir Frederick Flood -v- Michael Delany.
William Freeman -v- Patrick McDough.
James Frood -v- Hugh McGowran, alias Morning Star.
James Frood -v- John and Terence Maguire, and Charles Gallagher.
Patrick Fulham and John Fulham -v- Patrick Fay.

G
Samuel Gamble -v- James Ennis.
Luke Gardiner -v- Hugh Feeney and John Murphy.
Goldenbridge victim -v- George Robinson, William Norton, Charles Brooks and John Cunningham.
Stephen Gordon -v- Daniel McDonagh and Elizabeth Mulhall.
Patrick Gracy -v- John Kelly.
John Groves -v- John Echlin.

H
Paul Ham -v- Frederick Lambert.
Miss Hamilton -v- Hall Fitzsimons.
June Haughton -v- Patrick Malone.
Mary Hogg -v- Morgan Donnelly, Thomas Keating, and James King.
(Horse Owners) -v- John Cowan.
Benjamin Houghton -v- John Wall, alias Jack the Smasher, John Murdock (or Mordaunt), James Rooney, and Barnaby Ledwith.
John Hely Hutchinson -v- William Cooper.

I
John Irwin -v- William Delaney.

K
John Kealy -v- Terence McDaniel, John Cunningham and Joshua McDonough.
Peter Keefe -v- William Hacket, John Maguire, Caleb Fitzpatrick.
Ann Kelly -v- William Whaley.
Miles Keogh -v- Charles White, John Shortal, John Millally, and Adam Murphy.
Elizabeth Knox -v- William Crane, Mathew Denison, and other.
Rt. Hon Robert, Earl of Lanesborough -v- Mark Magrath.
Maria Larkin -v- Barbara Walsh.
James Lightholder -v- Thomas Whelan.

Denis Magaray -v- Francis Bathurst.
Ann Mathews -v- Sarah Delany.
George McCutchen -v- Thomas Heney and John Murray.
Owen Mitchell -v- Peter Murphy.
Anne Molyneux -v- Robert Edgeworth.
Mr. Monaghan -v- Thomas Cartwright.
William Montgomery -v- Patrick Rigbey.
Letitia Morgan -v- Charles Morgan.
Mr. Morgan -v- Mary Purfield.
Thomas Moran -v- Patrick Dougherty and George Coffey.
Mary Mullen -v- Captain Thomas Hurley and First Mate John Kerr.
Thomas Murphy -v- Roger Mathews and James Egan (or Nicholas Eager).

Christian Nash -v- Edward Doyle
Mary Neal -v- Maria Lewellin.
(Two needle-makers) -v- John Farrell.
Mr. Norclift (or Nordleigh) -v- George Lowe.


James Bardin Palmer -v- William Wittenham.
William Parker -v- Thomas and Sarah Wiggan.
Anne Parvisol -v- Robert Parvisol.
Post Office -v- Byrne.
Post Office -v- James Farran.
Post Office -v- Charles Echlin.
Post Office -v- Patrick Hayden.
Post Office -v- Alexander Maclivery.
Post Office -v- Thomas Styles Walsh and Thomas Walsh.
Hugh Purcell -v- William Whaley.
Mary Purcell -v- Margaret Savage.

R

Bernard Reilly -v- Patrick Rooney.
James Ryan -v- Henry and Peter Egglesoe, (and Rev. Mr. Byrne).

Rex
(prosecutor unknown, or not sure of)

Rex -v- Edward Boyce.
Rex -v- Christopher Burgess.
Rex -v- Michael Brien.
Rex -v- Patrick Clancy.
Rex -v- John Clarke.
Rex -v- Margaret Colligan.
Rex -v- Three Connolly brothers and Clarke.
Rex -v- Richard Cox.
Rex -v- George Cruise and Michael Hughes.
Rex -v- (Dairywoman).
Rex -v- John Delany, Laurence and Patrick Penrose.
Rex -v- Anthony Dempsey.
Rex -v- Charles Dempsey.
Rex -v- [Phillip Duffy], Michael Hughes and George Cruise.
Rex -v- Duffy and Reid.
Rex -v- Catherine or Mary Fairfield and Constable Funt.
Rex -v- John Farrell.
Rex -v- Daniel Flinn.
Rex -v- Foye.
Rex -v- Murtagh Gately.
Rex -v- Gosson.
Rex -v- Henry Grogan.
Rex -v- Joseph Harrington.
Rex -v- (Husband-killer).
Rex -v- Robert Jameson.
Rex -v- Patrick Kavanagh and Edward Darby.
Rex -v- Bernard Kelly.
Rex -v- Nicholas McCann.
Rex -v- Nicholas McCann and James McClean.
Rex -v- Thomas McNamee.
Rex -v- John Morgan.
Rex -v- Mathew Nulty.
Rex -v- Roderick O'Connor.
Rex -v- Richard Patten, Robert Campbell, Thomas Cassidy, James Byrne, John Lobden, and Thomas Geary.
Rex -v- Thomas Philpot.
Rex -v- (Prison Robber).
Rex -v- (21 prostitutes).
Rex -v- William Ready and Thomas Deacon.
Rex -v- Peter Rigney.
Rex -v- Terence Riley.
Rex -v- George Robinson, William Norton, Charles Brooks and John Cunningham.
Rex -v- Michael Shoughnessy, Jeremiah Reily, Charles Fallon, James McMahon.
Rex -v- (37 Master Skinners).
Rex -v- Sheriff Vance.
Rex -v- James Weldon.

William Shea -v- John Cunningham.
Jacob Sisson -v- Michael Dooley.
Jacob Sisson -v- Thomas Hughes.
Mary Sparks -v- Henry Greenagh.
Mrs. Spear and Bray -v- Rapists.
George Sturidgeon -v- William Norton, Charles Brooks, George Robinson and John Cunningham.

Jonathan Taylor -v- Laurence Farrell.
Mr. Tobin -v- Bridget Farrell.
John Travers -v- Denis McCarthy.

Patrick Wall -v- John Read and Thomas McDermott.
Michael Walsh -v- William Byrne.
Benjamin Watson -v- Mary Newman.
Mathew West -v- Mary Lloyd.
Richard Wildridge -v- John Fitzpatrick.
Adj. Withers -v- John Keenan.

Contemporary Printed Sources

Anon., Hanging Not Punishment Enough (London, 1701).

Anon., The Picture of Dublin with fold-out Map of Dublin, c. 1810, (Dublin, ...)

Dowling, Vincent, Trials at large, vol. 632, part 1 and 2, R.I.A., (Dublin, 1792); NB: vol. 632, part 1, is missing pages 209-216, which are found in vol. 631, part 5, R.I.A., (Dublin, 1792).


Fielding, Henry, Inquiry into the cause of the late increase of robbers with some proposals for remedying this growing evil (London, 1751).

MacNevin, Thomas, Lives and trials (Dublin, 1846), pp. 299-479.

Malthus, Thomas Robert, First essay on population (London, 1798).

Malton, James, A Picturesque and Descriptive View of the City of Dublin (London 1792-99).

Walsh, John Edward, Ireland sixty years ago (Dublin, 1851); reprinted as Rakes and ruffians: the underworld of Georgian Dublin (Dublin, 1979).


Wilson’s Dublin Directory, in The Treble Almanack, bound with the Almanack (Watson's) and the English Registry (Exshaw's), (Dublin, 1780-95).

Secondary Printed Sources


Cosgrove, Art (ed.), *Dublin through the ages* (Dublin, 1988).

Craig, Maurice, *Dublin 1660-1860* (Dublin, 1980).


Devine, T. and David Dickson (eds.), Ireland and Scotland 1600-1850 (Edinburgh, 1983).


Ekirch, A. Roger, Bound for America, the transportation of British convicts to the colonies, 1718-1775 (Oxford, 1987).


and Uáitear Mac Gearailt (eds.), *Dublin and Dubliners* (Dublin, 1990).


"Infanticide in eighteenth-century Ireland", in a paper given at the sixth annual conference of the Eighteenth-century-Ireland society at St. Patrick's College (Drumcondra, 10 May 1991).


McCaughan, Michael and John Appleby (eds.), *The Irish Sea, aspects of maritime history* (Belfast, 1989).


Mitchison, Rosalind and Peter Roebuck (eds.), *Economy and society in Scotland and Ireland, 1500-1930* (Edinburgh, 1988).


