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A STUDY OF

CORK CITY GAOL, (1824 - 1878),

AS A TYPICAL EXAMPLE OF AN

IRISH COUNTY GAOL OF THE NINETEENTH CENTURY

*

WITH REFERENCE TO

THE RELEVANCE OF SUCH COUNTY GAOLS TO MODERN PRISONS

*

AND

AS AN EXAMPLE OF HERITAGE RESEARCH.

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Last but by no means least the support of my husband and family must be recorded. Despite having lived with this project for many years, they were still prepared to help.

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PRISON ACTS/COMMISSIONS/ENQUIRIES - IRELAND i

THE COUNTY GAOL OF THE CITY OF CORK; 1824 - 1923.

GLOSSARY OF TERMS and INDIVIDUALS

BLACKBURN, WILLIAM and BENTHAM, JEREMY. They forged the links between the abstract theories of discipline and the practical applications of architectural design of prisons. Blackburn's early radial designs were further modified and developed by Bentham into his **PANOPTICON** designs. The original Panopticon - the all seeing eye - depended on inspection and control of the form and content of the surroundings to "grind rogues honest". The definition was soon stretched to cover any radiating prison plans arranged around a central observatory (Evans, 1982, p.195). Many of the Irish prisons built between 1820 - 1830 broadly conformed with this design principle.

CASEY, JOHN SARSFIELD. He was a Fenian organiser in Cork, who was arrested in September 1865. He was lodged with other Fenian prisoners at Cork City Gaol. In 1866, they were transferred to British gaols and from thence were transported to Western Australia on board the 'Hougomont'. Casey was, reputedly, a talented investigative reporter, who wrote using the pseudonym 'The Galtee Boy'. He recorded his years of imprisonment, including those at Cork City Gaol. The extracts quoted from these unpublished personal papers, were accessed courtesy of his niece, Mary Casey, Dublin.

CORK CITY GAOL, an awe-inspiring building on four acres of ground at Convent Avenue, Sunday's Well, Cork. The interior buildings were constructed of cut limestone. Red sandstone, quarried from the hill known as Strawberry Hill was used for the perimeter walls. Work commenced on the access roads to the site in 1808. The official opening date of the completed prison was June 2nd, 1824.

COUNTY OF THE CITY OF CORK, IRELAND. This is the area legally defined as within the City Bounds as distinct from the area outside the City Boundary. The City of Cork received its charter from King John in 1185 but was a well-established Viking and early monastic settlement prior to that. In the nineteenth century, it was a military town, a thriving port, and the gateway to the Americas.

DEANE FAMILY. These were a family of eminent builders / architects, three of whom were knighted. Elizabeth Deane, nee Sharpe, came from a long established building firm. On the death of her husband in 1806, she took over effective command of the business until her death in 1833. Her son Sir Thomas Deane inherited the family business and was reputedly the builder of Cork City Gaol. He was amongst the first of a new breed of building contractor which espoused architecture as a distinct profession (O'Dwyer, 1995).

HANWAY, JONAS. He published various essays, drawing on his experience of a Magdalen House which he set up 1758, in which he extolled the virtues of Solitude. He said that there was "scarce any wickedness" that solitude would not work on; that a spare diet "calmed the passions"; and that religious instruction was the backbone of his technique (Evans, 1982, p.71).

HOGAN, JOHN. He was reputed, as a young boy of fourteen years, to have "drawn up the plans of Cork City Gaol in a very short time". He was apprenticed to the Deanes as a stone sculptor and draughtsman. He later studied sculpture in Italy and is renowned as a nineteenth century neoclassical sculptor (Turpin, 1982).

HOWARD, JOHN. He was a Bedfordshire squire and an ascetic. As local magistrate, he became a self-appointed inspector of County Prisons. He published his scientifically recorded research findings from the 1770s. Appalled by the debauchery he found in

the prisons, and influenced by the many eighteenth-century reformers, and by his European Tour, he devised what he considered a better prison system. This developed into the Solitude / Separation System which used especially designed buildings (Radzinowicz & Hood, 1986).

IRISH COUNTY PRISON SYSTEM. This system developed in a tandem with the development of local administration in the eighteenth and nineteenth centuries. A Select Committee of the House of Lords introduced a degree of rationalisation to all prisons under the supervision of a centralised body - the **Irish Prisons Inspectorate**, Dublin Castle. Local prisons were administered by the Local Boroughs, Grand Juries, the Local Magistracy, the Local Inspector of prisons and the Local Board of Superintendence of prisons. These prisons were referred to as 'County' or 'Local' Prisons. In 1878, when the General Prisons Board was introduced, all prison authority in Ireland was centralised in Dublin Castle.

IRISH CONVICT PRISON. The 1855 Convict Prisons Act, (Ireland), designated specific prisons as convict prisons and placed them under the direct influence of the **GENERAL PRISONS OFFICE, (G.P.O.)**, at Dublin Castle. This prison system indirectly influenced the administration of the County Prisons. It psychologically prepared the way for the later centralised system which the **GENERAL PRISONS BOARD, (G.P.B.)**, introduced in 1878.

IRISH PRISON ACTS. They were a diverse collection of Prison Acts relevant to nineteenth century Irish prisons. The Acts, referred to throughout this study, are collated and summarised in the appendix. Irish Legislation was first introduced at Westminster, but required specific amendment before being implemented in Ireland.

KEEPER/ GOVERNOR/ WARDER/ TURNKEY. In 1807, Robert Southey reported that the term "keeper" had been changed to "governor" and that "turnkey" was changed to "warder" (Ignatieff, 1978, p.190). The Prison Reports continued to use "turnkey" well into the nineteenth century. There seems to have been a grade difference between "turnkey" and "warder". Warders may refer to those appointed after examination.

PRISON / GAOL / JAIL. Prison was defined by Murdoch, (1988), as a place of detention for persons committed to custody under the law. He equated gaol with prison. The Concise Oxford Dictionary, (1990), equated gaol, jail and prison, observing that gaol is the British version of jail. The Latin root of gaol is cavea, (a cage), and, of prison is prehensio, (to hold). In the Irish Prison Reports, the terms, gaol, and, prison, seem to be generally interchangeable, prison being more generally used later in the nineteenth century.

REPORTS OF THE INSPECTOR GENERAL OF PRISONS FOR IRELAND. A government-employed inspectorate, visited each prison once a year. All aspects of prison routine were examined quite minutely. A comprehensive report was prepared which was then presented to Parliament via the Chief Secretary for Ireland. Recommendations made in such reports were expected to be taken very seriously by the Boards of Superintendence, the Grand Juries and the Local Magistracy. However, the inspectorate could only recommend change. They could not enforce it.

SEPARATION SYSTEM. The American 1829 Act mitigated total isolation with the introduction of work in cells and the appointment of lay visitors. The great example of this "Separation System" was Cherry Hill Penitentiary, in Philadelphia, which with Auburn's Silent Association System became the focus of international interest. The Separation System Act, (1839), introduced Separation modelled on Cherry Hill prison to British and Irish gaols. This system was never

totally implemented in Irish gaols due to administrative difficulties and the unsatisfactory design of the buildings. Its influence is still felt in Irish prison administration.

SILENT ASSOCIATION SYSTEM. This was introduced to British prisons temporarily, by the Prisons Act of 1835. The Irish prison inspectors felt that it was not suited to Irish conditions (Fourteenth Report of the Inspectors General). Severe forms of Total Solitude were introduced at Pittsburgh, (1818), Philadelphia, (1821), and Auburn Prison, New York, (1822). The disappointing results of these experiments led, in 1823, to the introduction at Auburn of a regime of Hard Labour with Silent Association by day, and total isolation at night (Evans, 1982).

SOLITARY CONFINEMENT should not be confused with Separate Confinement. Solitary Confinement was a condition imposed by the Courts for a specific period of time or imposed for prison offenses. It was administered in cells specially darkened for the purpose which contained a minimum of furniture and often accompanied by a sparse diet of bread and water.

SOLITUDE / SEPARATE SYSTEM. Jonas Hanway is credited with the introduction, in 1776, of the concept of Solitude in relation to imprisonment. Violent punishments were singled out as unwise, because they aroused the "passions of man" rather than reforming him. Solitude entered the British Statute Books in 1779 as solitary imprisonment accompanied by well-regulated labour and religious instruction. Dialogue ensued between reformers about the effectiveness or dangers of Total Solitude. Howard was cautious and recommended a less severe approach. William Blackburn and Jeremy Bentham developed the links between this Solitude System and the physical design of prisons. Although these systems fell into disarray at the turn of the nineteenth century, their influence continued. This was especially true of the Panopticon design. Eighteenth century English Solitude

Systems influenced the emerging American Prison Systems which in turn influenced British and Irish Prison System design in the mid nineteenth century (Evans, 1982).

SUNDAY'S WELL, Cork City, was a wooded rural area in 1808. Strawberries grew on the southwestern slopes of this steep hill, hence the name. Strawberry Hill is the modern name for an old access road on the western edge of this hill. The older Skilla Lane skirted the present gaol site on its western edge. Access to Cork City from the west and north was by a route, now known as Sunday's Well Road, which skirted the strawberry beds to the south. A new access road, City Gaol Road, (now Convent Avenue), which joins both of the old roads, was constructed as a preliminary to the building of Cork City Gaol.

CHAPTER 1

THE AIMS AND OBJECTIVES OF THIS STUDY

WHY STUDY A NINETEENTH CENTURY IRISH COUNTY PRISON?

The aim of this study is to undertake a baseline study of an Irish County Prison of 1824 - 1878; The objectives of this research include:

* concentration on one Irish County Gaol, Cork City Gaol, using it as an example within which to consider the nineteenth century Irish County Prison System,

* redression of the apparent absence of published material on the Irish County, (Local), Prison System of the nineteenth century, with particular reference to the City Gaol of the County of the City of Cork, (1824 - 1878),

* examination of this particular prison's position between two distinct eras of prison system development in the western world,

* compilation of a comprehensive picture of one particular County, (Local), Prison as a pilot for the study of other similar prisons in Ireland and Britain,

* the recording and analysis of the statistics available in the official Irish Prison Reports for Cork City Gaol during this period and the identification of and discussion of emerging trends,

* the use of these findings to inform the debate on modern prison reform,

* the location of the gaol within local data as an essential addition to the rich social history of nineteenth century Cork - an important nineteenth century international port and naval base,

* the telling of the story, in lay person's language without losing academic credibility, as an example of a heritage research project,

* the opening of, the material generated by the study of one gaol, to students of, for example, penology, criminology and law, sociology, history, architecture, engineering, industrial history, diet, medicine, art, heritage and education.

This study, while conscious of the interwoven nature of prison discipline, aims to categorise aspects of prison life so that an overall understanding of the Irish County Prison may be achieved. Despite the interwoven nature of all aspects of prison society, some practical limitations are set for a clear understanding of the theme. The chapter layout of this study is loosely based on the work of Howard, (1779); McConville, (1981); Priestley, (1985); and Whitfield, ed., (1991). Howard's accounts, are "still read two hundred years after his death", because, "he so precisely set down as matter of fact" his descriptions of the prisons he visited, said Rutherford, in his introduction to 'The State of Prisons - two hundred years on'. Rutherford described those essays as following Howard's descriptive method, as each essay addresses an individual prison, and in most of them the author was effectively an outsider (Rutherford, 1991, p.1). Priestley, (1985), in his collection of autobiographical stories from prisoners, used a logical sequence of events and prison locations as a method of defining the prison as a whole. In the case of Irish County Gaols, confining the main research to one gaol helps to focus on aspects of all other Irish County Gaols and reduce ambiguities. Subsequent research studies may find it valuable to compare individual Irish County Prisons.

Previous commentators on nineteenth century Irish prisons concentrated on the political aspects of the prisons, Gray, (1889), and Sigerson, (1890), or on their national

administration, touched on by McDowell, (1964), or on the role played by transportation in the Irish Convict System, Costello, (1987), or on women in the convict prison system, Lohan, (1989), or on its political era, (1916 - 1923), O'Sullivan, (1996), who generously acknowledged the contribution of historical material by the author of this thesis. This study aims to compile a rounded picture which incorporates all aspects of the nineteenth century County Prison as checked for Cork City Gaol.

Recognising the need for serious work on individual aspects of the subject requires a base line knowledge of the whole. No aspect can be treated in isolation. Every subject area was intrinsically a part of the whole, as McConville, (1981, x-xi), found when he studied the staffing of British prisons. Prison history is broad ranging and complex. He used 1850 as a natural cut off point, while looking backwards at the earlier history of prison reform, and looking outwards at other aspects of prison life. Therefore, this study will focus on one gaol, Cork City Gaol, as an example of what other Irish County Prisons of the era may have been.

ADDING TO THE UNDERSTANDING OF NINETEENTH CENTURY PRISONS

This study aims to add to the understanding of nineteenth century Irish prison design and discipline, and thus possibly contribute to the debate in relation to the form and function of modern prisons. O'Mahony, (1994), described the history of official punishment as being of itself interesting, and therefore relevant to our understanding of a modern penal system. Most modern, liberal minded penologists argue that the aim of punishment is the protection of society (Rusche & Kircheimer, 1968). This, they argue, maybe said to be a by-product of general cultural change, including the considerable growth of psychological, psychiatric and sociological knowledge about offenders. Those who hold it, they said, are likely to think of penal treatment as something to be inflicted only after an unemotional and scientific approach to the subject. The cool

scientific approaches of the nineteenth century prisons, did little to eliminate crime - crime is still an inherent part of our society and is likely to remain so until the end of time. "Every society has created or adopted social values which it wants to defend against aggression" (Rusche & Kircheimer, 1968, foreword).

This study of Cork City Gaol is not intended as an exhaustive account of nineteenth century Irish County Prisons. This study concentrates on individual aspects of this particular prison and its place in the Irish County Prison System. In depth research must be left to experts in the individual fields of industrial archaeology, architecture, history, sociology, penology, health, and religion. For example, Buchanan, (1980), argued with reference to industrial archaeology, that the cooperation of multi disciplined experts is required if a comprehensive picture is to develop. Morris and Rottman, (1995), argued that the best contribution of the 'Oxford History of Prison' may well be its demonstration that prisons have an intrinsic history. Irish County Prisons have a history, too. It became obvious that a baseline study of the Irish System was required as a backdrop before specific, and seemingly simple questions about Cork City Gaol could be answered. For example; why build on a hill?; why such high walls?; who were the staff and did their families really live inside and why?; who were the prisoners and why were they in prison?; what was their daily routine inside and why?: Did nineteenth century prison systems eliminate or reduce crime?; was Cork City Gaol exactly as other gaols of its time?; the questions were endless.

A consequence of the study of Cork City Gaol and its place in the Irish nineteenth century County Gaol system, is the question of relevance to modern prison thinking in Ireland. This study will point towards a thorough comparison of both era. Study of Cork City Gaol without reference to its present use as a heritage centre, is to exclude an important development in the

interpretation of history and the part to be played by local historians in this interpretation. These secondary issues are outlined below and will receive further comment throughout the thesis.

MAKING A BASELINE STUDY OF NINETEENTH CENTURY COUNTY PRISONS USING CORK CITY GAOL AS A TYPICAL EXAMPLE FOR MODERN PURPOSES

One of this study's objectives is to make available a comprehensive baseline study of nineteenth century prison thinking in Ireland and its inherent problems, which will inform the debate on modern prison reform. Cork City Gaol, designed and built under the influence of a crumbling eighteenth century Separation System and predating the scientific approaches of the 1840 Separation System Act demonstrated these inherent problems. Proper implementation of this last Act required a new prison building programme. This study will demonstrate that twentieth century prison-reform ideals are not suited to nineteenth century prison buildings. Many of our modern prisons, (Mountjoy, Portlaoise, Limerick, Spike Island, the new Cork City Prison), are still housed in these Victorian buildings and incorporate a revised Separation System. Lonergan, (Governor, Mountjoy Prison), said in Mahony, (1993, forward), that he is "confronted on a daily basis with the grinding reality of a system under enormous strain". Lonergan further argued that, "without the back up of professional research", long term planning in the criminal justice system "will be basically flawed and ineffective". Durkheim first demonstrated that an understanding of the normal can be understood through the history of the deviant (Morris and Rottman, eds., 1995). Thus research on prison history and its development must combine a study of the "deviant" in relation to the physical building.

HERITAGE ATTRACTIONS AS A SHARED INHERITANCE ARE WORTHY OF ACADEMIC STUDY

Percival, (1979), pointed out that buildings reflect the uses for which they were designed, and also reflect the kind of society which prevailed at any one time. Heritage attractions, according to Stevens, speaking at the 1990 Bord Failte Heritage and Tourism Conference, represent a shared inheritance. This study aims to show that Hewison's, (1987), fears of the heritage industry's products becoming, fantasies of a world that never was, can be alleviated. Stevens said, in 1990, that "criticisms of heritage often stem from inappropriate management, including inappropriate interpretation". The second Bord Failte conference of Tourism and Heritage, (1992), was introduced by Browne, as designed "to create a framework" within which decisions could be taken on "the nature and content of storylines", and skills developed in "planning, and management" including the development of "greater consultancy expertise". "Consultancy expertise", specifically in heritage research skills, is required. As Browne had previously pointed out at the 1990 conference, the "least qualified people" to interpret a site are the academics and specialists, as "interpretation can mean translating academic language into lay person's language". These "academics", Schouten, (1990), called "scientific terrorists". This study aims at telling the story of a nineteenth century County Gaol in "lay person's language" without losing the academic credibility required of any sound research project. Hewison, (1987), argued that museums provide the symbols through which a nation and a culture understand themselves, while Cannon, speaking at the 1992 Bord Failte Conference on Tourism and Heritage, described it as important that local people learn about an environment which "frequently has been obscured from them", because they "actually don't know enough about it".

One of the main objectives of this study is to use the local historical ingredients of the story as a bait to catch the interest of the local population, encouraging them to realise the importance of their own local story and its place in the bigger picture. The feel good factor can empower them for

modern debate on, in this case, future prison development plans. In brief, unless history "displays conviction, interest, and involvement", it will not be "understood or attended to". That is why "subjective interpretation", while limiting knowledge, is also essential to communication. The better a narrative "exemplifies" an historian's point of view, the more "credible" his account - "subjective interpretation gives it life and meaning" (Lowenthal, 1985, pp.218-219).

AIMS AND OBJECTIVES OF THIS STUDY

This study aims to develop a baseline study of a nineteenth century Irish County Prison, through an analysis of the reports of the Irish Prison Inspectorate as directly relevant to Cork City Gaol. This study aims, thereby, to open the material generated to future students in the many relative disciplines.

Its secondary objective is to further the debate on Irish prisons of this era, (1824 - 1877/78), and their relevance to Irish crime prevention theories of the twentieth century. The study will also argue that heritage research of an academic standard can enhance the understanding of local history stories, and that this standard can become the role model for other heritage research projects.

CHAPTER 2

GEOGRAPHICAL and HISTORICAL LOCATION OF RESEARCH - CORK CITY GAOL

Cork City Gaol, which opened in 1824, is sited on a south facing hill on the northern slopes of the Lee Valley in full view of its sister prison, Cork County Gaol, which had been constructed just a few years previously, (1791 - 1818), on the River Lee's southern shore. Both of these gaols replaced the medieval gaols of the South and North Gates of the City of Cork.

The City Gaol at Sunday's Well, was planned and constructed while prison system development was in hiatus. Howardian thinking of the late nineteenth century had failed miserably when swamped by a crime wave, caused by high unemployment and the economic depression which followed the Napoleonic Wars. Very soon gaols everywhere returned to the overcrowded dens of vice, which Howard had so hoped to eliminate. Rutherford, (1984), commenting on modern prisons, said, that Howard would be surprised to find that the most striking aspect of prison reform over the past two centuries was how little of it there had been. Prison Reforming Societies developed. These new societies concentrated their work within the existing structures, dealing directly with prisoners and staff. Their idealism was later overtaken in the 1830s by the Philadelphian Experiment, which introduced a system of complete Separation, which remains the basis of modern prison thinking. Thus, from the start, Cork City Gaol's internal routine fell under the influence of the reforming societies. Prior to its opening, Inspectors from the Association for the Improvement of Prisons described it as "the best gaol in three kingdoms" (The Southern Reporter and Cork Commercial Courier, 08/04/1824). But, soon afterwards, visitors were critical of aspects of its internal design and organisation, caused by a deviation from the original plan which allowed criminals to share the same cell indiscriminately. Similar criticism of the lack of

proper classification systems continued throughout the life of this and other Irish gaols.

Its physical construction was probably influenced by the earlier Panopticon design of Jeremy Bentham. The typical prison plan, in 1820, was "a regular, geometrical figure of crystalline complexity, maintaining a balance between compensation and utility" (Evans, 1982, p.275). The eternally changing emphasis, imposed by government policies, resulted in changes in internal organisation and in the buildings, which invariably lagged behind and remained inadequate to the job at hand. The most dramatic internal changes occurred as a result of the major prison reform movement in the 1830 - 1842 period, which attempted the workable implementation of the Separation System. Major reconstruction work at Cork City Gaol in the early 1870s, was overtaken by the 1877/78 Prisons, (Ireland), Act. This Act was a major turning point in prison management nationally, but, had little or no effect on prison building design. Prior to this date, Cork City Gaol, in common with other gaols, was part of a Borough or County Gaol System. Such Local Prisons were inspected annually by a national inspectorate which reported via the Lord Lieutenant to Parliament in London. They were administered through the local Grand Jury system. The National Inspectorate could only encourage reform, their powers of implementation being limited.

The 1877/78 Act introduced a national system, which rationalised the numbers of gaols and introduced other cost effective measures. Elderly prison staff were retired; younger officers were absorbed into a more mobile staff who could apply for positions all over Ireland and the United Kingdom. An attempt was made once again to introduce viable labour for prisoners, but by the end of the century, sewing mailbags and gardening were the main pursuits. The rationalisation resulted in the Cork County Gaol being reclassified as the Cork, for Men, Prison, while its neighbour in Sunday's Well became Cork, for Women, Prison or as locally referred to, The Women's Gaol.

This study, being primarily a study of Irish County Prisons, has a natural cut off point in 1877/78, when Irish County Prisons ceased to exist. Suffice to say, that Cork, for Women, became a quiet and orderly prison, which housed mainly prostitutes and petty thieves with occasional pockets of more colourful characters including some assertive business women, who, apparently aggravated the prison management by knowing and demanding their legal rights. Political women, including; some of the Land League Women of the late 1880s, female volunteers from 1916, many female activists from the War of Independence, (1919 - 1920), including Countess Markievicz in 1919, and the Irish Civil War, (1921 - 1923), can be included in the long list of females who passed through Cork City Gaol. It returned to a mixed gaol for a few months at the start of the Irish Civil War. When it finally closed in 1923, it was a completely military prison which housed male republican prisoners.

The building and contents, with its landscaped nineteenth century gardens, slowly fell into decay, despite its short history as a local radio broadcasting station and as a Telecom workshop. An interest in the building and its history was later revived. In 1993, it opened its doors to the general public as a Heritage Centre. This first stage of development has given access to portion of a carefully restored prison building. The general public have obtained a meaningful insight into prison life in the nineteenth century, and, some understanding of where modern prison thinking originated, thus enhancing and broadening the modern debate on prison reform.

The redevelopment of the building has had another apparently related effect. It seems to have disturbed the spirits of past residents. These apparently paranormal experiences have been observed, heard and felt by numerous and often unsuspecting persons. For example, in April 1996, the staff heard what they considered to be coarse male laughter in a corridor. This laughter was remarked on by paying visitors. The staff searched

the building but found it to be empty. Workmen on the reconstruction project reported receiving both help and hindrance from these spirits. Indeed one workman received an injury which, he claimed, was inflicted by his own pickaxe when it was forcibly taken from him by an invisible presence. It seems as if these phenomena are more prevalent in the months of April and May, but this has not been scientifically observed (Kearns, pers. comm). Factors which might have a bearing on the apparent increase in these paranormal experiences include the increased tourist traffic at this time of year and the natural climatic changes.

CHAPTER 3

HERITAGE DEVELOPMENT

The Oxford Dictionary, (1990), defined heritage as "a nation's historic buildings, monuments, countryside, etc. especially when regarded as worthy of preservation". Modern usage has tended to change this literal definition. It is now closely associated with Heritage Centres or Interpretive Centres and their subject matter. This definition will be used throughout this study:

> *The term interpretation has been adopted, first in national parks and nature reserves and then in museums, to describe systematic efforts to ensure that people learn as much as possible from their visits and are encouraged to find out more for themselves (Percival, 1979).*

Stevens, speaking at the Bord Failte 1990 Heritage and Tourism Conference, described heritage as embracing "a multitude of different attractions, varied in their type, their scale, their fragility, significance and relevance". This is echoed by Brett, in his introduction to 'The Construction of Heritage'. He "refrained from offering a definition of the term", (ie heritage), since its use "has become extremely various and vague". This "network of ideas and activities", he said, is "viewed under the larger heading of the representation of the past". This "representation" is how "groups, regions, and nations view themselves, and are viewed by others" (Brett, 1996, p.1)

HERITAGE DEVELOPMENT

The development of Irish Heritage Centres falls broadly into four main categories; those where an annual profit margin is desirable but where the main aim is purely academic, (National Galleries / Museums); centres where there is a State undertaking in education and where profit margins are not a major consideration, (Office of Public Works centres such as at Glendalough, Co. Wicklow, which interprets a typical large monastic site); centres financed

by commercial developers, where the main aim is profit based, (Celt World, Co. Waterford, a fantastic interpretation of Irish Mythology, closed 1995), and the vast majority of centres, where local pride in their history and environment, combined with a desire to draw visitors to their general area are the main motivating factor, (The Skellig Experience, Co. Kerry, which tells the story of an island's place in monastic history, as a famous lighthouse site, and, as a home for migratory birds).

All four of these broad categories of Heritage Centres have one unifying set of needs in a heritage researcher. They need someone prepared to follow proper professional research standards, who understands the specific needs of the developer, while also understanding the difference between, a good local story, (parish sports hero), and a storyline with possible broad appeal, (farming techniques). A professional researcher can place that "local" story in the broader context of time and place while retaining its uniqueness, (Royal Gunpowder Mills, Ballincollig, which is based on the site of the original mills, examines the influence of its product on the battlefields of the world). The ideal researcher can communicate a storyline to a diverse group of individually skilled interpreters, (audio visual engineers, special effects people, script writers, model makers), whose knowledge and understanding of the subject will be directly influenced by the researcher's academic ability. A close and continuous connection to the physical reality of an exhibition theme is required, if a reliable story is to unfold (Uzzell, ed. 1989).

The divide, between dry as dust national museums and their sometimes academic curators, and the enthusiastic, amateur run, local museums, was once great. National bodies tended towards careful protection of artifacts with little effort at interpreting them for a public whose heritage they claimed to protect. Local groups produced homely museums that told a story to its local neighbours, but which communicated little to a more

general public. "A display in a museum may simply be telling a story, but the existence of a museum has a story to tell" (Hewison, 1987, p.9). This divide has been closing rapidly in Ireland, due in part to the availability of European and National funding, and in part to a more heritage aware market. Hewison, (1987), argued that a new museum opened every week or so in Britain, and wondered how long it would take before the United Kingdom became one vast museum. This rapid expansion has produced a need for professional researchers with a proper academic focus.

HERITAGE RESEARCH AS AN ACADEMIC PRINCIPLE

University College, Cork runs a post graduate diploma course in heritage management. This course is attempting to bridge the gap between the traditionally focussed experts of the past and the new expanding commercial potential of heritage as a national tourism product. It has developed with no apparent input into heritage research training as a specific discipline. The XXI United Nations General Assembly in 1967, recognised tourism as having an educational significance (Burkart & Medlik, 1981). The importance of travel and tourism as a field of study was also emphasised by the decision of the Business and Technician Council in Britain to validate the first National Diploma in Tourism and Travel in 1989. This reflects changing views which favour this type of study at higher education level, the subject having achieved recognition as a field worth of studying in its own right. The field is also validated by the Council for National Academic Awards, where the emphasis moved in favour of job specific skills and competencies (Holloway, 1989). The heritage industry is developing a similar association of ideas and skills within tourism education. Uzzell, (ed. 1989), placed marketing, research and integrated heritage management as aspects of visitor satisfaction. Each perspective, he said, was suggestive of different approaches, problems, opportunities, constraints and actions. If these new heritage centres are not to dilute our rich heritage, as Hewison, (1987), feared, then, the researchers

employed must be trained in what is a new discipline, which crosses the divide between a broad sweep of history / sociology / archaeology and commercial life. Buttimer, speaking at the Bord Failte 1992 Heritage and Tourism Conference, said that "traditionally" food sciences have "bridges to industry"; electronics has "bridges to industry"; but, that the entry of the humanities into the tourism world is "a brand-new process".

THE RESEARCHER - THE SKILLS REQUIRED

The researcher on a new heritage project is a pivotal member of a diverse team. They hold responsibility for producing an authentic, and credible storyline, which fits the commercial and social needs of the developers. Swiecimski asked if "truth can be achieved in a pure form", or, was it that every exhibition "unavoidably transmits some untruths". He also asked if this "untruth may become, under certain conditions, a means of transmitting truth" (Swiecimski, 1989, p.203). The "authenticity", or otherwise, of the research material produced reflects on the whole industry as well as on the individual centre. A flawed story line will not survive as an intact presentation. Sooner or later, an expert will visit and discredit aspects of the research. The consequent controversy undermines public faith in the project, thus losing it the necessary support bases of finance and goodwill. Celt World, (closed 1995), for example, was perceived by the experts as an interesting, once off, technological experience which did little to explore Ireland's rich mythological past. There is a debate which holds that the Bantry 1796 French Armada Centre, (opened 1990), for example, placed too much emphasis on text and too little emphasis on graphics. These difficulties may have been caused by inexperience in this form of heritage interpretation. As Dully, stated, the standard of the industry's expertise in the area of heritage development has been "disappointing" (Dully, 1990). It is an aspiration of this study that such criticism will become a thing of the past.

Percival, (1979, p.15), recommended "a punctilious regard for accuracy lest the story become susceptible to embroidery or suppression". Adding, that "a rumour or a theory becomes a tradition and in time a tradition becomes fact". For example, in Cork tradition it is considered fact, that Springmount House, across the road from the gaol of this study, was the residence for the gaol governors. This house, known locally as 'The Governor's House', is said to be connected to the gaol by underground tunnels designed to allow the governor access without his being seen by the prisoners and staff. Exhaustive research failed to find any connection between this house and any governor of Cork City Gaol. The tunnels are, more than likely, part of the network of such tunnels constructed under the North City as a flood relief system. New information which answers local queries can be as important as new information which answers broad ranging queries of national or international importance.

Heritage projects, however academic or apparently simple, are a shop window on the past which should relate to every customer. Only 5% of visitors to the average centre are experts (Bord Failte, 1992). Cossons, argued that a function of heritage management was one of offering the truth to the visitor, while questioning whether truth can survive the power of the tourism industry (Cossons, 1989). Accessibility to a subject depends on a clear, concise presentation which has "something for everyone", however limited their knowledge or even interest. A common error in presentation is the presumption that simple is easy, or even inaccurate. Brett argued that heritage is difficult to define, but, could be considered a kind of popular history. He also accepted that the writing or presentation of heritage can be contentious. This thesis argues that this need not be the case - the best heritage presentations will seem simple, but, the storylines must remain true to the best academic principles. Brett said in his conclusion, "we must look to forms of popular history, and to a construction of heritage", that, "treats us as informed and ethical agents" (Brett, 1996, p.165). As, Percival,

(1979, p.46), reminded researchers "for every pint of interpretation, a gallon of research will often be needed". The development team for the very successful Skellig Experience, for example, invested more than seventy hours of intensive debate before reaching a clear picture of the project headings and their future display (Donaldson, pers. comm. 1994). The most seemingly simple story lines are developed from research material which has as its basis sound academic principles. History is not just a compilation of facts, but, it is an insight into an ever-changing life process. Insight into history is obtained by isolating and examining specific events with great care (Giedion, 1982).

THE HERITAGE VALUE OF AN IMPORTANT BUILDING

Potential heritage projects, particularly those of commercial or mainly local interest, invariably stem from the availability of an architecturally or historically important building which lends itself to the development of a compatible theme. The theme finally chosen often has only a tenuous link with the building in question, (Geraldine Tralee, which is situated in a nineteenth century building, provides a sensory experience of fourteenth century Tralee). Rarely is there an opportunity to restore and preserve an historic building of character in which a theme directly relevant can be developed, and where both elements are directly relevant to the present day. Such a building and theme were obtainable at Cork City Gaol - the basis of this study. Buildings are primarily "social objects", - their forms provide answers to the questions we ask ourselves: questions of "power, order, classification and function". Everything about a building has "social meaning - its form, function and spatial structure are each capable of analysis" (Markus, 1993, preface). Or, as Percival, (1979, p.10), argued, interpretation seeks to give people "an insight into the way in which a country has evolved and continues to evolve, to meet its changing social and economic needs". An interpretation project should not be seen as just another excuse "for a nostalgic view of a rose-tinted past, or a virtuoso display of abstruse local knowledge" (Percival, 1979,

p.13). Urban interpretation is applicable to Cork City Gaol, and to similar large institutions. Percival's message that, "no one can plan properly for the future without understanding the past and the present" is particularly applicable to prisons. Many contemporary prisons are still in use, virtually unchanged physically, (Mountjoy, Limerick, Portlaoise). The chain of events which led Prison Systems from an almost arbitrary position of privatisation and degradation in the eighteenth century, through serious prisoner reform attempts in the nineteenth century in highly technological prisons, seems to run on a circular track which is returning modern prisons to a position of some privatisation and apparent abuses. For example, the 1995 Visiting Committee to Mountjoy Gaol, reported that there was immense misuse of hard drugs inside this overcrowded gaol. The implication being that the prison authorities had turned a blind eye to this problem, because the drugs depressed the actions of the inmates making them easier to control.

Percival, (1979, p.13), said that "most communities are far richer in architectural and historic interest than is usually supposed by those who live there". An obvious example is the many disused Norman Keeps used as outhouses by Irish farmers. Cork City Gaol lay almost derelict for many years, a big proportion of the roofs were gone and the internal fittings removed. Suggestions as to future use included its demolition and replacement with secure apartment blocks. Its architectural history as a Deane building, coupled with its historical significance, helped to save it for posterity. Cork City Gaol makes a major architectural statement, being one of the most important public institution buildings in Ireland - yet few people had ever gone inside its walls voluntarily. It was only when a preliminary stocktaking research was commissioned, that a realisation of its intrinsic importance was reached. Experts and public alike are now surprised and excited by the centre, even at this early stage of its redevelopment. A nation's story is easier "to bring to life", if it can be seen "reflected in local events, changes and trends". Conversely, the urban fabric "can throw telling light on a nation's social, economic, cultural and

political evolution". Structures from the past are "particularly effective means" of giving present and future generations "a better understanding of their forbears and of their aspirations" (Percival, 1979, p.13).

The history of prison reform is complex and broad ranging. The massiveness of modern prisons conveys a constancy, which makes it difficult to imagine a moment when prisons were not central to criminal justice (Morris and Rottman, eds., 1995). Understanding the relationship between the specially designed buildings, the now seemingly strange routines imposed on the prisoners for their moral improvement, the various industries introduced into prisons, the education, diet and healthcare of the prisoners, and their relationship with the staff, can be confusing to say the least. It can also be argued that an opportunity to enter the building, and experience something of the mood of a nineteenth century Victorian prison allows for a better understanding of how things were. This gives the public and experts alike, a more balanced view of imprisonment and its purposes. Interpretation fails if all it can supply is information about particular features "in isolation from their wider physical and historical contexts"; if all it prompts is "single-minded admiration" for one particular building or area. It should encourage further exploration of the subject area itself, "steering users into side streets to make their own discoveries" (Percival, 1979, p.17). He commended researchers to "tell the truth, and when the truth is too large a story, it should be distilled to provide the essence". We must be aware that heritage can become repackaged, giving an exercise in trivia - the three minute culture (Uzzell, ed. 1989).

This study aims to develop a case study of Cork City Gaol as an example of the growing sphere of interpretation and heritage management, and combine it with a broad ranging overview of the development and importance of the nineteenth century Irish County Prison System and its relevance to the modern debate on prison reform.

CHAPTER 4

METHODOLOGY and SOURCES

THE MATERIAL AVAILABLE

The research material, open to a student of nineteenth century Irish County Prisons, was not limited in volume, but accessibility was limited. Almost all the Registers of Convicted Prisoners were available, but, as by their very nature, they were a comprehensive listing of prisoners, their use as a tool to interpret how the County System worked was limited. The correspondence between the various gaols and the General Prisons Board existed for the period 1880 - 1923. While they revealed much of the day to day operations of these gaols, research was hampered as they remained in need of cataloguing. Thousands of letters and forms were still in their original boxes in storage. Had similar letters existed for the period 1824 - 1877/78, their perusal would have been worthwhile as a source of triangulation. McConville, (1995), demonstrated that, in the British County Prison system, there were two hundred Local Prisons administered by almost as many authorities, which had records of variable quality and accessibility. He also argued that, the difficulties involved in finding a convenient and simple organisation of these records for American County Prisons, was why no systematic history of State and Local imprisonment had been attempted in the U.S.. The diversity of U.S. material, he argued, probably put it beyond the capacity of an individual scholar. The diversity and dispersed nature of similar Irish County Prison Records raised a similar argument, as discussed in chapter one of this thesis. However, for a proper interpretation of the contents of the Irish Correspondence Records, it would still prove necessary to consult the reports of the Irish Prison Inspectorate. Therefore, as there was apparently no suitable base line study on which this study could draw, it was deemed that these reports made a worthwhile first step to an understanding of how Irish County Prisons developed.

The availability of an almost intact prison building of note, could not be ignored as a research tool. Understanding of the Prison Reports was greatly aided by access to this building. Therefore, a study which combined these two major historical assets seemed appropriate in the light of the discussions pertaining to interpretation, and for the development of a baseline study.

DOCUMENTS AS A RELIABLE SOURCE OF INFORMATION;

Are the Irish Prison Reports worth studying? Documents inform "the practical and political decisions" which people make on a daily and longer-term basis, and may even "construct a particular reading of past social and political events". They tell us a great deal about the way in which events were "constructed at the time, the reasons employed, and provide materials upon which to base further research investigations" (May, 1993, p.133). Scott, (1990, p.1), said, that the "handling of documentary sources" was the "hallmark of the professional historian". The sociologist, he said, was usually identified with "the use of questionnaires and interview techniques". He pointed out that documentary investigation was the "main research tool of the classical sociologists". Marx used the reports of the factory inspectors and Durkheim employed official statistics on suicide", he said. He said, that, "the bulk of historical and comparative sociological" work, and the work on contemporary societies utilised documentary evidence. As this study used an amalgam of historical and sociological data, the official documents were a valid source of evidence.

Much social research utilises primary data sources which have been collected by the researcher and which are analysed by the same researcher, or set of researchers. Such proximate or direct access between the observer and the observed is not available, when the written documents used are not coincident (Scott, 1990, p.2). Much of the nineteenth century Irish Prison Reports were compiled in a coincident and linear fashion, using a standard

questionnaire, and direct observation, combined with expert analytical comment.
Their further interpretation, more than a century later, raised obvious questions:

* were they to be interpreted as objective statements of fact?
* were there distortions which arose as a result of the actions to whom the statistics referred?
* did the civil servants who compiled them make every effort to follow scientific canons, to ensure the reliability and validity of their work?
* could the facts record, however scientifically, be based on working assumptions, some of which at least could have been decided otherwise? (Gilbert, ed., 1993).

These points will be discussed individually. Firstly, were the Irish Prison Reports to be interpreted as objective statements of facts? They were statements of facts. Their content included a comprehensive set of data. Every aspect of prison life apparently received attention, covering everything from the punishment of prisoners, to their diet, health, and productivity, to the behaviour of the staff and the results of comprehensive stocktaking techniques.

But, were these reports objective? Access to the personal papers of the prisoners, and of the staff who cared for them, might have given a differing viewpoint which would, in turn, have given some measure of the objectivity of these particular reports. These were largely missing for Cork City Gaol. In their absence, it was useful to turn to the collection of original papers stored at Cambridge Institute of Criminology and edited by Priestley, (1985). Although they referred to British prisons, they showed that while staff and visitors were often reporting successes, the prisoners were not quite so sure. May, (1993), discussed how we utilize our own cultural understandings in order to "engage" with the "meanings" which are embedded in a "document". This "hermeneutics" allows the analyst to consider

their own frame of meanings and those found in the text. Documents can be interesting for that which they leave out as much as for what they leave in. Researchers should always exercise "suspicion" as to a document's "meaning", realising that documents are not "neutral artifacts" reporting social reality, as a positivist approach indicates, (May, 1993, pp.138-139). Thus, one can assume that no document's contents are totally objective.

Secondly, distortions caused inadvertently by those to whom the research directly refers can happen. For example, crime statistics are notoriously unreliable (Giddens, 1989). As this study confined itself to prison records per se, then the crime tables in the prison inspectors' reports can be taken as a representative sample of the crimes committed by the prisoners in a specific time frame. This evidence was sometimes unclear. Although this study is not a criminological study, it is essential to point out that official crime figures, whatever their source or date, are but an indicator of the levels of crime in any society within a specific time frame. Many factors were relevant in what constituted a crime, and which social factors influenced its seriousness. Apprehension depended, then as now, on the vigilance of the police, the level of reporting of crime and the social status of the transgressor. The Earl of Roden, in 1837, debating in the House of Commons, alleged discrepancies between the returns from the Clerks of the Crown, the Clerks of the Peace, and, the Inspector General of Irish Prisons on the number of prisoners committed for trial (Boyd, 1838). Lohan, (1989), found that for much of the nineteenth century, the female officers in Irish Convict Prisons were often only barely literate or numerate. This too indicated a possibility of inadvertent error. Triangulation of all these original returns has not yet been possible due to the paucity of original material for this period.

Thirdly, there was no concrete evidence of the Inspector General of Prisons being lax in their inspection nor in the completion of

their returns. The reports, in effect, showed a tendency to follow the letter of the law. For example, when new recommendations were proposed by Government, they assiduously attended to their implementation. "We are no longer engaged in an endeavour to procure sufficient buildings", but, "our attention has been principally directed ... to the profitable employment of the prisoners" (Sixteenth Report of the Inspectors General, p.5).

McDowell, (1964, p.147), referred to the appointment of Major Palmer, (an Inspector General of Prisons, 1824 - 1837), as supervisor to the Irish Convict Department. He described Palmer as "careless over certifying accounts and checking contracts", and said that he was relieved of this post in 1843. Costello, (1987), said that Palmer was cleared of all these charges except that of employing his brother-in-law in the gaol at Kilmainham, and that he was generally lax in his duties. Major Palmer's main defence was that he could save the system money. This introduced a note of warning into reading the reports in isolation and accepting them as anything other than the most reliable and consistent source of original information available for the period in question. Access to the original handwritten reports and the prison papers from which they were taken, would have helped to confirm or deny the total credibility of the reports. As the only complete set of relevant original prison books available, (the Registers of Convicted Prisoners, and the Correspondence Registers from the G.P.B. and from the G.P.O.), were deemed as unsatisfactory primary material for this project, one must accept that the official Irish Prison Reports are the most reliable source for the compilation of a base line study of this particular County Prison.

McDonald and Tipton, (1993, pp.189-190), found that researchers rarely encounter "deliberate falsehoods, but may encounter accounts falsified for the author's own purposes at the time". McDonald and Tipton found that when civil servants produce statistics, they usually followed scientific canons. This would

ensure that their work can, generally speaking, be reliable and valid. They also found that there was still an underlying fact that, any indicator of economic performance, or incidence of crime, or other facts, are based on working assumptions, some of which, at least, could have been decided otherwise. May,(1993), argued that, what people decided to record was informed by decisions which, in turn, related to their social, political and economic environments. The layout of the report forms which were used, were standard for each prison visited, although changes in emphasis occurred when new legislation was introduced. Factors, such as impending prison legislation or public criticism seemed to have dictated which categories received the most thorough attention. The Ninth Report of the Inspectors General, for example, stated:

> *In ... the year 1822, the buildings ... were totally inadequate, ... Our attention was, consequently, directed, in the first instance, to the removal of this radical defect. .... With a view to this object, we endeavoured to procure the best plans ... and brought them, before the Grand Juries.*
> *(Ninth Report of the Inspectors-General, p.5).*

When the emphasis had changed, the Inspectors could report, that they were "no longer engaged in an endeavour to procure sufficient buildings", but in the "profitable employment of the prisoners" (Sixteenth Report of the Inspectors-General, p.5). McDonald and Tipton, (1993, p.195), suggested using Platt's, test for checking on the authenticity of a document. Certain criteria were required before a document could be declared "authentic", ie "genuine", "complete", "reliable" and of unquestioned authorship. Platt's criteria included asking some questions of the document; did it make sense or have glaring errors? ; were there different versions of the same document in existence? ; was there consistency of literary style? ; was the version available derived from a reliable source?

The credibility, of the reports might be distorted by their being typed rather than handwritten (Scott, 1990). Errors in

transcription or calculations may have arisen. However, obvious typing errors, grammatical errors, or errors in calculation have not been found to date in any of the Prison Reports studied. Different versions of the same document did not seem to exist. It was an official publication from the House of Commons. There was consistency of style in individual reports. However, as they covered a period of fifty-five years, it was inevitable that literary styles changed. These changes were consistent with the Prison Reports having had an input from many varying civil servants and seemed consistent with the changes in language over the century. Thus the documents in question also fit Scott's, (1990, pp.6, 19), set of criteria; authenticity; credibility; representativeness; and meaning, which can be used, in his opinion, regardless of the type of evidence.

Fourthly, one of the distorting factors for which allowances were made was the possible influence of the administrative staff of a specific prison. It seemed obvious that the visits made by the Inspectors were anticipated rather than unannounced. Human nature being as it is, it seemed likely that the staff and inmates, in anticipation of the inspection, would ensure that, wherever possible, all aspects of the prison were at their best. Lohan, (1989), too found the success or otherwise of the Irish Penal System difficult to evaluate as visitors "could not have been unexpected". Thus, a satisfactory Irish Prison Report may only be indicative of the prison on the day of inspection and this may reduce its credibility. Other errors in credibility may arise in the books kept by the various officials. For example, if the chaplain was responsible for the quality of food then it was unlikely that he would report problems unless they were glaringly obvious. Statements in the prison reports, which indicated that there were no complaints as to the quality of the prison food, was not necessarily a reliable indicator of food quality. The prisoners may have been unwilling to complain, either because they felt it was useless to do so, or because

experienced prisoners knew that by keeping quiet they could move up the classification scale (Priestley, 1985; Lohan, 1989).

A major link between staff and prisoners at any County Gaol was the plethora of **RECORD BOOKS AND FORMS** filled daily, monthly and yearly by each officer and inspector. The link between those County Gaols and the present day was highly dependant on these records. The location of many of these records remains an enigma due to the great loss of official records of all types sustained during Ireland's turbulent War Years, (1916 - 1923), when many public buildings were burned. Access to these original handwritten records would have greatly aided verification of the Prison Reports. Pockets of these record books may well survive in private collections. The following is a non exhaustive guide to the books and papers which were used, which should alert archivists to their vital importance in Irish prison history. Important Books which have survived include the **REGISTERS OF CONVICTED PRISONERS** and the **TRANSPORTATION REGISTERS** for Cork City Gaol. These registers listed prisoners which passed through each prison by their; prison number; crime; prison sentence; when imprisoned and when released; the location of the Court and the magistrate involved; conduct while in prison; and personal details including age, address, next of kin and occupation. Later in the nineteenth century, more detailed categories were added to registers, including identifying marks; weight on admission; weight on release, (which was often not entered as release was a more speedy affair); previous convictions; and the conduct of prisoners at school.

The **PRISON CORRESPONDENCE REGISTERS** while not directly relevant to the dates covered in this study, helped give a broad understanding of how the prisons developed after the 1877/78 Act. They also acted as a source of triangulation between the building as it was at the time of this study and how it was described in the early Prison Reports and in other sources. The Correspondence Registers from the General Prisons Office, and

from the General Prisons Board Offices survived. Their counterparts from Cork City Gaol were apparently missing. They therefore gave a one-sided picture of the story. They also suffered from problems of interpretation in that short descriptions of the correspondence received were entered after each correspondence number. These original letters, were not apparently available prior to c.1880. However, an examination of the letters post 1880, proved a good indicator of the possible style of earlier letters and of the close involvement of the G.P.B. office with the old County Gaols after the 1877/78 Act. The Correspondence Registers of pre-1878 were a further indication of the minimalist contact between County Gaols and the G.P.O.

The 1855 Convict Prisons Act, (Ireland), introduced a higher level of Civil Service record keeping than had previously been in force, although similar books and forms were part of the earlier prison system. This influenced the Prison Books at County Gaols. In the following years a varied selection of registers and forms were introduced. The following non exhaustive list, from the years 1854 - 1877/78, gives an indication of types used; Account Books; an "Inspection of Provision Book" in which the chaplains entered their opinion on each article of food issued; Register of school attendance and progress; Chaplains' journals; Governor's journal; Medical Officer's journal; other senior officers' journals; intern and extern officers" Gate books; "Daily Employment of Prisoners" Book, in which the data was apparently entered by prisoner number and not by name; Visitors to Prisoners Book; "Time Book" in which the time of employment of each prisoner was entered; "Morning State Book" in which the details from the telltale watches and clock were entered by the governor; "Punishment Book" in which was entered, in red, the punishments for prison offenses and which was submitted to the Board of Superintendence and signed by the chairman; "Books of Registry and Finance" kept by the deputy governor; Journal of the Local Inspector; "Calendar of Assizes" which listed the prisoners for

presentation at the Assizes and which was signed by the governor; Forms for letter writing by prisoners; Order Forms for goods; and Rules for Gaols which were displayed in each cell (First to Fifty-sixth Reports of the Inspectors-General of Prisons in Ireland).

BUILDINGS AS A RELIABLE SOURCE OF INFORMATION; WAS THE SURVIVING CORK CITY GAOL BUILDING WORTH STUDYING?

> *Awareness of the tangible past is shaped as well sharpened by signs telling where it is and what it was. (Lowenthal, 1985, p.269).*

The history of English Prisons between 1750-1850 was also the history of the emergence of a new kind of architecture, associated with reform. During the same period the prison building became a proper subject for architecture. This double novelty, the development of an institution and the application of architecture to its buildings, provided the ideal conditions for "the perfecting of techniques that sought to make architecture the instigator of virtue" (Evans, 1982, p.1).

The Irish Prison Reports indicated that a great prison building fever reached Ireland between 1810 - 1830. The majority of these prison buildings are now either, demolished, (Cork County Gaol), or, changed almost beyond recognition, (Downpatrick or Roscommon Gaol), or, are still in use as modern prisons, (Mountjoy, Portlaoise, Limerick). Cork City Gaol closed its prison doors in 1923 and has remained mainly intact as an architectural artifact. Any small changes, such as the new entrance at the west wing made by Radio Eireann, were well documented. The removal of the internal iron stairwells and the decommissioning of the roof were documented by Cork Corporation, the instigators of this move, when possible insurance claims seemed possible. The building was particularly important when one considers that the original plans and drawings may well be lost for ever.

Scott, (1990, p.11), discussed the claim of Langlois and Seignobos that the craft of the historian lay in "moving from the source to the fact", the document was his "starting point, the fact his goal". In this case, the starting point was the reports submitted by the inspectors-general of prisons in Ireland. This text could be then checked against the facts, ie the physical building. For example, when the Second Report described the main building as having a central administrative block or governor's quarters, this could be checked and seen as fact. Langlois and Seignobos' "hermeneutic reconstruction" echoed Dilthey's underpinning of history, which asked historians "to revive in imagination the whole of that series of acts performed by the author of the document". It was generally accepted that a historian has to place a document "in the context of its conditions of production before an appraisal of its message can be made" (Scott, 1990, p.11). What more "credible" way was there "to place a document in context" than by walking the very ground to which it referred. The prison building became a "necessary and crucial element in prison discipline", according to Evans. This change, "unrecorded" in penal history, or architectural history, could "hardly have been more significant" (Evans, 1982, p.295).

Buchanan, (1980), argued that industrial archaeology aimed at assessing the significance of industrial monuments in the context of social and technological history. On first appraisal, it seemed possible to argue that prisons were not comparable with industrial archaeology. But, for example, in 1753 Fielding, a magistrate, and Gibson, an architect, proposed a County House for the County of Middlesex which would "concentrate the power of the poor as an engine might concentrate natural forces" (Evans, 1982, p.56). William Blackburn was credited with having been the first to turn prison design into a kind of technology. Jeremy Bentham's Panopticon designs, though initially rejected in 1811, were reportedly based on "an industrial complex he examined when visiting with Catherine the Great in Russia" (Evans, 1982,

p.195). Bentham's Panopticon was an attempt to combine a system of "intensified punishment and control with productive efficiency". His principles were capitalist as the work was on a monopoly of labour basis. A Factory System which used forced prison labour, was not welcomed by mill owners because, it undermined their trading position. Under the Auburn System, inmates worked in factory style by day albeit in enforced silence. At the end of the eighteenth century, prisoners in an ideal prison were classified by their ability to work rather than by the crime committed (Melossi and Pavarini, 1981, p.41). The Irish intermediate Convict System of the mid nineteenth century was highly considered because it incorporated an extra classification stage which allowed prisoners to work in Open Prisons (Hunt, 1861). In effect, prisons were seen as sources of cheap labour, and, as factories which manufactured goodness in the shape of reform. Prisons were expected to be self financing, their halls and work sheds manufacturing every conceivable product from oakum to mailbags.

Accepting that prison buildings were comparable to any industrial building, then Buchanan's four main practical guides were used as a guide to this sort of archaeological research; Investigation; Surveying; Recording; Preserving (Buchanan, 1980).

INVESTIGATING implied systematic search and appraisal, either following clues in search of new evidence, or reexamining material already known. The main sources of clues for the Cork City Gaol building were found in the Irish Prison Reports and in the building itself. The original unpublished papers of J.S. Casey gave strong confirmatory evidence as did the correspondence files held in the National Archives and the memories and folklore of local residents.

SURVEYING required using whatever techniques were available to measure, photograph and date a monument. The initial survey of the building was made by; architectural students from Cork

Regional College of Technology; the Office of Public Works architects and engineers; and the architect's office of Cork Corporation. This initial stage set the scene. Understanding the significance of aspects of the building and recording them required the use of good "investigating" techniques.

RECORDING was the process of ensuring that there was a permanent notification of the monument in an appropriate repository. While the building in its semi-restored state was a recording in itself, the main thrust of this research aimed to add more detail to that initial survey.

PRESERVING only arose, according to Buchanan, (1980), where a monument was judged to be of outstanding value. He said that it was of great importance that a representative selection of industrial monuments should be preserved for posterity. Thanks to the foresight of many individuals, and the experience and enthusiasm of the architect and the building firm, this building, one of the few available examples, should remain for posterity. However, an empty shell of a building told but little of the story. If it was to be properly appraised and understood, then its full human story needed recording.

OTHER SOURCES

The main research sources consulted were the Irish Prison Reports of the Irish Prison Inspectorate and the physical building of Cork City Gaol. Other sources were used as corroborative evidence and as secondary sources. Casey, a Fenian activist, was imprisoned at Cork City Gaol during the winter of 1865/66. His unpublished diaries proved a great bonus, being one of the few authenticated first hand accounts available which gave a prisoner's point of view. Using Scott's, (1990), guidelines to the authenticity of personal diaries, certain aspects of the document were examined. Was the document partly suppressed by someone other than the author? The Casey papers, (1865/66), were partly suppressed by his family. Access to the full collection

was not possible. Interest lay in the portions which referred directly to Cork City Gaol, particularly his descriptions of his admission procedure, and the physical layout of the building as it was in late 1865. The factual accuracy of that portion of the diary could, in many instances, be verified by triangulation using the physical layout of the building and the Irish Prison Reports and other official sources. For example, his description of his admission procedure seemed suspect until further research, in the Correspondence Registers and on site, demonstrated that major site works had taken place in 1900. Scott's, (1990), assessment of sincerity rested upon a knowledge of the motivation behind the personal document, asking, for instance, if the author had at least one-eye on publication. As Casey, (1865/66), was recognised as an investigative journalist, it seemed likely that he did have one eye on publication, though this was not specifically indicated and these particular papers remained unpublished more than a century later. The most obvious bias which might have occurred here was political, as Casey was a Fenian activist.

NEWSPAPERS were used as a source of incidental information, cross checking of facts and as flavouring. The newspapers on which most reliance was placed included 'The Cork Examiner', 'The Constitution or Cork Advertiser', 'The Southern Reporter and Cork Commercial Courier', and the 'Cork Mercantile Chronicle'. Scott, (1990, p.145), warned of the possibility of "insincerity in newspaper and television reporting" caused by the "influence of owners, acting on the perceived political or financial interests of themselves or of external bodies". The two major Cork newspapers consulted came from two distinctly opposing political camps, the Fenianist 'Cork Examiner' having been founded as a direct counter balance to the Unionist paper - 'The Constitution or Cork Advertiser'. Both served distinct markets and reported stories with a definite bias which was particularly evident in their reporting of political events. However, Scott's, (1990), fears of a lack of credibility and accuracy were not as relevant

to this study as might occur in other cases. In this case, the newspapers were used mainly as an overview of the types of prisoners, and of their crimes, as listed in the Court reports. Newspapers were also used as a source of relatively factual reports of Cork Corporation meetings as they referred to Cork City Gaol. These sources could only be taken as indicative of a bigger picture, as the practicality of news gathering and editing had to be taken into account.

The problems of incorrect dates, (Scott, 1990, p.143), arising when using microfilmed newspaper material, were observed in the Cork Corporation reports of a Mr. Kelly. Kelly allegedly made illegal payment of a yearly stipend to the widow of a previous governor while governor of Cork City Gaol from 1870, to, either 1873 or 1878. The dates and days given when cross checked against a calendar were correct for 1878, but, the material was stored in the centre of genuine 1873 microfilmed material. The 1878 date line on that page was blurred, and could easily have been mistaken for 1873. Further crosschecking against the local postal directories and the primary source - the Prison Reports, indicated that a Mr. Kelly as governor of Cork City Gaol on either of these dates seemed unlikely.

POSTAL DIRECTORIES, and **TRADE DIRECTORIES**, particularly Guy's Postal Directories, were a reasonably reliable source of information and proved very useful as a source of names, addresses, occupations and dates for governors and other staff. As a guide to ownership / occupancy of 'Springmount House', believed locally to have been the residence of the gaol governors, they proved invaluable. Published reference books, such as these, have been an important aspect of social research for many years, although, they were rarely compiled for that purpose (Scott, 1990). These postal directories, which covered towns and cities street by street, listing each head of household, and their occupation. They had one obvious drawback, in that the directories were published at least one year later

than their compilation. Guy's Postal Directories were compiled from press cuttings and general information which was then collected and pasted into a scrap book by Guy Publications, Cork and published in each new year. Thus, a compensating factor of minus one year was required and account taken of the possibility of misleading or biased information in the source information.

LOCAL LORE, despite its inherent problems of exaggeration and misinformation, had two main uses in this study. In the first instance, the memories and lore of local residents gave a "feeling" for the subject, and in the second instance gave valuable clues as to the location of possible information sources and artifacts. For example, local residents remembered playing in divided stalls, which they presumed were animal stalls and could identify their location. These apparently incorrect memories when linked carefully with the Irish Prison Reports and original unpublished photographs of similar buildings in Kilmainham Gaol, helped identify a possible location for divided work sheds intrinsic to the Separate System. Local lore was obtained either by direct interview or through the writings of local historians. But, as Buchanan, (1980), argued, all information is good information to a historian. Every generation of historians made its selection from the surviving body of information about the past. The larger the base of such factual material, the better the analysis and interpretation derived from it, he said. These broad-based sources, coupled with a wide base of supporting literature, have informed this study.

CHAPTER 5

PRISON SYSTEM DEVELOPMENT

THE EARLY DAYS

The County and Borough Gaols, which are the subject of this work were always at the cutting edge of crime and its elimination from society. An overview of the development of eighteenth century prison systems, was however essential to the understanding of the later complex rules and regulations which beset prison society. McConville, (1981), in his history of English Prison Administration from 1750 - 1877/78, said in his preface, that, although his initial plan was to study the staffing of prisons, he soon found that one theme could not be treated in isolation and that during the research, "the starting point was repeatedly pushed backwards in order better to understand the circumstances, events and institutions", around the main subject. While almost all of these studies were on English not Irish Systems, they were relevant. Ireland generally adhered to the English System of laws and customs in public administration of this period.

In the eighteenth century, anyone convicted of a crime could expect some corporal punishment and was only imprisoned while awaiting this treatment. Incarceration was not considered a punishment per se. Only 2.3% of those who appeared before the Old Bailey between 1770 and 1774 were sentenced to actual imprisonment (Ignatieff, 1978). Evans, (1982), disagreed, arguing that all kinds of imprisonment were understood by the jurists to be punishments, even if this was not always clearly identified. The 'Hibernian Magazine' of 1774, quoted from by R.D.,(1904), threw "a lurid light on the severity and harshness of criminal procedure in Cork at that time". Two men were executed on May 7th for stealing £3 13s 6d; another man was executed, on June 11th, for murder, as was Eleanor Donovan for stealing plate silver; a number of others were transported for seven years for crimes ranging from stealing goods to the value of 2s, polygamy, stealing lead, and stealing a cloak; Frederick

Kelleher, whipped for intent to steal from his master; Elinor Morrison, burned on the hand for stealing a brass skillet as was a Daniel Brien, convicted of manslaughter (R.D.,1904).

Transportation, which was an early addition to the Penal System, was first introduced in the seventeenth century as a method of ridding the counties of disorderly persons, whose offenses had a political complexion. This punishment method was discussed by Radzinowicz & Hood, (1986), in chapter eight of their 'History of Criminal Law', vol. 5. The first convicts transported were sent to America, a practice which was effectively ended by the American War of Independence (1775 - 1783). From 1779, the Government was empowered to send any person sentenced to transportation to any overseas country. The most famous and most common destination was the new continent of Australia, where the first boat was unloaded at Botany Bay in May 1787. Australia received convicts in large numbers until 1867, when the last prisoners were transported to Western Australia. The great advantage of transportation, was "the evacuation of the most dangerous elements from the home community, by less repellant methods than the gallows". This was not a cheap solution, but it did prove fairly final as even the most homesick ex-prisoner was unlikely to ever afford the long arduous journey home. Lord Chief Justice Best showed confidence that in a short time the population would be "restored to a virtuous state", where "the infliction of capital punishment" would be "seldom necessary". Another great advantage, which, they said, Justice Best recognised, was the "breaking up and dispersing of the criminal class avoiding the criminalization of their children". An aspect of transportation was the use of Hulks or disused sailing ships as temporary accommodation for those awaiting transportation. One such vessel was moored in Cork Harbour until 1837. The 'Surprize' had, in a previous existence, seemingly been a transport ship plying between Lincoln and Australia (Anderson, 1988). Francis D. Murphy, later governor of Cork City Gaol, was probably its director for a time. While on board, prisoners were

supposedly employed at simple prison labour; in education; and by attendance at religious services. In effect, prisoners were more likely to be chained below, suffering from diseases and without any diversion.

A "form of carceral discipline directed at the mind" developed in the late eighteenth century which replaced a cluster of punishments "directed at the body, (whipping, branding, and public hanging). This development could be traced directly to the Elizabethan House of Correction. These were the first European Institutions in which men were confined and set to labour in order to learn "the habits of industry" (Ignatieff, 1978,11). The dissolution of Catholic Monastic settlements, removed a source of support to the many vagabonds and beggars who roamed the roads, who were in turn, a side effect of the breakdown of agrarian society in the sixteenth century. These establishments had a rather loosely defined code of command. The College of Industry was developed by the Quaker, John Beller, as a direct result of overcrowding in prisons of the 1690s. He saw his institution as an industrial colony which operated within the walls of a disciplinary institution. The Workhouse known as the Bristol Mint, (established 1701), was such an establishment (Ignatieff, 1978, pp.11-13).

A crime wave in the 1720s, produced a plethora of institutions, including Houses of Maintenance, which were designed to oblige the poor to:

> *Keep good hours, refrain from spending their little gains in brandy shops and alehouses, mutually assist each other in sickness and age, and avoid the temptation of house breaking and pilfering to supply their wants.*

These houses were managed on a contract basis. A Matthew Marryot managed thirty houses and acted as consultant to one hundred and fifty more. Although the poor were set to spinning, Marryot never made his fortune because his clientele were mainly aged paupers. Houses of Industry developed in tangent with the early

Industrial Revolution. Between 1753 and 1771, the landlords and industrialists of Suffolk initiated nine huge Houses of Industry, costing between £10,000 and £15,000 each to build new. Their aim - "to deter the able-bodied from imposing on the parishes". These institutions were the "most organised". They "most closely anticipated the penal institutions of later centuries. The end of the eighteenth century was a time of institutional reform which touched not only gaols but hospitals, all institutions, Parliament and the Civil Service (Ignatieff, 1978, pp.11-13). A changing society generated new crimes which required new penalties. The Riot Act and the Black Act were introduced. The Black Act was introduced against the poor who previously had access to wasteland for crops and husbandry. These were part of the assertion of rights of property by the gentry at the expense of common right and custom. The new banking profession required statutes against forgery to protect the new system of paper credit and exchange (Ignatieff, 1978). Sigerson, (1890, p.2), wrote in the first chapter of his 'Political Prisoners at Home and Abroad', all people "are agreed in condemning certain acts, stigmatised as crimes", and which have "offended against the well being of the individual or the community". St. Paul, in his fifth letter to the Romans, also recognised this relationship between lawbreaking and the Law. Before the Law was given "no one could be accused of the sin of lawbreaking", he wrote.

John Howard, the eighteenth century prison reformer, was appalled at the conditions of inequality and squalor to be found in the County and Borough Gaols which he visited. They were located in such diverse places as the dungeons of York Castle; the strongrooms in market towns; and in city gates as in Newgate, London. These gaols were inhabited by a mismatch of prisoners; awaiting transportation; capital punishment; imprisoned for petty crimes; debtors; and a cross section of traders who benefited from the closed market trade. Under such conditions secure gates and high walls were no help, thus the prisoners were chained, hungry, mistreated and often confined to stuffy smelly unhygienic dungeons. These prisons were nominally supervised by the sheriff, the magistrate and the Grand Jury. In effect, they were "a state within a state, independent republics with their own

garden, shops, taverns, brothels all operating on a fee basis" (Evans, 1982, p.13: Ignatieff, 1978).

A FORMAL SYSTEM, WHICH ALSO SOUGHT TO IMPROVE THE MORAL AND PHYSICAL WELFARE OF THE PRISONERS

A combination of ideas and research observations contributed to the development of the nineteenth century Prison Systems. Overcrowding gave rise to concern about hygiene. In the mid eighteenth century, two doctors, John Pringle and Stephen Hales devised ventilators which "drew off the close confined miasma" and helped reduce mortality from gaol fever, (typhus). (Ignatieff, 1978, p.45). Another medical doctor who took an interest in gaol fever was Dr. James Lind, who had discovered the cure for scurvy amongst the Navy. He also discovered that aboard ship a well scrubbed deck, and deloused men forced to wear uniforms greatly reduced the incidence of gaol fever which was thought to have been brought aboard ships by press ganged prisoners. John Howard later acknowledged his own prison hygiene system to Lind's influence (Evans, 1982; Ignatieff, 1978; Melossi & Pavarini, 1981; McConville, 1981; Priestley, 1985). At a time when the death penalty and transportation were seen as excessive, Henry Fielding conceived an idea whereby correction of the body could be combined with correction of the mind. His suggestions included Solitary Confinement in a House of Correction built to a cellular plan. Though never implemented, his suggestions also influenced Howard. Henry's brother, John Fielding suggested that the reason for the increase in crime around 1770, following on the Seven Year War, was the "vast numbers of sons of unfortunate people of no trade, who could find no work and were forced to thieve" (Ignatieff, 1978, p.46).

After the Black Assize of 1750, when gaol fever was introduced to society via the courts, prisoners were compelled to wear a special uniform when attending Court. The Lord Chief Justice called, in 1773, for a new intermediate penalty suitable for minor felonies with a greater diversity of punishments according to the differing nature of the crimes and the circumstances of the offender. John Howard, set out in 1773, with his wife, on a tour of European gaols and hospitals. He was greatly impressed

with the Rasp Houses in Holland which were already two hundred years old. These were run to such a level of discipline that, he declared, they "were so quiet and so clean" that a visitor could hardly believe that he was in a gaol. Later as local magistrate in Bedfordshire, he took his duties as prison visitor very seriously. He published his observations between 1775 - 1790. It was the first detailed scientific analysis of prison problems and their solution (Evans, 1982; Ignatieff, 1978; Melossi & Pavarini, 1981; McConville, 1981; Priestley, 1985). Howard was also impressed with J.P. Vilain XIII's Maison de Force in Ghent. The Ghent prison was opened in 1771 and based on Clement XII's Prison at San Michel in the Vatican. The Vatican Prison which opened in 1703 included Solitary Confinement. O'Dwyer, (unpublished), described Cork City Gaol as reputedly based on this papal prison of San Michel. This Roman prison was called the "Silentium" and applied Catholic monastic discipline to the purposes of punishment. Howard's motto became that of the Silentium's inscription - "It is doing little to restrain the bad by punishment unless you render them good by discipline" (Ignatieff, 1978, p.53). Howard described it as "one of the more rational plans for softening the mind" (Evans, 1982, p.3). Eden and Blackstone drafted a Penitentiary Act in 1781 which authorised the construction of two London penitentiaries to experiment with terms of Solitude and Hard Labour in lieu of transportation. Throughout the eighteenth century, many other reformers suggested solutions of one kind or another including; in 1701, an anonymous writer of "Hanging not Punishment Enough"; 1702, Thomas Bray of S.P.C.K. suggested Solitary for Newgate; 1725, Bernard Mandeville suggested isolating those awaiting trial in cells twelve feet square; 1775, Jonas Hanway was the first to suggest Solitary for sentenced prisoners. Hanway's designs included the concept of isolation of prisoners at chapel.

"Human passions" were seen as "feelings" which "moved the mind as powerfully as bodily pain or ecstasy". The "wild beast" image of the seventeenth century criminal was now replaced with a characterization in which he had "merely succumbed to an excess of passion, becoming a victim to deranged emotions". Gaming houses and taverns were seen as, not just "consuming the meagre

earnings of the poor", but, "indulging their senses, creating the intoxication and excitement out of which issued crime" (Ignatieff, 1978, p.13). What was needed was a system where the passions would be curbed into religious and humane feelings. Solitude was known to exert a great influence over the mind, as monastic life had proven. In the eighteenth century, the residents of Great Houses and Gardens were also discovering the power of seclusion offered by a garden bower or quiet study (Evans, 1982).

Jonas Hanway published various essays, drawing on his experience of a Magdalen House which he established in 1758, in which he extolled the virtues of Solitude. There was "scarce any wickedness" that solitude would not "work on", when combined with "a spare diet to calm the passions", and religious instruction (Evans, 1982, pp.70-71). The Quakers, in particular, due to their tenets of refusing to go to war or swearing oaths, had first hand experience of imprisonment. Through their belief in collective self discipline, they were admirably suited to devising an institutional regime for others. One of their most famous prisons was the Walnut St. Gaol in Philadelphia, reformed in 1786.

The Quaker physician, John Fothergill, became John Howard's closest friend and collaborator, both having a deep interest in science. Fothergill's achievements which were relevant to prison design included; amateur botany; improvement of hygiene in the slums by advocating hygienic burials for paupers; the construction of roads to open up the slums to the 'beneficial circulation of air"; and the establishment of Ackworth, a boarding school for poor Quaker children - where "active minds were put under constraint and habituated to silence, attention and due subordination" (Ignatieff, 1978, p.59). Some Quakers / Unitarians claimed that their disciplined system was instrumental in improving the moral welfare of society, but later thinking which down played original sin and relied on scientific analysis and materialism, rebutted the idea that criminals were incorrigible. "Materialistic optimism" was an international phenomenon leading Offray de la Mettrie to predict, in 1749, "a

day when guilt and innocence would become matters for medical men alone to decide" (Ignatieff, 1978, p.68).

Ignatieff and others, suggested that it was from all these sources - London Philanthropy, Catholic monastic tradition and Dutch Protestant asceticism that Howard fashioned his vision of the penitentiary, using their experience to introduce into prisons; baths; uniforms; whitewashing and liming; diet; medical inspection; and regular general inspections. "The sickness of the poor was seen as an outward sign of their inward want of discipline, morality and honour". John Wesley, the Methodist leader, was held responsible "for imprinting on the minds of eighteenth century men a symbolic understanding of the machinery of justice" (Ignatieff, 1978, p.55). Evans argued that the "source of convergence" between Catholic and Protestant thinking was the change in enlightened Protestant circles to an acceptance of a redemptive Hell which closely followed the Catholic thinking on Purgatory. Older prisons, which were seen as akin to the "unredemptive Hell", could now be reformed into a "redemptive Hell". It became necessary to measure sin as in the 'Book of Fate' where "the vices and virtues of each soul" were "audited by the angels",(Evans, 1982, pp.64-67). He also said that a degree of "crude nationalistic dynamic" influenced the thinking and set a climate for the prison systems which were to follow. The Chinese and Japanese prisons in particular, were "airy, neat and all with separate cells". The penitential prison would "raise both the law and the offenders out of the coils of violence". The law had been "trapped there by history; offenders were trapped there by passion" (Evans, 1982, p.67). Thus, in the years following the American War of Independence, the stage was set for William Blackburn to turn "prison design into a kind of technology, translating the doctrine of reform into the practicalities of construction" (Evans, 1982, p.118). Blackburn was an obscure figure, a Presbyterian son of a Southwark tradesman who gained admission to the Royal Academy where he studied architectural drawing. He became an authoritative figure "dominating prison architecture until long after his premature death in 1790". The loss of America as a destination for transportees, caused a revision in the system of punishment and

reform. The Hard Labour Bill of 1779 was the "harbinger of penal reform, combining elements of correction and reformation". All offenders it decreed were "to be kept to labour of the hardest and most servile kind". Sentences of six months for women and one year for men were set as minimum sentences with seven years as maximum. The Bill was introduced by Sir William Blackstone, (the first professor of English Law at Oxford), and Sir William Eden, (an ambitious young lawyer). They were encouraged by John Howard and by his evidence to the House of Commons. Arguments as to what was or was not acceptable ensued but finally permission was given for the erection of two buildings, one for females and one for males to be run by Government under a centralized plan. Eventually advertising for an architectural competition was placed. Sixty-three designs were received. William Blackburn won the prize of £100 for the best design for a male penitentiary while Thomas Hardwick won £60 for his design for a female penitentiary. The broad concept of Blackburn's plan included; the exterior of the prison being visible from the gaoler's and turnkeys apartments in the central hub; the buildings inside fragmented into six unconnected blocks exposed to the air and capable of being supervised from a central unit; wicket fences replacing internal security walls so as not to inhibit inspection principles. This "ruthless radial geometry", Evans said, was later employed in order to exploit the "inspection" principle that loomed large in later prison design, but "Blackburn got no credit for it afterwards - perhaps his humble origins played a part in this" (Evans, 1982, pp.118-121).

LOCAL GAOLS ENTANGLED IN REFORM.

In the end it was through the Local Magistrates and Grand Juries that change came, rather than through central government. Overcrowding of prisons was no longer just a problem in big cities such as London, but had spread to small and previously insignificant Local Gaols. Increasing the numbers executed only led to "a thieve's holiday" when large crowds came out to cheer the condemned and enjoy the entertainment (Ignatieff, 1978, p.88). Despite his earlier prize winning design never having been built, William Blackburn won the competition to build Gloucester and other County Prisons. Twelve new County Prisons

were built in England and Wales, based on the 1779 Penitentiary Act. G.O. Paul was next to Howard in his influence on prison design. He single-mindedly made Gloucester the model for County Prisons everywhere. The building was a "three storey honeycomb of cells", built around several penned exercise yards with fifty-two night cells and fifty-two day cells each 9'10" by 8'8" with corridors and narrow gates 5'6" by 2'2", designed to hamper sudden escape attempts. Paul considered that prisons should not be "places of comfort", but, that they should be places of "real terror". Despite this, his aims were seen by some as soft on criminals. Hygiene he considered as highly important realising that it had a connection with eradicating gaol fever. But his colleagues had difficulty believing that offering a better diet in cleaner surroundings would not compromise the "pain of confinement". His compromise was the introduction of shaven heads. Gloucester County Gaol used Solitude to "restore the State's control over the criminal's conscience" by removing the offender from "the distractions and temptations of the senses" so that the "inner voice of conscience could begin to assume its sway". The prisoners in Gloucester slept in Solitary cells, worked in Solitary day cells adjacent to their night cells and exercised once a day in yards in the prison courtyard under the eye of an officer. Reformers of the time, including Paul, took Howard's Solitude System and made it even more severe than Howard ever intended. Howard believed that solitude should be broken up by long periods of associated labour and communal exercise. He feared, quite correctly, that unbroken solitude would break the spirit of inmates (Ignatieff, 1978, pp.99-100).

THE SOLITUDE OR SEPARATE SYSTEM OF THE LATE EIGHTEENTH CENTURY BREAKS DOWN

Many influences contrived in the demise of the Strict Solitude or Separate System of the late eighteenth century. It had been a long and weary road for the reformers who were by the 1790s a lot older and losing the reformative zeal of their youth. O. J. Paul found in Gloucester that if you wanted a job done properly then you must do it yourself - supervision of the prisons required his full attention. When Paul retired there was no one to take on his mantle of enthusiasm. Prison reform itself became enmeshed

in the political and social conflict which occurred due to the wars with France and the rise of Jacobinism. The terror after the French Revolution frightened off many of the reformers. Reform of the poor became the concern of private charity, hoping to recreate the "face to face relationship of dependency and obligation" between rich and poor that was "sacrificed by a state system" (Ignatieff, 1978, p.116). Solitude, the main stay of the new system, became discredited. Despite its introduction to replace the brutality of corporal punishment, it came to be seen as equally brutal. William Godwin said that, no one could be reformed in solitude, as reformation was a social process. "Solitude", he said, "brutalized the feelings no less than physical punishment". People could not be "punished into virtue". Overcrowding made it impossible to enforce Solitude particularly after the Napoleonic Wars. Even when prisons were not overcrowded, enforcing total isolation proved impossible as the prisoners communicated through the thick walls (Ignatieff, 1978. p.117).

The Jacobins, much as the Fenians or the Suffragists were to do later, became the spokespersons for reform, complaining of the injustices which still existed in every gaol. For example, keepers were still charging fees of their inmates - Aris of Coldbath Fields prison becoming the most notorious. Gilbert Wakefield when in prison, took cases on behalf of prisoners. Financed mainly by unrequested public subscriptions his work for the prisoners did much to undermine the system of Separate Confinement. He questioned the justice of imprisoning those who were "impelled by distress and hunger to satisfy their own cravings or the irresistible demands of wife and children". Was it fair, he asked, "to condemn the poor to cold and gloomy seclusion from the world" by those who "enjoy all the comforts and affluence of life?" (Ignatieff, 1978, pp.126-130).

The cost factor also influenced the decline of the system. The major costs to a county included: building a new structure; paying heavy staffing levels; dietary charges; and the high cost of bedding and uniforms. These did little to encourage the support of the taxpayers. The custodial staff were unsuitable

and too used to the old regimes. New disciplinarians, capable of assuming a "frigidly self-controlled demeanour" were suggested. Non commissioned officers and half-pay officers were recommended as they were "used to doing what they were told". The problems encountered with custodial staff echoed the difficulties encountered by the early factory masters who, according to Ignatieff, (1978), were hampered by a chronic shortage of foremen and managers for their mills. Increasing mechanization of the Gloucester Woollen Industry enabled clothiers to do without prison labour. Paul came to accept that crimes such as stealing turnips or firewood which "increased at every upturn in bread prices" were caused by "the pressure of destitute circumstances" (Ignatieff, 1978, p.109).

From 1791, when Jeremy Bentham published his Panopticon Plan, he spent twenty years cajoling the Government to allow its construction. Bentham himself was to have full charge - at its centre, as Edmund Burke said, "like a spider in his web" (Evans, 1982, p.197). The Panopticon's design was a further development of Howard's Hard Labour Houses, according to Ignatieff, (1978). It was, he said, modelled on a factory developed in Russia for Catherine, the Great, which was a circular, tiered honeycomb of open cells ranged round a central inspection tower. The Keepers had a clear view from the tower, but, the prisoners could not see in to the tower. This unremitting supervision was expected to prevent clandestine communication among prisoners, making chains unnecessary. The convicts were to be employed in their cells for sixteen hours a day, the profits accruing to the private contractor, which was Bentham himself. Designed to be run as a capitalist enterprise free from government interference and depending on market forces, it allowed "the establishment of the level of terror required to make a profit". Bentham, according to Ignatieff, (1978), met objections to this self regulating system by allowing the public free access to the central inspection towers and agreeing to pay £5 per head for every prisoner who died in gaol, over and above the London average. Sceptical of an inspectorate, he argued that custodians would only observe rules if it was in their economic interest to do so. His intention was to solve the problem of disciplining the poor

in all institutions, including schools and hospitals and asylums, "at no cost to the State". By 1810, he had abandoned the idea, disgusted that the ministry remained, "unimpressed with his simple idea" (Ignatieff, 1978, p.109-113). Foucault argued that Bentham's Panopticon is the "architectural figure" of the strict, and highly supervised isolation systems which were used as measures against the plague at the end of the seventeenth century. This "great Confinement" was in itself influenced by the "rituals of exclusion" used in earlier centuries for the isolation of lepers (Foucault, 1979, p.198):

> All the mechanisms of power which, even today, are disposed around the abnormal individual, to brand him and to alter him, are composed of those two forms from which they distantly derive
> (Foucault, 1979, p.199-200).

Bentham's management principles may never have been implemented, but, according to Ignatieff, (1978), the design exerted a profound influence on the circular forms adopted by Millbank, the Bury New Prison of 1805 and on a number of other County Prisons built after the Napoleonic Wars. Evans, (1982), said that, the inspection principle of Bentham's Panopticon became the unifying feature of early nineteenth century prison architecture. He pointed out that, despite the influence of the circular Panopticon form, only three total rotunda prisons were built in England. The word Panopticon was soon stretched to include radiating wing or polygonal terrace arranged around a central observatory. In the greater number of early nineteenth century prisons, inspection was accommodated to a less demanding technology. What it, (the Panopticon), lost in the way of "omniscience, omnipotence and omnipresence, it gained in everyday practicability". Not until Joshua Jebb's Pentonville, (1842), was the attempt to "construct an entirely predictable, synthetic reforming environment repeated" (Evans, 1982, p.228). The direct influence of the Panopticon was felt intermittently into the twentieth century.

THE CLASSIFICATION SYSTEM

Classification was designed "to stop prisoners from corrupting one another", - a major complaint made against the old medieval gaols. Classification was "a modest revival" of the Solitary Confinement System of the eighteenth century which was developed by Howard and his devotees. The eighteenth century systems incorporated some classification into prisons, (Wray's Acts, 1784, "to explain and amend the laws relating to Gaols and Houses of Correction"). Classification principles were the basis of the panopticons, (Millbank), and Paul's Gloucester County Gaol. The ending of the French Wars, (1815), coincided with the rapid expansion of classification. Orridge, began the nineteenth century by declaring that it was "well known that a combined system of classification, inspection and employment", ensured and improved "the moral character of prisoners". The "nature of man" dictated, according to Samuel Hoare of the Society for the Improvement of Prison Discipline, (S.I.P.D.), "that if an untainted youth mixed with criminals, the infection would spread". Ingleman, an architect, was concerned with the practical mathematical consequences of the spread of "moral contagion". He calculated that "as the number of divisions in a prison increased arithmetically, so their protective value increased exponentially". The practical purpose of classification was thus "to quarantine the vile with the vile, the vicious with the vicious, incorrigible with incorrigible, novices with novices, and so on" (Evans, 1982, pp.271-275).

Classification was also seen as "reestablishing a connection between types of crime and types of punishment. How to implement this system in a satisfactory manner raised more questions. Obvious subdivisions could be made between males and females. Keeping young people apart from hardened criminals was acceptable, as was dividing those giving King's evidence from their old accomplices, and it was customary to keep the condemned apart from all other prisoners. Dividing tried from untried was another obvious division. The 1779 Penitentiary Act had already introduced three stages of progression through which all prisoners passed. This meant that all these classes were then multiplied by three. The S.I.P.D. added subdivisions on the

lines of occupation. For example; servants; poachers; apprentices; vagrants. New divisions were devised, based on the crime committed - the less atrocious; the more atrocious; those imprisoned for bastardy; for want of paying fines; those summarily convicted. Debtors were also subdivided. The possibilities were endless. Each 'class' required separate accommodation, separated yards for work, for recreation, for punitive labour. No two classes could see each other, hear each other or pass each other in any part of the prison or its grounds. But, the "artfulness of the wicked" meant that "atrocious prisoners could always turn up in a wardful of innocents" (Evans, 1982, p.314).

The emphasis in prison design changed during the early nineteenth century from "security" and "salubrity" to "the not yet perfected methods of enforcing morality". The numbers of "classes" increased dramatically. Bury Gaol, had in 1803, "eight classes disposed in quadrilateral symmetry". By 1819, three new courts and two new blocks were planned to accommodate eleven separate classes; but they required fourteen. The S.I.P.D. calculated, in 1820, that a minimum of twenty categories were required - twelve for gaols and eight for prisoners. Maidstone County Gaol had, in 1826, twenty-nine classifications for four hundred and sixty prisoners. But, by the 1830s, "a crisis of confidence" was building, which was "far more momentous than that which had occurred in the early years of the nineteenth century". Practical design problems associated with the Panopticon concept developed - the central hub could support a maximum of seven hubs before too large a gap developed between the centre and the rest of the prison. The growing scepticism over the plausibility of classification helped develop an interest in the experiments in to a Separation System in Philadelphia and New York. Classification on its own had not excluded vice and disorder from the English prisons in which, it was angrily testified, "even an innocent man sent for trial" could "hardly escape contamination" (Evans, 1982, p.316).

THE SEPARATION SYSTEM

The Separation System, which was partially introduced in Ireland from 1840, was a milder form of the 'Silent' System. It was based on the Philadelphian prison thinking, which was introduced briefly to English prisons. This new system incorporated classification and expanded it. The Separation System was portrayed by enthusiasts, according to Evans, (1982, p.385), "as a work of humanity, tempered with a reasonable dose of severity". McDowell, (1964, p.154), said that the Irish Inspectors General approved of the Separation System. They described it as having offered "every aid" to moral improvement, and, as having offered the prisoners "an opportunity to learn a profitable trade", while protecting the "well disposed from offensive society", as well as depriving the "hardened offender" of the company of "congenial society". The 1840 Separate Confinement, (Ireland), Act attempted the introduction of an ideal system of confinement. Separate confinement could only be used if the prison cells were of a specific size - fifteen feet by seven feet. The cells at Cork City Gaol were deemed too small. It was also required that cells should be suitably furnished, and contain facilities whereby the prisoners could contact a prison officer at all times, (a red flag). These facts had to be certified by an Inspector from the Prisons' Office. Each prisoner was to receive air and exercise as "deemed necessary by the surgeon", and receive religious and moral instruction, combined with labour or employment. If due to numbers or other circumstances all the prisoners could not be confined in separate cells, then certain classes or description of prisoners could be confined together. The Separation System Act of 1840 introduced a minimum classification of prisoners table; debtors; prisoners committed for trial; prisoners convicted but not sentenced to Hard Labour; and all others. On admission to an Irish prison, prisoners were entered in the register as fourth class, and subjected to the full rigour of the Separation System, provided there was adequate accommodation. This stage of imprisonment was at least eight months for males, with good behaviour remission. If he was to then progress through the classes to first class, a prisoner needed a sentence which was long enough to allow for his transfer to another prison. Here, he could earn allowances which went to

a fund which the prisoner kept for his discharge. The probationary or fifth stage reached, the prisoners reported to their local Police Station on the first of each month to keep their ticket of leave licence and, to receive a portion of their earnings. Prior to the 1853 Penal Servitude Act, this probationary stage was the responsibility of the local Protestant clergyman. This theory was difficult to implement in a Local Prison where prisoners were required to perform day to day maintenance and cleaning duties as well as industrial labour. Short term prisoners were placed in fourth class, where they should have been in isolation but even when such facilities were physically available the problem of "poor prisoners" working for their keep and developing a useful skill remained.

Almost three hundred years of "scientific analysis" of crime and imprisonment has failed to offer any satisfactory answer to the eternal question of how to control society in a manner acceptable to all its individual members. During this time, there seems to have been spurts of enthusiasm for any novel idea which presented itself. For example, when crime rates rose in the early nineteenth century, interest waned in prison architecture as a reform tool. The Society for the Improvement of Prison Discipline, (S.I.P.D.), committee, in 1818, said that it was not crime that prison should punish, but "the habits and inclinations of the criminals" (Evans, 1982, p.270). This new insight into crime control informed the development of the newly built Irish County Prisons. These new prisons were only part of the solution to crime. The system of discipline used within these new prisons was another aspect. This will be discussed in the following chapter.

CHAPTER 6

THE PRISON SYSTEMS AS IMPLEMENTED IN IRELAND

1800 - 1826

In the first years of the new century, the Irish Prison System, was mainly an ad hoc system. Local prisons were administered by the local Assizes and Borough Councils but were, in effect, partially privatised. Reports on the English prisons of that time demonstrated the tandem development of the new reformed prisons and the continued use of the older and less controlled system. There was no reason to believe, that this tandem development was absent from the Irish Prison System. For example, in Cork City, at this time, a number of diverse gaols were in use. The new County Gaol for Cork, constructed and expanded between 1791 - 1818 was designed to replace the older Gaol on Southgate Bridge. It failed in this purpose initially as it was insecure and had numerous escapes and attempted escapes. A new House of Correction, planned in 1804, "served the purpose of allowing some separation and classification" (First Report of the Inspectors General). Other gaols were prominent in the City. Elizabeth Fort, in reality a disused military establishment, was in use for the detention of women prisoners awaiting transportation. The women were kept here "in filthy squalor, living in overcrowded wards", due to the severe overcrowding in the other Cork gaols. Elizabeth Fort closed in 1837 (Lohan, 1989). The Hulk, 'Surprize', which was moored in Cork Harbour, was a holding vessel for prisoners sentenced to transportation, until 1837. Spike Island, in Cork Harbour, was used mainly for transportation purposes. Still in use as a prison for young offenders, it was built on the site of an earlier monastic settlement (Bolster, 1989).

A Select Committee on Gaols and other places of confinement in Ireland was held between January 21st and July 13th, 1819. Rev. Forster Archer, the Inspector General of Prisons in Ireland gave evidence. This 1819 enquiry, examined the reports of "atrocious conditions" in these gaols. This overcrowding, (in Cork gaols), was due to the old and inadequate prison accommodation, and the

use of Cork Harbour as an embarkation point for those sentenced to transportation. The enactment of 50 Geo. 3. c. 103, 1810, and other Statutes and Acts to 1826, introduced some measure of regulation into the Prison System. The Prisons Act of 1826 consolidated all previous measures. Sigerson, (1890, p.34), argued, that when the later 1848 Act was passed, this 1826 Act was still governed Irish prisons and that all subsequent prison legislation should be interpreted against the 1826 Act. The 1914 Criminal Justice Administration Act incorporated a whole series of legislation dating from 1826 to 1907, especially in relation to criminal lunatics (Byrne, Hogan, McDermott, 1981).

These 1826 measures were expected to bring uniform and fairly high standards of prison administration to the whole country. The standards were higher, the regulations were far more precise and detailed and the Government's supervisory powers were greatly strengthened (McDowell, 1964). These measures included; centralizing some authority in Dublin Castle, (1822); allowing for the appointment of national Inspectors, who remained considerably independent of local pressures, (1822); allowing poor prisoners work in lieu of paying fees for board and lodging, (1821 & 1826); replacing complete association by dividing the prisons so that males and females were kept apart and supplied with single cell accommodation and separate yards; supplying each yard with water, privy and a kitchen and supplying each prisoner with soap, towels and combs. Seven classes were introduced, including one for debtors. This 1826 Act outlawed the use of dungeons, and, in most cases, irons. A Memorandum was circularised which reminded gaolers that gaol fees were abolished in 1815, and, that "a notice for same" should be displayed in all gaols, (1826). Local Boards of Superintendence were appointed, (1826), as were a Local Inspector, Matron, chaplains, a surgeon and, an apothecary (1822). Crown Clerks were instructed to supply names and sentences of prisoners from the Courts to the Local Prison Inspector, who was to then copy this and send a gaol report to the Inspector General, under penalty of a £10 fine, (1822). The Grand Jury presentments, could include an amount for the supply of food, clothes and bedding to those in need, (1821).

Irish Places of Detention were categorised as; County Gaols; District Bridewell; Smaller Bridewell; Manor Court Prisons; Lunatic Asylums; and General Penitentiaries. Following on the appointment of Inspectors General of Prisons under the 14th section of the Prison Act of the last session of 3 G. 4.c.64, (1822), their First Report was published in February, 1823. In their opening paragraph, Palmer and Woodward, described the gaols of Ireland as having been principally erected prior to the enactment of those laws, "on which the modern principles of prison discipline were founded". They found that the prisons were "generally so defective" in their plan, as "very imperfectly to admit of the due classification, employment, inspection and instruction of the prisoners" (First Report of the Inspectors General, p.5). A programme of building new prisons continued.

BENTHAM'S PANOPTICON AND ITS INFLUENCE ON IRISH GAOLS

Using Evan's definition of a Panopticon as, any prison radiating from or around a central observation unit, then, one can conclude that almost all of the newer nineteenth century County and Borough Gaols of Ireland followed Bentham's Principle. The forty seventh Report of the Inspectors General of Ireland, included simple plans for gaols in Londonderry, Down, Cavan, Co. Dublin, Tyrone, Roscommon, Sligo, Leitrim, Longford, Mayo, and Monaghan. At least two more gaols fitted this plan ie Cork County Gaol and Cork City Gaol. These thirteen gaols were all built prior to 1842, and, prior to the building of Pentonville Model Prison. Cork City Gaol was an excellent example of the use of a Panopticon design; a central governor's and officers quarters allowing constant inspection along excellent sight lines requiring very little staff; lozenge shaped cell blocks, again allowing inspection facilities to the yards from its high towers while allowing the free flowing of air; internal corners were curved to avoid impure air lodging there; an internal security wall, which may well have been of wicket design at first; an external high security boundary wall; a secure gatehouse; two pentagons for light and air; and situated on an airy south facing site.

THE PRISONS OF IRELAND - AS DESCRIBED IN THE FIRST REPORT OF THE INSPECTOR GENERALS OF PRISONS IN IRELAND, 1823.

COUNTY GAOLS;

In the **NORTHERN DISTRICT**, the Inspectors reported, that, of nineteen County Gaols, only two new gaols of the semi circular design, had been built and occupied, those of Roscommon and Sligo. Monaghan, Longford, Leitrim and Londonderry "were erecting and nearly prepared for occupation". They hoped for the establishment of a system "commensurate with the expenditure bestowed on these fine buildings". Donegal and Tyrone County Gaols, constructed at the same period and to the same plan, were reported to have had a superior system in place. This superior system, the Inspectors attributed to "the superior zeal and intelligence of the officers". The gaols of Antrim, Armagh and Louth were deemed sufficient by the County but the Inspectors found that "in their, (County), zeal for economy, too much had been omitted," and particularly obvious were deficiencies in classification and inspection. The gaols in Fermanagh, Cavan and Drogheda were described as "small prisons erected in the past twelve years and by no means adapted in their structure to an efficient system". Cavan Gaol was considered "the worst regulated prison in the district", the gaol committee being "frustrated by the total incapacity of the gaoler", which "set at defiance any attempt to introduce cleanliness, order or discipline". Such comments echoed the findings of Howard and others in the last half of the eighteenth century. The gaols for Down and Westmeath, were described as "old prisons of the worst description as applicable to classification and labour". The Grand Juries of both counties, fully aware of these defects, had disagreed on the subject of estimate and site for three years, the matter having then been referred to Government. The Counties of Meath and Kildare seem to have refused to spend money on building new gaols, being "unwilling to burthen the county with the expense". The Inspectors found the gaols "wholly inapplicable to any purpose intended by the legislative enactments for promoting prison discipline" (First Report of the Inspectors General, p.6). The problems inherent in the introduction of new ideas in prison thinking were daunting.

In the **SOUTHERN DISTRICT** only three gaols were completed, by 1823, "on any of the approved plans" - Galway, Limerick and Ennis. Galway and Ennis were built upon the semicircular plan. The yards were enclosed by walls verging to the centre of the circle, where the Governor's House was situated, and which overlooked the yard of the whole prison". This plan was described as being the "best calculated for the construction of a County Gaol ... the inspection as complete as that effected by the radial plan". The sites were also praised, every part of the prison and yards were "open to the south sun", which "added much to the comfort and health" of the prisoners. Limerick Gaol was seen as "an excellent specimen" of a prison constructed on the radial plan, the Governor's House being placed in the centre and affording "the most perfect system of inspection". Galway, Limerick and Ennis gaols were typical of the new style Panopticons. The remaining five gaols of the Southern District were described as " having been built without any view to the inspection or improvement" of their discipline. Yet, Wicklow Gaol was described as having "so effectual an addition" as to allow six classes with a cell for each prisoner. Waterford and Cork County were praised for having built Houses of Correction, "into which all prisoners under sentence of confinement were removed" thus allowing a system of Classification, and allowing a Separation cell for each prisoner. The Cork City Gaol was described as "built on a large scale but not yet occupied". The Government advanced a sufficient sum to enable "its completion and occupation" (First Report of the Inspectors General, p.7).

Despite the Inspectors detailed comments on each prison and its design faults and merits, they concluded that "too much comparative importance had been attached to the nature of the building" (First Report of the Inspectors General, p.7). Despite the loss of enthusiasm for the physical prison building, enthusiasm for the influence of architecture as a method of influencing the behaviour of people was strong at this time. The prison building became "a necessary and crucial element in prison discipline" (Evans, 1982, p.295). The first architectural academies were formed about the turn of the nineteenth century, when architecture was first seen as a science in its own right.

The Prison Inspectors were critical of the over emphasis on architecture as a means of discipline. "Too much want of discipline and order", they said, had been attributed to defective plans. Grand Juries had often been "unnecessarily induced to expend large sums of money" in the erection of new gaols, while "the evils which had justly excited a strong public feeling, really proceeded not from incurable defects of the structure", but from a "want of conscientious officers, of attentive committees, of effectual inspection, and of order and cleanliness in the gaol" (First Report of the Inspectors General, p.7). Thus, prison system design remained controversial. Despite new Acts, (1810-1826), carefully designed to counteract the mismanagement and inhumane features of the older gaols, the first Inspectors General of Prisons in Ireland were already dissatisfied with aspects of the Prison Acts and their interpretation while some Grand Juries were refusing to accept their terms (Meath and Kildare).

DISTRICT BRIDEWELL were established under the 31st Section of the Prison Act. This Act empowered the Lord Lieutenant to "appoint certain Bridewell in any county he might think proper, in situations remote from the County Gaol and central to an allotted district". The local Quarter Sessions Court became the source of committals to these District Bridewell. The purposes of the Bridewell included measures to "lighten" the committals to the County Gaols, and to save the "trouble and expense of frequent transmission of prisoners a great distance" between County Gaol, District Court and back to the County Gaol for short sentences (First Report of the Inspectors General, p.7).

SMALLER BRIDEWELL were described by the Member for Limerick, while giving evidence before the House of Lords in the Session of 1819 as, "the most prolific source of suffering in the prison discipline of Ireland". They were "wretched places of confinement", one of which was to be found in each town and village, built at "public charge, and repaired and supported by the public at a very heavy expense". By the 50th George 3. c.103 they were brought under the general rules prescribed in that Act. But this was in theory only, and "in nine cases out of ten, there

was no possibility of enforcing the regulations of the law" (First Report of the Inspectors General, p.8). Describing the conditions inside these Smaller Bridewell, the Member for Limerick continued:

> *In a miserable building, prisoners were confined for days and weeks; men and women thrown together in cold cells, without bedding, on damp clay floors; no chaplain attended; no surgeon or physician was appointed; no regular supply of food was provided; all was fraud, oppression and misery (First Report of the Inspectors General, p.8).*

The Prison Inspectors concluded that "to the accuracy of this melancholy statement", they could "bear testimony". Despite these "evils" having been guarded against by the new Prison Regulations, the Inspectors regretted that "while the law was improved, the practise remained the same". They reported cases in the South District where keepers had charged the Grand Jury for bread which was never distributed to the prisoners, and where men were locked in cells with women of infamous character (Report of the Inspectors General, p.8). They therefore recommended that "many County Bridewell be closed and the rest brought in under the laws of the land". It was recommended that a quarterly return of prisoners committed should be submitted, so that the irregularities whereby prisoners were lodged in a Bridewell without any written committal or record of their crimes or of their release might be eliminated. The inspection of Smaller Bridewell was the responsibility of the local Parochial Clergy (First Report of the Inspectors General, p.8).

MANOR COURT PRISONS were heavily criticised by the Inspectors. There was no instance of the "defective state" of the Prison System of Ireland "more melancholy", or which called "more loudly" for the interference of the Government, than the case of the debtors confined in these prisons, under "the private charters granted to individuals", they said. The Inspectors described them as "in every respect revolting to the feelings of humanity". The "lords of these franchises" operated "blackholes". They concluded that these landlords should be

called upon to provide "suitable prisons in conformity with the law". All Lords of the Manor chartered with powers of imprisonment, were bound to lodge with the clerk of the crown a copy of the relevant charter. The Inspectors requested that all Crown Clerks should submit copies of these charters to the Lord Lieutenant and that all landlords should submit a plan and estimate for providing a Manor Prison which complied with the law (First Report of the Inspectors General, p.9).

LUNATIC ASYLUMS came under the jurisdiction of the Prison Act, (1821). There were three major classes, Private, Public, and Temporary Public. Private establishments were regarded as well run and "advantageous to society". The public asylums, which included one at Cork, were also considered as reflecting credit on the staff. The third class were considered inadequate with no Classification System or attempt at curing patients, though despite this, they afforded refuge and support to the "unhappy inmates" and removed part of the burden from other institutions.

GENERAL PENITENTIARIES were described by the Inspector General of Prisons as "the most effectual that enlightened policy" could devise for the prevention of crime, the improvement of the morals of the country, and the "furtherance of those benevolent views" which animated the legislature and the public upon the subject of prison discipline. The Lord Lieutenant was empowered to suspend sentences of transportation to a sentence of Hard Labour in a Domestic Penitentiary. The new regime, it was hoped, would "impress daily and hourly upon their mind those lessons" which the superiors of the establishment had "inculcated" (First Report of the Inspectors General, p.11). Following on the often scathing first report, the Inspector General himself, communicated personally with many of the gentlemen of the Boards of Superintendence and so could report that "those errors in prison discipline" were corrected, which rendered the gaols "nurseries for crime, as well as constant scenes of guilt and misery". He found a "ready cooperation in every instance"

(Second Report of the Inspectors General, p.5). The Inspectors observed progress, because several of the County Gaols, which, on their first acquaintance with them, were reported as "wholly inadequate to the classification required by law", had improved and afforded "reasonable accommodation" (Third Report of the Inspectors General, p.5).

Despite their observations, and the personal visits made by the Inspector General, the usual human problems remained. Some Grand Juries were being frustrated by; differences of opinion as to the expediency of building a new gaol; the choice of sites in the same town; and the comparative claims of different towns within the county. Similar problems were instanced as reasons for the decline in popularity of the Howardian System in Britain (Evans, 1982). The Inspectors showed satisfaction with the progress to date but also showed some disappointment. While the same law applied to every county, and while the same resources were placed in the hands of every Grand Jury, exceptions were still to be found (Ninth Report of the Inspectors-General).

THE CLASSIFICATION SYSTEM IN CORK CITY GAOL

The modern Irish prison classification system, as described by O'Mahony, (1993), used gender, age,(men only), remanded or convicted status, H.I.V. status, political status, and occasionally used the type of offence as a basis. He described classification and segregation as the basic method used by modern prison systems in Ireland. Two classifications were originally used in Cork - males to the left, females to the right. The 1823/24 Gaol's Act, and later Statutes further classified the male prisoners. By the 1830s, the system of classification for prisoners was proving too cumbersome. Complicated rules, designs, and subdivisions made prisons more unworkable. In 1831, females were separated into six classes. The classification was still considered defective. It was not until 1836 that the recommended changes were finally implemented, - thirty-two wards, nine for debtors, (8m, 1f), plus seventeen wards for culprits,

(9m, 8f), with six hospital wards (Fourteenth Report of the Inspectors General). In 1840, the female side was under used. Eighteen cells were transferred to the male side. On average, males slept three to a cell (54 cells for 162 m), females slept two to a cell, (48 cells for 96f). In effect, some wards had a surplus of prisoners while other wards had only one or two inmates. Prior to the 1840 Separation Act each ward had its own day room and airing yard making thirty-two in all. A further problem at Cork City Gaol lay with the organisation, whereby prisoners had their meals together, and associated in day rooms (Eighteenth Report of the Inspectors General). This was confirmed by the anonymous Young Irelander's report of having cooked and washed up in the day room and associated without distinction by day (Blarney Street Boys' National School, unpublished). By December, 1842, male prisoners were divided into only four classes, while females were divided into two classes. A more minute classification was said to be impracticable, due to the gaol's construction. The female side had eight cells adapted for Separation, but they were in use as Solitary Confinement cells due to the absence of bye-laws for the enforcement of this section of the 'Separate System Act', (3rd and 4th Vic., cap.44), in Ireland.

In 1856, the following classes of prisoners could be found in Cork City Gaol; master debtors; pauper debtors; untried for felony, larceny, or desertion; tried at Assizes and Sessions and sentenced for felony or larceny to transportation or to penal servitude, or to imprisonment for misdemeanours etc.; summarily disposed of for larceny, default of bail, nonpayment of fines and penalties for other misdemeanours and vagrancy. Juveniles were broadly classified as convicted felons; felons committed for trial; summary convictions, vagrants and other offenses. Each juvenile group was subdivided as; 10 years and under; 10 - 16 years; and 16 - 20 years. There were at least sixty classes in all (Thirty-fifth Report of the Inspectors General). Yet, the Inspectors complained of Cork City Gaol because, no major

alterations had been completed since their last inspection, and strict classification was unattainable at Cork City Gaol (Thirty-fifth Report of the Inspectors General). This was in contrast with the County Gaol, where, under the heading, 'Classification according to Prison Act', the Inspectors could enter "correct as to both sexes, and extended" and fill in the section entitled "Approximative Separation" as "carried out with all" - the only one of thirty-eight gaols which could say so without equivocation. Only seven Irish gaols could boast Complete Separation by classification (Forty-eight Report of the Inspectors-General, p.xxvi). The success in "approximate separation" experienced at Cork County Gaol, may have led to the belief that Fenian prisoners were treated more harshly here than at other Irish gaols. This extra harsh treatment was sometimes attributed to the political persuasion of the governor (McGrath, unpublished).

A problem developed with County versus Convict Prisons. The recommended Classification System for Ireland was based on the term of imprisonment as distinct from the crime committed. In basic outline, the Classification System which accompanied the introduction of the Irish Convict System, (1855/56), had four distinct stages which incorporated a strict separation of prisoners during the first few months of imprisonment. Long term prisoners moved from this stage through to higher stages. This allowed them work in an open prison situation, prior to release (Hunt, 1861). Short term prisoners were released before reaching the more remunerative and reformative stages. Thus, relatively speaking, petty criminals were more severely punished and less likely to be reformed than a perpetrator of a major crime (Sigerson, 1890).

The new **Prison Act of 1823** gave legal status to many of the recommendations of the prisoner reform movements. The Prison Inspectors hailed Peel's Act as the introduction of a bright and promising era in the history of criminal law (Second Report of the Inspectors General). Based on the thinking of the Prison Reform Associations, this reform influenced the administration of

Cork City Gaol while at the same time rendering it and other new gaols unsuitable for the more enthusiastic reforms yet to come. The buildings were too close to completion. But, Ireland was still considered a troublesome case. The Prison Inspectors reported, that they could not believe that the system had been brought into operation in Ireland. The Inspectors concluded that, like every, theory founded on idealistic principles, it required the support of both suitable personnel and an ideal building. The inspectors also recommended, that, great care be taken, in the selection of officers, from the governor, through each officer class down to the lowest menial officer. They suggested an unbroken chain of cooperation throughout the Prison System. This would promote, they said, the moral and religious improvement of the prisoners. This would contrast with the conditions which the inmates had become accustomed (Second Report of the Inspectors General).

The **1835 Act**, introduced the Silent rather than the Separate System. William Crawford, as secretary of the S.I.P.D., and Whitworth Russell, who had been the chaplain at Millbank, visited the American prisons. On their return they commended the use of the more severe Silent System. Four years later, it was discredited. The Separate System was introduced into Ireland in 1840. The Silent System made less headway in Ireland than in England and Wales. But, just as the new buildings of the 1820s era were about complete, discussion as to the merits of the Silent versus the Separate Systems were in progress. The Silent System was first introduced at Coldbath Fields, London in 1834. Following an 1835 Select Committee review of the state of the gaols controlled by Local Justices in England and Wales, the Silent System was recommended. The 1835 Prison Act (England / Wales), implemented this. The Irish Inspectors concluded, that the principle of entire Separation of prisoners could not, as a general rule, be implemented in Ireland. Irish County Gaols were either built, or increased, according to the prison discipline of that time, using up the prison building budget (Fifteenth Report of the Inspectors-General).

Palmer and Woodward, the Prisons' Inspectors, were still dedicated to the "progress of prison discipline". They could report that they were "no longer engaged in an endeavour to procure sufficient buildings", as there remained but "few counties in which that object had not been attained". They could also take pride in; the correction of abuses; the general orderly and clean state of the County Gaols; and the regular supply of all allowances to which the inmates were entitled as, "poor prisoners within the meaning of the Act". The Boards of Superintendence were praised for their "care and influence" which allowed "great change in prison discipline throughout the country", but, were reprimanded for not having given due attention to the "profitable employment of the inmates". This profitable employment had two aims; the future industry and welfare of the individuals in their "progress through life" and the "amount of return" the workshops were likely to bring both to the county and to the prisoner (Sixteenth Report of the Inspectors General, p.5). The Howardian System of the eighteenth century had foundered when the cost of his idealistic system became apparent. Later attempts at prison reform inevitably included some type of profit and loss balance sheet, as prisons were expected to be self sufficient.

THE INTRODUCTION OF TRADES INTO IRISH COUNTY GAOLS

The Prison Act, (1826), made work "the condition on which support" was "afforded to the poor prisoner". The Act "clearly pointed out" that work was not to be "a mere contrivance to occupy the prisoner, but afford him the advantage of a trade". The Inspectors outlined the full minutiae of the Act and how each prisoner should be employed on a worthwhile trade which paid him one third of his earnings. The other two thirds went in lieu of prison costs. Twenty-six of the County and City Gaols in Ireland, had trades "extended, more or less throughout the gaol". In the remaining sixteen counties stone breaking was the main occupation, which was seen by the Prison Inspectors as "a most valuable change from a state of idleness", which produced

"neither present good nor future advantage to the person employed" (Sixteenth Report of the Inspectors General, p.5).

The dedication, or lack of it, of the Local Authorities was worrying in 1838. Using language which demonstrated the total frustration on the part of Woodward and Palmer, they said, we should have hoped that "all objections to the penitentiary system", would have given away to "the clear and peremptory language of the law". Frequent use of phrases such as, "this language cannot be misunderstood" should have left Local Grand Juries, Borough Councils, Boards of Superintendence and Governors in no doubt as to the serious intent of the Report. In a more conciliatory tone, they sympathised with gaol management in sixteen of the gaols which were "backward in this important work" of introducing trades. The five Town Gaols had particular problems as there was a rapid succession of inmates who used stone breaking as their main occupation (Sixteenth Report of the Inspectors General, p.6). The introduction of labour as a cash generator for poor prisoners and for the prisons coincided with the rash of building fervour of the 1820s. Inadequate buildings were, at first, seen as a serious hindrance to its proper implementation, but by 1837, new or developed buildings were the norm. The Inspectors then became convinced that a proper system of staffing had become the biggest stumbling block to successful reform. They complained much of the poor quality of staff, including inefficient governors.

THE STAFFING OF IRISH COUNTY GAOLS

The governors were often described as inefficient. The reasons given for staff deficiencies included; existing interests; an unwillingness to remove respectable persons, who were not qualified; and because the Board of Superintendence had few qualified officers, the prisons were slow to invest in or experiment with any new ideas. The Inspectors were distressed to observe, that the subordinate officers were "chosen without regard to qualification, and, that they were accustomed to their

ease", and, that they had become "indisposed to every improvement" which involved "trouble and required ability". In some instances, the Inspectors reported that despite the entreaties of the officers all their suggestions were defeated. The "want of a competent officer at the head of an establishment" meant, the inspectors said, that the "mainspring of the system was broken" (Sixteenth Report of the Inspectors General, p.6).

Their frustration aside, just a few years later, Palmer and Woodward were reporting on their progress "for extending to Ireland the System of Separate Confinement", promising "to give as much effect, as circumstances would admit", to the Act of 1840. This Act empowered the Boards of Superintendence of each County Gaol to make Rules and Regulations "as they deemed necessary" for; the classification of prisoners; the individual separation of all or any of the prisoners confined in any gaol, with due regard to their supervision, religious and moral instruction and employment; the allowance of air and exercise to all prisoners on the advice of a surgeon; and the supply of cells suitable in size, which were warmed, and, which allowed prisoners to communicate with an officer. The cells had to be certified thus by one of the Inspectors General of Prisons. It was, the inspectors said, "clearly laid down in the 1840 Act", that Separate Confinement should not be deemed "Solitary Confinement within the meaning of that term in former Acts" (Nineteenth Report of the Inspectors-General, pp.5-7). The 1855 Legislation introduced into Ireland the concept of formalised and separate Convict Prisons catering for categories of prisoners which were previously sentenced to Hard Labour. This centralized system, was governed directly from the General Prisons Office, (G.P.O.), Dublin. This new legislation had the effect of reducing the status of County Gaols whose remit now concentrated on short term prisoners - males twelve months maximum and for females six months, maximum. This added to the problems involved in the implementation of the Separate System in County Gaols. Twenty five years after the introduction of the Separate System into

Irish gaols, Inspectors could still find enforcement problems but "felt bound to refrain from urging on the local authorities any definite action". The uncertainty of projected legislation, further restrained their efforts (Forty-eight Report of the Inspectors-General, p.308).

A system of prison management was then in place in Ireland which could understand and welcome a more centralised system. Other factors which may have aided the centralization of prison power include those cited by McConville, (1995). He said that the nationalisation of Local Prisons in England was aided by three distinct factors. Firstly, the development of road and rail transportation, between 1840 - 1870, allowed both inspectors and criminals move about more easily. A second factor may have been the 1867 Act, which gave electoral franchise to almost all adult males thus paving the way for more personal taxation which could be raised nationally. Thirdly, Disraeli was returned in 1874, on an election platform promise of reduced local rates and central taxation. Nationalising Local Prisons was seen as an effective response to this promise (Morris and Rottman, eds., 1995).

The 1877/78 Legislation introduced the beginnings of the very centralised system of management used in prisons of the late twentieth century. On the appointment of Sir Walter Crofton as Chairman of the new General Prisons Board on November 9th, 1877/78, the offices of Inspectors-General of Prisons and Director of Convict Prisons ceased to exist, in compliance with the 7th Section of the Act. The first meeting of the new Board was held on November 22nd of the same year. All "Ordinary Prisons and Bridewell" were transferred from the Grand Juries and Boards of Superintendence to the General Prisons Board (Ireland), (G.P.B.), from April 1st, 1878. The Board had but four months to complete the transfer. By order of the Lord Lieutenant, the chairman was ordered "to frame a scheme for the management of the prisons". Two members of the Board were ordered to take over the duties "connected with County Prisons, the Convict Prisons, and

habitual criminals". Thirty-three County Gaols, five City or Borough Gaols, three joint City and County Gaols, and ninety-five Bridewell came under the jurisdiction of the new Board (First Report of the General Prisons Board, p.1).

CHAPTER 7

THE DESIGN AND CONSTRUCTION OF CORK CITY GAOL .

CHOOSING THE SITE

The medieval City of Cork was a typical walled city with two entrance gates, surrounded by an expanding Liberties. The two main gates were situated one mile apart at either end of the Main Street - the Northgate and the Southgate. Both of these gates, as was the custom of the time, housed prisons. The Southgate was replaced by the Cork County Gaol, built between 1791 - 1818, on a hilly incline on the southern banks of the marshy area, west of the city. The typical squalor of a medieval Gaol prevailed in the old Cork City Gaol at Northgate Bridge which preceded the City Gaol in question in this study, (Conlon, 1942). The system and conditions prevailing at Northgate Bridge were discredited and a perceived need for a new gaol was identified. (First Report of the Inspectors General).

In 1804, an Act of Parliament allowed for the levying locally of £1,000 yearly from 1804 to 1816. Having secured financing for the scheme, the Borough Council set about choosing a site. The site chosen was on a newly reclaimed marsh area to the north west of the city. This area, known as Distillery Fields, or, by its earlier name of Reilly's Marsh, was already quite developed. Across the River Lee, stood the Mansion House (McCarthy, unpublished). The Corporation proposed raising the foundations from four feet to six feet above the level of the quay on Reilly's Marsh to counteract previous flooding of the site. Borough meetings reported that these gaol foundations had been laid "at great expense, the Summer Assizes of 1808 having voted £500 for the construction of the new gaol". (Cork Mercantile Chronicle, 27/07/1808).

Notwithstanding an extra two feet of foundations, the site flooded once more. This was witnessed by the Chief Secretary of the time, Sir Arthur Wellesley, later Duke of Wellington. Sir

Arthur dined with the Lord Mayor at the Mansion House in August 1808. He was reputed to have asked the Mayor, as he surveyed the flooded foundations of the proposed new gaol, whether it was from motives of economy, that he intended drowning his prisoners rather than hanging them (Select Committee on Gaols, p.206). It seems likely that a pragmatic man of action such as Sir Arthur easily appreciated the short-sighted approach of building on such a site. The experiences of prison building in Britain, particularly that of Millbank Penitentiary, was unlikely to have escaped his notice. Millbank Prison, London, which opened in 1817, - a "monstrosity" that cost £450,000. The foundations of this massive building designed for one thousand two-hundred prisoners fell into the "soggy river bank of the Thames". It was proposed from the late 1790s, its "deficiencies obvious to all those who cared to see" (Ignatieff, 1978, p.171). An airy south facing site on the hilly slopes of the city was chosen soon afterwards as the site of Cork City's new gaol. The site of two Irish acres, (3.2 English acres), near Skilla Lane was leased by the City Borough from the Earl of Cork at a rent of £70 9s 7d per annum. The massive building which was then built on this site, still dominates the skyline of Cork City. Maidstone Prison, built in 1819, was similarly placed. It was the "largest and most imposing building of the time at Maidstone, dominating the skyline and the area around" (Whitfield, ed., 1991, p.14).

THE EARLY STAGES - THE BUILDING CONTRACTS

The earliest known conveyances were on a circa 1811 drawing. This drawing was superimposed on a later Ordnance Survey map of the area, and signed, in 1900, by Green, the Prison Engineering Inspector. Abraham Bagnall, Geo Farrington, Daniel Riordan and Ellen Therry were signatories to a defined area of work (O'Dwyer, unpublished). This map, and the later involvement of Deane and Hogan, implied that the work was by private contract. By 1816, £18,000 was available and this was used to quarry the red sandstone from the hill and build the perimeter walls and access roads. This same stone, was described as, being as fine stone as

ever was seen. Plans for the gaol proper were apparently drawn up in 1818 (Select Committee on Gaols, 1819). The senior architect involved was, apparently, William Robertson of Kilkenny (The Southern Reporter and Cork Commercial Courier, 08/04/1824). Although, O'Dwyer, (unpublished), said that he was not clear as to Robertson's exact involvement. A contemporary and personal friend of Thomas Deane, Crofton Croker, credited Robertson of Kilkenny with the design of the gaol. O'Dwyer quoted from the Crofton Croker manuscript, "(Cork City Gaol), built after the plan of Robertson of Kilkenny and finished by Sir Thomas Deane)". Local sources loosely credit Thomas Deane with being the architect, but as O'Dwyer, (unpublished), pointed out "I do not believe, however, that Deane himself ever claimed credit for any part of the design". Deane was described in the 'Southern Reporter', (08/04/1824), as "the contractor". Despite O'Dwyer's belief in Croker as a reliable source, he pointed out that Cork City Gaol was "very much a one-off among Irish prisons", and that it was "far more sophisticated than one might expect from Robertson, his English training notwithstanding". The original plan may well have been a standard plan prepared by a Mr. Robinson. Rev. Archer, Inspector General of Prisons in Ireland, described the plan of Cork City Gaol as "a plan of Mr. Robinson's" (Select Committee on Gaols, 1819). It was not until legislation of 1822 that Local Grand Juries were required to submit their plans for new gaols for the attention of the Chief Secretary. The source of the design remained an enigma. In planning terms it related "more to Continental rather than British prisons". The arrangement of the chapels, for instance, "probably derived ultimately from the Papal Prison of St. Michel (1703-04)" (O'Dwyer, unpublished).

By 1819, the access roads to the new Cork City Gaol were constructed, the perimeter walls built and plans for the building itself ready. Sir Nicholas Colthurst, M.P. negotiated a further grant of £20,000 to be repaid in instalments by the City. The Select Committee on Gaols in Ireland, (1819), studied the plans,

describing them as "the most beautiful thing ever seen". All was clear for construction proper to begin. Local lore also credited Thomas Deane, born in 1792, with responsibility for the building of the Cork City Gaol. However, his mother Elizabeth, nee Sharpe, was still very active in the firm. She took over effective command on the sudden death of her husband in 1806, when this eldest son, Thomas, inherited the business. Elizabeth Deane was from a renowned Cork building family and came to the marriage with both money and experience of the trade. As her husband, Alexander, was new to the business, it seemed obvious that she would remain, until her sudden death in 1832, an experienced asset to a new style of business. Crofton Croker said of Mrs Deane that, she was a woman of "extraordinary energy". She took an "active part in the superintendence of the Naval Works at Haulbowline, constructed at a cost of £200,000". A contract worth £20,000 was unlikely to phase such an experienced builder. Thomas Deane, his son and his grandson were later knighted, but these honours may have been politically motivated (O'Dwyer, pers. com.). The judges of the European Museum of the Year Award, (1994), admired Bath Museum for its skill "in pointing out the interdependence of architects and craftsmen in the eighteenth and early nineteenth century". Discussions with the biographers of the Deane family and of John Hogan, helped clarify the difficulty of identifying the dividing line between architects and builders at this time (O'Dwyer, pers. comm. 1995: Turpin, pers. comm. 1995).

The development of John Hogan as a sculptor was credited to the Deanes. Local Cork tradition holds that, Hogan completed the drawings for the City Gaol, in a very short time, at the request of his own father, who was Deane's foreman. However, McNamara, (1981), said that these drawings were for the House of Correction at the County Gaol, the contract for which was won by the Paines, (Deane's rivals), in 1814. Mrs Deane's proudest boast was, according to Croker, that she had discovered Hogan, though Hogan's biographer, Turpin, (1982), argued that Hogan always

credited Thomas Deane with this. Hogan's responsibility would have included the preparation, for tradesmen, of extracts from the original Robertson, (or Robinson), drawings. While these drawings do not seem to exist, it can be assumed that at least some of the detailed carving and cornicing still to be seen in the original portions of the gaol, have been executed from Hogan's drawings. When later, Hogan was apprenticed to Deane as a draughtsman / stone mason / woodcarver, he may have executed some of the work himself.

THE DESIGN OF CORK CITY GAOL

The design of the new gaol in Cork was influenced by the major physical prison developments of the late eighteenth century, and the criticisms of those systems which predate the major prison reforms of 1840. The Prisoner Protection Societies which developed between 1800 and 1816, and which remained prominent until the 1830s were the major critics. Under their influence, the Solitude Systems of Howard, Bentham and Blackburn were replaced with small associative but silent work parties. Fetters were outlawed. Dungeons were outlawed in 1826, two years after the opening of Cork City Gaol. The new gaol planned for Sunday's Well was a radical change of design from the old medieval gaol at the Northgate. Cork had already experienced the influences of the new thinking in prison design promulgated by Howard and others in the late eighteenth century. The County Gaol at Western Road was of relatively new design and construction - a new House of Correction having been added in 1814. The Deanes, having failed to acquire the contract, must have been aware of the new thinking. They may also have known of "two new works by architects" on the subject of prisons - 'Hints for the Improvement of Prisons', by Elmes, published in 1817, and, a 'Brief Treatise on Prisons', by Elsam, published one year later. The typical prison plan became a "regular, geometrical figure of crystalline complexity, maintaining a balance between composition and utility". Of forty-eight British prisons constructed between 1801 and 1832, thirty-eight adopted the concentric geometry of

visual surveillance widely accepted as the norm of prison design by architects and local magistrates (Evans, 1982, p.228). The 1822 Prison Act, insisted on permission being sought from the Chief Governor of Ireland before building a new gaol. As Cork City Gaol was almost complete in 1822, this legislation may not have been applicable. Much archive material was lost when Ireland's public buildings were damaged by fire during Ireland's Turbulent Years, (1916 - 1923). The gaol plans, which might have helped clarify the situation, may well have been in these archives.

The prison system of the late eighteenth century and early nineteenth century had introduced one major difference over the previous century. Prison life was now carried on behind closed doors. Prison facades took on a new use making imprisonment appear "more terrifying" while internally prisons were "reforming and caring of their prisoners" (Evans, 1982, p.255). Surveying of the derelict building, combined with a study of relevant sources, (Evans, 1982; Ignatieff, 1978; McConville, 1981; Radzinowicz & Hood, 1986; Casey,(1865/66), revealed a massive building of cut limestone encircled by high security walls of massive stones cut from the red sandstone quarried from the site. The inner walls were of a lower height than the outer security wall. This allowed a free flow of air through the yards. These "inner walls" have been much altered both by the construction of the Victorian west wing in the 1870s and the alterations to the front yard circa 1900. Based on the mistaken belief that gaol fever (typhus), was an airborne disease, an amazing array of devices were invented to ventilate prisons and other institutions. The choice of a site on the "airy side of the hill" was a good choice by Howardian thinking. Yards and cells which faced southwards allowed in "the healing rays of the sun" which, it was believed, "reduced damp problems and cleansed the air". By 1824, prisoner health was "so good" in the new prisons, that Howard's prisons were seen "as a rest-cure for criminals that neglected the business of reformation" (Evans, 1982, p.167).

The central block of this massive building contained accommodation for; the governor, his staff and their families; offices for the governor and his staff; and a Board Room for the use of the Board of Superintendence, the Inspector General of Prisons and other visiting dignitaries. Access to the governor's quarters was separated from the access to the prisoners' quarters and the turnkeys' quarters. The Governor's House was sited so that the "space" between cells ie corridors and yards could be easily supervised from this strategic building.

A first hand account of Cork City Gaol, in 1865/66, showed that there was a "huge" circular tower, battlemented, from which three wings branched at either side. Each wing contained three wards. Each ward was vaulted and contained six cells, making fifty-four cells on each side. Ascent was by iron staircases from lobby to lobby. Each lobby formed a circular passage around the interior of the wall. Light was from the roof and from the windows in the sides of the tower (Casey,1865/66). This description of the roof lighting was disputed, but the Eight Report of the General Prisons Board, showed that the glass roof was replaced by slate, and by two roof windows in the penal section. Radiating wings contained separate cells - males and females in separate wings. Casey, (1865/66), described admission to these wings. The prisoners entered a small rectangular flagged hall the walls of which were of a "painful whiteness", with a copy or two of the prison rules hanging there. Legislation, (1810, 1822), required that a copy of the rules be displayed by each cell as a price list in a hotel might be displayed. These rules were read to the prisoners on admission, but as they were often read at great speed, few prisoners could remember them (Priestley, 1985). Casey, (1865/66), described passing through a second and a third iron door at each side of the wall, from which he entered a long corridor flagged and vaulted, containing six small cells. The walls were of such a thickness that two folding doors of cast iron, one inch in thickness, could be accommodated "rather in the style of Victorian window shutters". Similar folding doors

remained in the gate lodge and in some of the upper storeys of the gaol proper at the time of this survey. Thick walls separated each cell - "walls do nothing quite so well as keeping people apart" (Evans, 1982, p.171).

Casey, (1865/66), described his cell block. An iron door secured the cell, two iron doors secured the ward, two similar iron doors secured the outer hall. Before a prisoner could leave his cell and stand on the lobby no less than five iron doors needed opening. The doors were an inch thick secured on the outside with ponderous swing bars which entered the wall and fastened with a massive padlock. About half a dozen holes approximately one inch in diameter were perforated through the iron door. The cells were all flagged and vaulted, about ten by five feet in dimensions, lit from a small window closely barred without, which turned on a pivot so as to admit air. The cell dimensions recommended for working alone in a cell under the Separation System were fourteen by nine feet, (126 sq.ft.) (McConville, 1981). The 1873 alterations to Cork City Gaol suggested cells with a dimension of fifteen feet by seven feet, (105 sq.ft.). The holes in the doors were probably later additions, added when the question of poor ventilation was raised nationally. In the mid nineteenth century, similar ventilation holes were apparently added to the ward doors in the Rotunda Hospital, Dublin. The locks were "old and of an ordinary kind but in good repair", and the cells had "artificial heating and bells but no gas" (Forty-seventh Report of the Inspectors-General, p.341). A survey of the derelict gaol building revealed that at least one range of windows on the northwest wing contained the remnants of these pivotal style windows, and some examples of the folding iron doors. The extremities of the wings were, in 1865/66, flanked with smaller towers, entrance to which was through an iron door. The interior of this door was divided into two portions, one serving as a water closet, the other as a lavatory. These were for the use of the prisoners in that particular ward (Casey, 1865/66). This end portion of the wing was no longer intact

internally. However, some wings contained "washbasins" imbedded in the thick walls, into which water was plumbed, exiting by a down pipe into an outside drain. At least one lavatory bowl survived in a tower, at the time of writing.

Casey described the bed in his cell as, "an iron gate fastened into the wall at either side of the breadth of the cell so as to contain two sleepers and a second along one side of the length". A clay chamber pot, stood beneath the bed. Lettsome introduced the concept of a folding iron bed frame which allowed air to circulate around the mattress (Evans, 1982). A Separation System cell adhering to the Pentonville model would have contained a plumbed lavatory and washbasin. Casey described the gaol further. There were small triangular yards formed by an outer wall from each of the flanking towers. Full view of the movement of prisoners could be obtained from the interior of the circular tower through a strong iron gate. In front of the two wings were a pair of larger yards, open, without divisions, with concentric elliptical lines of pavement on which prisoners walked round and round at eight paces apart, supervised by a warder. At least three concentric rings were rediscovered in the yards when restoration work was in progress in 1993. The ends of the radial wings were tapered into lozenge shapes which allowed for a free flow of air with no stagnant corners, and allowed better sight lines from the turnkey's observation post at the ends of these wings. This tapering allowed the radial wings come closer to the governor's lodge without compromising the inspection sight lines. (Evans, 1982, p.282). The earlier Cork County Gaol, (1795), had radial wings which were partially separated from the central building (McNamara, 1981).

The entrance door of the Lodge, (or Gate House), was, according to Casey, (1865/66), of strong oak studded with flat nails and situated under the gallows. Inside there was a kitchen with a selection of muskets from old flints to modern, (1865), on the walls. A bright fire was lighting. From this lodge Casey exited

into a pretty walk bordered by flowers and flanked at each side by high walls eighteen or twenty yards long, accompanied by a porter who was summoned by a bell. At the extremity of the walk stood a massive iron gate which allowed them to cross a circular road which encircled the prison, and enter through another iron gate. From this gate there was another walk similar to that outside the porter's lodge which approached the prison entrance. A step or two up allowed access to the hall. The design of the main Gate House was reputedly based on the design of the Northgate, which was reputedly based on a design for the earlier seventeenth century gaol on that site. The local newspapers of the time carried an advertisement for a builder for these new gates, as contractors were seemingly hard to find. Work on the building was further delayed by a carpenter's strike (McCarthy, unpublished). These walks have all but disappeared but their outline can be traced despite the major ground work of circa 1900.

Casey, (1865/66), described the surrounding outer wall. It was an immense wall about twenty-five feet in height and considerably more in many places, which enclosed a vast rectangular space. This outer wall remained almost totally as Casey knew it. Some gateways had been opened or closed and the commanding turrets at the eastern and western edges had been removed at the time of this survey. Twelve or fourteen feet within this perimeter wall and running all around stood a second wall sixteen feet high (Casey, 1865/66). This smaller wall was somewhat altered due to renovations (General Prisons Board, 1900).

BUILDING THE INTERIOR

Work commenced on the interior buildings in 1820. The building contract proper went to a Richard Notter, a neighbour, friend and brother-in-law of Thomas Deane. Other names which could be identified as having been employed on its construction were; John Hogan, the Waterford builder; his son John Hogan, later a sculptor; and Simon Kenefick who later went into the building

business. Both Hogan Snr. and Kenefick were employed as foremen. A labourer on the job was a Mr. O'Connor, who lived in a small cottage off Strawberry Hill (Blarney Street Boys' National School, unpublished).

In 1824, there was a confident expectation of the new gaol being ready for April 1st (The Southern Reporter, 05/02/1824). However, it was not opened until June 2nd and was not fully functional, apparently, until August of that year (The Southern Reporter and Cork Commercial Courier. 03/06/1824). The 1824 Inspector General of Prisons described the new prison as "new and extensive ... the building of an elliptic form". It consisted of "a spacious centre house, containing governor's apartments, two chapels, and other accommodation", which overlooked "the yards of two semicircular prisons" which verged "inwards towards the centre building" (Second Report of the Inspectors General, p.7). In April,1824, an inspection party of local dignitaries, the architect, and, the builders, declared it "the best in three kingdoms". Sergeant Leproy, a learned and leading member of the Institution for the Improvement of Prisons and Prison Discipline, having minutely inspected the building declared, "the greatest approbation of the plan and of the highly creditable manner in which it had been brought into effect". "He never saw", he said, one gaol, where, "the double purpose of punishment and reformation" could be "better effected" (Southern Reporter and Commercial Courier, 08/04/1824). His only complaint, which was echoed in future criticisms, was a deviation from the original plan made by the architect or builder which allowed criminals share the same cells indiscriminately rather than separate areas. The Grand Jury were told to remedy this problem by the introduction of Classification.

In the two weeks prior to opening, the general public were allowed access so that they could "admire this new edifice". Two guides were stationed there for that purpose. The 'Southern Reporter and Cork Commercial Courier' of 08/04/1824, reported on

the new gaol. The new City Gaol, "facing south" was "just completed", they wrote, and it looked "like a castle". On each side of the entrance there was, they said, an elevated tower with 'the drop' over the doors; turrets at each corner of the exterior walls; and inner walls of great strength and height. The turnkeys house formed "the centre of the interior" and the building was constructed in a "corresponding castellated form" with chapels on each side. The whole divided into two equal compartments, one male and one female.

ALTERATIONS AND ADDITIONS TO CORK CITY GAOL;

Cork City Gaol incorporated the best of the old thinking and avoided somewhat the excesses of later reforms which were influenced by the Quaker reforms which originated in America. The Separate and the Silent Systems influenced alterations and changes within the prison. It was while there was indecision about the choice of an ideal prison system, which Cork City Gaol was being planned and constructed. Although it influenced thinking in the 1830s, the new Silent System was never fully introduced in Ireland. The less-severe Separation System was legislated for in 1840. This was too late for Cork. Inspectors and Magistrate's would decry this situation for many years. The prison seems to have been a building site almost continuously, while vain attempts were made to accommodate the prison to the Separation and Classification Systems.

The Prison Inspectors found problems with the basic design of the prison. In the Ninth Report of the Inspectors-General, it was suggested that there was "a defect in the original design" that it was divided by "so marked a distinction into two equal parts" ... when the numbers of males so exceeded females. The suggested solution was the allotment of portion of the female side to men - without interfering with the entire separation which was deemed necessary (Ninth Report of the Inspectors-General, p.31). But, problems of reconciling layout to the Separation System were not the only design problems. The Freeholder, (26/04/1831), carried

an open letter to Thomas Deane, which pointed out defects in Cork City Gaol - chief of which was dampness. By 1842, the structural deficiencies were so apparent that the Board of Superintendence requested that Sir Thomas Deane carry out a detailed survey of the complete building. His findings made interesting reading especially when one considers that just twenty years earlier, the visiting experts had praised the prison's excellent design and construction. Sir Thomas Deane's Building Inspection Report which found that on the roof, cement covering on some platforms, which had been used as a substitute for slating had "not been effectual over timber joists which warped and shrunk from sun and rain". Instability of the buildings under the platforms was expected to ensue. He also found that the cement on towers over the felons cells and day rooms had "answered its intended purpose in consequence of its been lain on stone arches, as no building was exempt from decay". The rain came in through joints in hammer dressed stonework on the front, which was considered too ornamental for dashing. It was suggested that it should be "raked and stopt" with mastic roman and white lead cements. It was also suggested that a roof of timber be constructed over the centre building and that this should be covered with "Welch slate", which would discharge its water into cast iron cisterns over the corridors. £515 - the estimated cost of these repairs, was rejected by the cess payers (Twenty-first Report of the Inspectors-General, p.61). There was no great reference to building deficiencies again, until the General Prisons Office's Correspondence Register for 1856, noted the necessity of "two new limestone blocks for columns, at 15s each".

Internal deficiencies continued unabated. The Inspector-General of Prisons, reported in 1842, that the ground floor corridors and cells were "very damp and cold, with no method of heating them". The corridors were very long, making ventilation 'exceedingly defective', which gave an "atmosphere of very impure nature" (Twenty-first Report of the Inspectors-General, p.61). By 1869, the Irish Prison Inspectors could describe Cork City Gaol as very

clean and orderly. The buildings were sound, properly ventilated, and supplied with bedding (Forty-eight Report of the Inspectors-General). J.J.L. compiled guidelines to prison construction in Ireland. "Ventilation", he proposed, should be by means of an apparatus, in the basement story of each building. This apparatus should be fitted with tubes and pipes connected to a large cold air flue supplied from outdoors by means of a shaft. Air, heated or cold as required, could then be passed through a flue constructed under the corridor floor from which small flues branched off and passed up the inner wall to the cell ceilings and into the cells through an iron grating. Foul air could then be removed through a grating near the cell floor and, through one diagonally opposite the intake grating and, then out through the foul air flue under the floor of the basement (The Irish Builder, vol.vii, p.100). Gratings such as these seemed to exist in some of the Cork City Gaol cells, but no network of connecting flues was discovered, to date. The machinery required for this air conditioning system may have been housed in the half basement which has been recently discovered.

The Fiftieth Report recommended an "inexpensive disinfecting chamber, in which the private clothing of the prisoners could be purified and cleansed from contagion and vermin" as small pox raged everywhere. "My colleague", said the inspector, "called attention to this matter in 1870", but, "no notice had been taken" (Fiftieth Report of the Inspectors General, p.359). There was "an abundance of water in every yard, supplied from holding tanks on the roof. The laundry was still unpartitioned. The male factory was also unpartitioned, unlike on the tread wheel and in the stone sheds, and in the cells where separation was in use (Forty-eight Report of the Inspectors-General). Between 1842 and 1869, internal alterations, additions and repairs seem to have been a major part of everyday life in the prison as the authorities tried to fulfil the changes necessary for the proper implementation of the Separation System. Cork City Gaol was considered, at least on one inspection, as "clean and orderly,

the building in sound repair, and sufficiently supplied with bedding, blankets, sheets and rugs", though some sheets were considered "too much worn" and should have been cast (Fiftieth Report of the Inspectors General, p.359).

Despite this positive report, the Inspector General of Prisons in Ireland suggested that Cork Corporation "build or alter a gaol". Prisoners with long sentences were proving to be "a very considerable cost on the city" (Fiftieth Report of the Inspectors General, p.358). Overcrowding was a great problem, particularly as in an ideal Separate System each cell should sleep a single prisoner. Though Cork City Gaol had, in 1872, accommodation for one hundred and twelve prisoners - fifty-eight males and fifty-four females - the daily average for males was seventy with a highest daily average of one hundred and eleven prisoners. Female prisoners averaged fifty nine daily - their highest daily average reaching ninety-five. In July 1872, on the Day of Inspection, it was recorded that there were three prisoners in some cells, and, three or four in each of the kitchens (Fifty-first Report of the Inspectors General). This overcrowding was not typical of Ireland as a whole. The Fifty-third Report of the Inspectors General of Prisons in Ireland, showed a massive 75% reduction in the number of prisoners countrywide between the years 1851 and 1875. Many of the County or Borough Gaols had average daily numbers of prisoners which fell as low as two females in Meath, and eight males in Drogheda. Discrepancies in the usage of gaols, countrywide, was obvious and a suggested solution was inevitable.

Overcrowding was not the only problem still unsolved in 1872. The site of the gaol was still considered to be "too far from the centre of the city". The rising ground behind the gaol, which allowed "tobacco" and "other prohibited articles" to be thrown in to the gaol, was another "unsurmountable" problem (Fiftieth Report of the Inspectors-General, p.359). The Inspector General of Prisons' continued frustration with the Local Authorities soon

became pointless. Once again plans for major alterations were drawn up, designed to make the prison an ideal building in the Prison System (Fifty-first Report of the Inspectors-General). The major plank of the new plan proposed that the wings of the gaol be widened to effectively double the number of cells available. This reconstruction work continued through to 1879. Contract labour was employed and alterations were made to one section of the west wing of the building; the old debtor's prison was converted into chapels for Roman Catholic and Protestant prisoners and other smaller general alterations were made in the last quarter of the nineteenth century.

The administration of gaols was considered to be as important as the design of gaols, or the internal discipline. This administration system will be discussed in the following chapter.

CHAPTER 8

THE ADMINISTRATION OF COUNTY PRISONS IN IRELAND

The prison systems introduced after 1820, although more centralised than the systems which preceded them, still allowed the major thrust of power to remain with local bodies. A General Prisons Office, (G.P.O.), was based at Dublin Castle, having been established in 1822 under Act 3, G. IV. c. 64. It had some responsibility for all prisons. Towards the top of the pyramid came the **OFFICE OF INSPECTORS GENERAL OF PRISONS**, established under Section 14 of the Act. This Office appointed Inspectors General of Prisons who "should visit and report upon the state of the several classes of prisons in Ireland" (First Report of the Inspectors General, foreword). Crawford and Hoare of the Prison Discipline Society, cited the Irish Prison Inspectorate as a precedent for government intervention on a national level in England (Ignatieff, 1978). Prior to this 1822 Act, a less powerful Inspectorate existed, which was empowered by the Act of 1786 to visit all gaols within the first two years of office and to present a report to the Houses of Parliament (McDowell, 1964).

The **Inspectors General** toured Ireland, taking copious notes of their observations on the prisons visited. One Inspector, with permission for the appointment of two assistants, toured "every gaol, madhouse and lunatic asylum at least once in two years". These notes were then edited and submitted as a Report to His Excellency, the Lord Lieutenant of the time for Ireland, before December 20th, having first been presented and passed by the Grand Jury at the Spring Assizes. He in turn submitted the Report to the House of Commons in London for debate and adoption. The reports could, therefore, be anything up to two years out of date when their recommendations reached the coal face of the prisons proper. The early Reports showed that the Inspectors, despite their dutiful attention to detail, were often totally frustrated in their work. Their recommendations were purely advisory and could only be implemented if the Local Boards of

Superintendence and Grand Juries were amenable. Their annual salary of £600 was only paid "on production of a statement of the prisons visited, false returns were subject to a fine of £500, plus loss of office" (Statute 3 G.4, c. 64), (Eyre & Strahan, eds. 1822). A National Inspectorate ceased to exist in 1925. The proposal to establish an independent Irish Prisons Board and Inspectorate was one of the main recommendations made by the 1993 Government-sponsored Whitaker Report on Irish prisons (O'Mahony, 1993).

The first Inspector Generals appointed under the 1822 legislation were, James Palmer and R.R. Woodward. By 1842, Woodward had been replaced by a Francis White. J. Corry Connellan, was appointed as the Inspector General responsible for the Southern District sometime before 1857, while Felton W. Hervey was Inspector for the Northern District. In November, 1909, Mr. P.J. Joyce retired from the office of Inspectors of Prisons, under the sixty-five years rule, after thirty one years service, having been first appointed in 1878.

GRAND JURIES, whose members were drawn from the gentlemen of the local area, held the power of appointment of staff, in conjunction with the Magistracy, and the Board of Superintendence of County Prisons. Some candidates canvassed openly for appointments. G.L. Chesterton, for example, said that when "returned to England with impaired health", he "traversed the length and breadth of the county" canvassing every magistrate's area. On July 23rd, 1829 he was nominated to the post of governor of Coldbath Fields (Priestley, 1985, p.268). Monies for the construction of prisons and other prison costs came from the local presentments. Various Prison Acts and Statutes usurped some of the power of the Grand Juries. But, until 1878 when the 1877/78 Prisons Act, (Irl.), was implemented, they held, with the Local magistracy, the major local influence on the running of their prisons. The most remarkable change to the Grand Jury System was the Irish Corporation Act of 1840, which reduced the

powers of Grand Juries. The new Act generated fear amongst the prison staff. Francis D. Murphy as Governor of Cork City Gaol, wrote, in 1842, to Daniel O'Connell, (the eminent M.P., orator and barrister), on behalf of himself and his staff (N.L.I. Mss. 13649 - 11). The Corporation Act of 1840 had led to rumours of the City and County Gaols being amalgamated and Sunday's Well Gaol closing. Their fear was that of redundancy, pleading that they had given many years to the service and that they were trained for no other life. Their fears were well founded. The Inspectors observed, that, the town gaols of Cork had not been incorporated with the County Gaols as allowed by the Irish Corporation Act of 1840. Some legal difficulty had arisen in abolishing these gaols. The final decision as to the procedure to follow was left to the discretion of the Grand Juries, but excepting the gaols of Waterford and Kilkenny, they had no plans to urge the change on the local authority (Twenty-first Report of the Inspectors General).

LOCAL INSPECTORS

That First Report of the Inspectors General of Prisons stated that the principal officer in a County Gaol was the Local Inspector. The "importance and peculiar character of this office, cannot have been more distinctly marked than by the provision of the 3 Geo. 4, c. 64, (1822)", which conferred it, as "a matter of right", upon the parochial clergy of the Established Church. The later Acts extended the powers of the Grand Juries, and gave a wider field for the selection of officers. But, in "a great majority of instances", the Local Inspectors were still chosen from the clergy. Lay Local Inspectors were appointed in seven instances nationally by 1823. In three of these instances, this situation of "superior controlling officer of the prison" was given to an "inferior officer" ie a medical officer. A year later, the Inspector Generals could report that the duties of this office were "much better understood", and they reported "a considerable general improvement" in the system under their control, both "in the regulations established by them, and in the

obedience paid to their authority". The Grand Juries were also commended for appointing "officers, the best qualified for the situation" (First Report of the Inspectors General, p.11).

The Local Inspector, at Cork City Gaol, in 1824, was the Rev. Dr. Quarry, who was already chaplain, having been appointed thus to the old Northgate Bridge Gaol. His salary of £200 per annum covered the duties of Local Inspector to the new gaol and to the Bridewell. He probably received a further £50 per annum as chaplain. The Ninth Report of the Inspectors-General commended Dr. Quarry, saying that it was "impossible to speak too highly of the attention" of this Local Inspector, or the value of his labours "in prompting the good order and welfare of this extensive establishment." (Ninth Report of the Inspectors-General, p.37). On his death in 1838, a layman, Mr. Perry was appointed at a yearly salary of £100. Mr. Perry, was described as - "very intelligent and anxious to inform himself of the duties of his office". In 1855, Mr. Perry was receiving £75 per year. The office of Local Inspector was abolished in 1877/78 at a cost saving of £4,000. Some were reappointed as Governors of Minor Prisons.

LOCAL BOARDS OF SUPERINTENDENCE

Grand Juries were given the right to appoint Boards of Superintendence in each county under 3 Geo. IV, c. 64, s.42 (1822). The duties of the Board extended to all prisons. Their powers were equivalent to those of the Grand Juries, in relation to the visiting, superintending and directing of any Gaol, House of Correction, or, any other County Prison. The duties also related to the gaolers and officers, and to the prisoners (First Report of the Inspectors General). The members of the Board were unpaid, and the Board changed annually. The duties of these Boards of Superintendence were filled in England by a similar body, known as, the visiting justices. The Inspector General of Prisons pointed out, that, accordingly as the Board were "regular in attendance, and active in their proceedings, or the reverse",

did the prisons of "every character stand high or low in every county" (Third Report of the Inspectors General, pp.10-11). But, Boards of Superintendence were charged with much responsibility under this Act. The Inspectors stated that the Boards of Superintendence could not be expected to "uphold an official system" of Prison Discipline unless supported by "the more powerful influence of an active magistracy". Further criticism of the magistracy was veiled within praise for the "persevering zeal" and "consequent state of improvement" in gaols already under the influence of such Boards. The influence of the Boards on Irish gaols was expected to "soon reach the dizzy heights of success" attained under the English visiting justices system provided "the cooperation of the magistracy" was obtained (Third Report of the Inspectors General, p.13). The attitude of the country gentlemen of County Galway was decried. They seem to have concluded that "having built a good gaol and appointed good officers", they had "little more to do". They replied that, "country gentlemen had not leisure to attend to such things", and that new prisons were made "palaces of", and were "far too good for their vicious inhabitants" (Eight Report of the Inspectors General, p.50). This was not well received by the Inspectors, who in turn admonished these gentlemen on their public duty.

Reporting on the state of Cork City Gaol in 1856, the Inspectors hoped that the Board of Superintendence would be able to solve the problems which had arisen there. Help was at hand, as the Amended Prisons Act, [19 & 20 Vic., cap.68, (1856)], transferred to the Board of Superintendence the right to appoint officers in the gaol. This power had been previously vested with the Grand Jury. This earlier power must have given rise to tensions between the Boards of Superintendence and the Grand Juries, when the Boards of Superintendence attempted to supervise or control staff of which they disapproved but were powerless to dismiss. A similar problem later arose between the Local Inspectors and the local Boards of Superintendence. In effect, as the Board could dismiss a Local Inspector, he was likely to tell the Board what

they wanted to hear unless he was incredibly conscientious. The solution suggested was the abolishment of Local Inspectors and the appointment of District Inspectors under the powers of the Lord Lieutenant (Forty-eight Report of the Inspectors-General).

Meetings of the twelve member Cork City Board of Superintendence were chaired by the Mayor of Cork City. The Board met monthly, but forming a quorum was not always possible. Absences were recorded for magisterial members. In 1860, the Prison Inspectors complained that although the Board of Superintendence discharged its duty in some respects, it always met at the Bridewell. Some members, they recommended, should be deputed to attend the gaol regularly. It was impossible, they argued, that, "an institution could be satisfactorily managed by persons who rarely entered it" (Thirty-eight Report of the Inspectors General, p.243). By 1860, a system was in place whereby the Board discharged cheques to the Local Inspector at its monthly meeting. The Inspector then paid all the relevant bills and returned the receipts at the next meeting. Submitted at each meeting were the Chaplains' journals, the "Extern" and "Intern" officer's gate book, the 'Visitors to Prisoners' Book and the 'Daily Employment of Prisoners' Book.

Despite the enthusiasm of the Prison Inspectors for any new development in prison management, the Boards of Superintendence had proved to be unsatisfactory by 1870. The Inspectors General sympathised with the problems encountered by the Boards of Superintendence. They showed an understanding of the situation when a new prison system was planned. Boards were not "in a position to deal with these problems", they said, "nor should expense be incurred until the decision of Parliament" was obtained. Despite this reluctance they made some recommendations, including a further centralisation of the system. This included instructions, whereby, a copy of the proceedings of the Boards of Superintendence would be sent to the Board of the Inspectors General, so that they might be conversant with their proceedings (Forty-eight Report of the Inspectors-

General). Under the 1877/88 prison legislation, all boards of superintendence ceased to exist from April 1st, 1878. Their jurisdiction, and the relevant prison jurisdiction of the local grand juries, was then vested in the centralised General Prisons Board (Gerrard and Battersby, eds. p.447).

The internal staffing arrangements of the prisons were ruled by a complicated system which echoed the rules and regulations applicable to the prisoners. These will be discussed in the next chapter.

CHAPTER 9

INTERNAL STAFFING ARRANGEMENTS AT CORK CITY GAOL

THE DEVELOPMENT OF THE PRISON STAFFING SYSTEM

The 50th Geo. 3, introduced in 1810, was intended as an instrument of law which would remove all corruption from the staffing of prisons and allow prisoners adequate rights. In the First Report of the Inspectors General, comment was made on the good moral character required of a gaoler,(turnkey). It added that, these good moral qualities should be seen in the appointment of the inferior officers. That, apparently, had not been the case. The turnkeys were described as often being people of dissolute character, who were responsible for many of the defects in Irish prisons. They were accused of bribing their superiors, and benefiting from the corruption of the system (First Report of the Inspectors General). Some of these turnkeys were apparently transferred from the old medieval gaol to the new Cork City Gaol at Sunday's Well. In modern American prisons, turnkeys of similarly doubtful character were apparently employed (Feinman, 1985). The modern Feltham Prison had problems similar to those reported for early nineteenth century Irish County Gaols. Staff and prisoners, accustomed to the old regime, found adaptation to a new era of thinking difficult when transferred to a newly built prison offering a new regime. Yet, when the new reforms failed, neither staff nor prisoners could return to their old ways and were left in a sort of limbo (Rutherford, 1984).

In 1830, changes in staffing at Cork City Gaol were proposed. These were described by the Prison Inspectors. It was, they said, the intention of the Board to blend the newly appointed turnkeys with the other officers of that class in the distribution of the duties of the interior (Eight Report of the Inspectors General). These appointments would remove the military guard not "by substitution of a private guard" but by improving prison discipline. Employment and education of prisoners, combined with some level of personal relationship

between prisoner and turnkey, it was hoped, would reduce the need for constant supervision of prisoners, thus "averting danger by prevention". The establishment of a routine of watch duty "by day and by night" was required (Eight Report of the Inspectors General, p.50). The Rev. Daniel Nihil, saw the Separate System as presenting "abundant opportunities" for the "exercise of kindness and the quiet inculcation of truth" by prison warders to their charges. The chief qualification of this new class of officer should have been, in Nihil's opinion, that of a moral rather than a physical order - "with integrity, intelligence, amiability and Christian zeal". The system offered to "religious persons in humble life, powerful inducements to undertake their duty" (Priestley, 1985, p.253).

There was a high cost ratio of staffing per prisoner. The cost of supervision and management was reported as being highest in badly constructed gaols, composed of straggling buildings, which made the supervision of officers and prisoners difficult (Forty-eight Report of the Inspectors-General). A typical daily average of prisoners for all the County and Borough Gaols in Ireland, was one thousand and five hundred males and six hundred and twenty females, in thirty-eight gaols at a total staffing cost of £12,635. Between 1862 and 1869, the net annual cost of each prisoner rose from £26 18s to £35 4s., (ie gross cost less average value of work obtained from prisoners), (Fortieth & Forty-eight Reports of the Inspectors General). This high cost ratio was a factor which influenced the planning and development of later prison reforms.

When Cork City Gaol became a women's prison following on the General Prisons (Ireland) Act, 1877/78, the offices of Inspectors General and Director of Convict Prisons ceased to exist. Many elderly staff members availed of retirement offers (First Report of the General Prisons Board). For the first time mobility in the prison service was possible, applications for transfers to anywhere in the State abounded. Many prison staff became

unemployed because of the closure of smaller prisons. Regulations barring married women from holding permanent jobs in the Civil Service and elsewhere existed. On the introduction, of Civil Service Examinations for potential prison officers, married women were excluded (Forty-eight Report of the Inspectors General). The employment of married women as matrons was no longer allowed, although those women who were already employed were allowed to remain. A notice, to be read to the female officers, was circularised, which said that new female applicants must be widows or single (First Report of the General Prisons Board).

THE CHARACTERISTICS OF AN IDEAL GOVERNOR

The Prison Inspectors, in 1823, regretted that, despite the guidelines produced for the character traits of an ideal governor, the position was not commendable. They found glaring proofs of partial and interested appointments, of persons of a less than ideal moral character. They reported instances of the sale of the office by sub-sheriffs, which was in direct violation of the sub-sheriff's oath (First Report of the Inspectors General). They described the ideal keeper or governor as a man of firm, steady, intelligent character; of known sobriety and integrity; able to read and write well; and much better if chosen from a different part of the country. Old noncommissioned army officers, or, respectable pensioners, were found to be the best suited (First Report of the Inspectors General). By 1824, the Inspectors observed a "considerable advance" both in the "improved habits of the old officers" and "in replacing inefficient gaolers". They contended that it was "of vital importance" that governors of County Gaols should be selected from "a much higher class in society than that to which they in general belonged". "To such persons the salaries and allowances offered an ample emolument". The office of Governor of a County Gaol had "long been rated much below its real importance and respectability", according to the Inspectors. A gaoler was assigned a "charge of a peculiar nature in the superintendence of

complicated arrangements, and in the moral government of the most unhappy of mankind" (Third Report of the Inspectors General, p.13).

Maybrick found that governors "knew their prisoners and tried to understand them", but that there was "not much" a governor could do for them "under his own initiative" (Priestley, 1985, p.271). A Mr. Brash interjected at a Cork Corporation meeting that he hoped that Mr. Maguire was not "casting any censure on the governor, (John B. Murphy), as there was not a more humane man". "Oh! no" said Mr. Maguire "he has nothing to do but carry out his orders" (The Constitution or Cork Advertiser, 13/01/1866). An interesting comment on the powers, or lack of them, of a governor. In 1840, despite twenty-two years of effort, and advertising by the High Sheriffs, good governors were exceptions in Ireland. The staff of the Cork gaols were, apparently, well trained (Nineteenth Report of the Inspectors-General). Governors and other prison officers had no security of tenure, nor any standardised form of payment (Nineteenth Report of the Inspectors General). The salaries of the officers were dependant on the whim of the local Grand Jury, being raised or lowered at random. The salaries of governors, and their staff were not "in proportion to the extent of the duty". They had no permanent security of office or income. The solution - an Act of the Legislature which would make salaries permanent, "calculated on the population of the County, and taking into account the extent and importance of the work to be performed" (Nineteenth Report of the Inspectors-General, p.8). In 1860, Governors and external officers were paid monthly, but, received no rations.

The **KEEPERS / GOVERNORS AT CORK CITY GAOL** included,

1824 - 1837 Mr. Walsh, (or Welsh)
1838 - 1855 Francis D. Murphy
1856 - 1873 John Barry Murphy
1874 - 1877 Capt. William Minhear
1878 - 1885 Alexander Kingstone

THE BACKGROUND TO THE GOVERNORS OF CORK CITY GAOL

Mr. Walsh, governor, was listed in the staff appointments in 1824. A J. Welsh was listed as Keeper of Cork City Gaol in Pigot's Postal Directory for Cork, 1824. The 1837 Irish Prison Report referred to the death of a Mr. Walsh,- "a very old public officer". As the new gaol received its first inmates on June 2nd, 1824, one can assume that Mr. Walsh, (Welsh), transferred to Cork City Gaol from Northgate Bridge Gaol. Mr. Walsh, (Welsh), when appointed to the new gaol in 1824, had an annual salary of £550. This respectable salary seemed to include accommodation in the new Governor's House (Second Report of the Inspectors General).

On Mr. Walsh's, (Welsh), death in 1837, **Mr. F. Murphy** was appointed governor on a salary of £300. The Sixteenth Report praised Mr. Murphy, "having been long acquainted with his services as Keeper of the Government Depot in Cork", the inspector expected "zealous exertions", from him, "to improve the discipline of this large prison" (Sixteenth Report of the Inspectors-General, p.39). Due to the paucity of original material, the identity of Francis D. Murphy was confusing. It can be assumed that an F. D. Murphy mentioned as Head of Convict Depot, Cork, by Kelly,(1988), and Francis Down Murphy, Head of the Cork Convict Transport, (Ritchie, ed. 1992), was the same Francis D. Murphy, governor, who signed a calendar of prisoners for trial from Cork City Gaol at the 1845 Sessions.(Day 2, unpublished). Ritchie also gave personal details in the 'Australian Dictionary of Biography' which were contradictory to other biographical sources, (eg. Trinity College graduates index; Marriage lists). Further research on this point is warranted, as a contact between this gaol and Australian settler history could be used for marketing purposes. In 1817, during an attempted "break out" from Cork County Gaol, a warder Murphy was injured when attacked (Cork Rembrancer, 14/06/1817). On the retirement of Mr. Murphy as governor of Cork City Gaol in 1856, the Inspector of Prisons reported that due to the "advanced age and

infirm health" of the governor, caused by "an injury inflicted by a prisoner" some years previously, the discipline of the gaol was not all that "it should have been" (Thirty-fifth Report of the Inspectors General, p.168). Therefore, it can be deduced that Mr. Murphy's career started in the County Gaol as a prison turnkey, that he became director of the Convict Depot and finally that he became governor of Cork City Gaol. Mr. Murphy apparently managed to move up the ranks, despite the class and caste regime prevalent in the nineteenth century which labelled prisoners and lowly turnkeys as, "other ranks"; and warders "newly promoted to the more elevated status" as "officers". The status of "gentleman" for governors and deputy governors was retained. Maria Shepherd, referring to the appointment of governors, "in the unreformed era pre 1877/78", described them as "mere gaolers - men raised from the office of turnkey, often as ignorant and immoral as their very care" (Priestley, 1985, pp.252-255).

This Mr. Murphy was a non-Catholic as indicated by his letter to Daniel O'Connell wherein he refers to "not being of the same persuasion as Daniel O'Connell" (O'Connell Papers, N.L.I. 13649, - 11). This was further confirmed by the report of Sir Francis Murphy's funeral rites. Sir Francis Murphy, first Speaker of the House of Representatives of Victoria State in Australia, (McCormack, ed. 1993), who was possibly the son of the Cork City Gaol governor, was apparently buried according to the rites of the Anglican Church (Ritchie, ed. 1992).

John Barry Murphy succeeded Francis Murphy as governor of Cork City Gaol in 1856, on a salary of £150 per annum plus accommodation, fuel and food. By 1860, his salary had risen to £250 per annum, and remained thus until his retirement in 1873. This, the first Roman Catholic governor, was appointed under the 1856 Act, Vict. 19th & 20th., cap.68. which amended a previous Prison Act giving the Board of Superintendence the power to retire the older governor and appoint a new governor. The Inspector hoped that as this would be the first occasion for

testing the "new powers", the selection of officers would be on merit. He said it was the turning point for deciding whether "the selection of officers would be regulated "solely by the qualifications of the candidate", or whether "other influences which had previously "so lamentably obstructed improvement", would still be "allowed sway" (Thirty-fifth Report of the Inspectors General, p.168). A typical example of such influences were the Friendly Societies, ad hoc groupings within public committees, which were influential in retaining jobs for the Protestant Ascendancy, especially in the Cork area (d'Alton, 1980). Many of the Protestant classes controlled pocket and rotten boroughs and were bought out at an average cost of £15,000 a seat. Catholic property owners expected Law and Order and prosperity as a result of the Act of Union in 1800 (Hickey and Doherty, 1980). These political changes apparently influenced the appointment of a Catholic governor at Cork City Gaol.

John Barry Murphy, was buried in 1891, in the family burial plot at Kilcrea Graveyard, Cork. His tombstone inscription described him as "Governor of Cork City Gaol" and as "a just and humane man" (also, The Cork Examiner, 24/12/1891). In 1865, he was described as an "amiable old gentleman of over sixty", who was actually aged fifty four years. According to Casey, he had hair of a silvery whiteness, and he spoke in a kind tone. He was considered to be "a kind gentlemanly and amiable governor" (Casey,1865/66). The present Barry Murphy family lore inferred that "their" governor lived at 'Springmount House' across the road from the gaol. This house known, even to this day, as the 'Governor's House' is inextricably linked with the folklore of Cork City Gaol. The stairwells from the governor's quarters which emerged when restoration was in progress, more probably led to disused dungeons or a half basement rather than to "secret tunnels" designed to give access to 'Springmount House'. (Dungeons were outlawed in 1826, two years after the opening of Cork City Gaol). However, following extensive research, it was concluded that the only Murphys ever associated with 'Springmount

House' were the 'Brewery Murphys', who had no connection with either the Barry-Murphys or the gaol.

A **William Minhear** was appointed as governor of Cork City Gaol in 1874. His retirement salary, in 1877/78, was £350. The governor of the County Gaol of the time was paid £325. This discrepancy of salary needs further investigation as the governor of Cork County Gaol seems to have held a more senior and more demanding position. The discrepancy may be answered by further examination of the salary levels versus the fuel / accommodation allowances, which were apparently discontinued from 1860, and the inconsistency of national salary awards. This despite the regulations which based salaries on the prison responsibilities and the population of the county.

Alexander Kingstone was appointed, in 1878, as the first governor of the Cork, (Female), Prison under the newly appointed General Prisons Board of Ireland. The positions of governors of local prisons were filled by public advertisement (The Cork Examiner, 09/08/1878).

THE DUTIES OF A GOVERNOR

The governor was the highest officer within the prison, all other officers being answerable to him. He in turn was subject to the Local or District Inspector, the local Board of Superintendence, the local Grand Jury and Corporation, the National Inspectors of Prisons and their Board who were in turn subject to the Lord Lieutenant for Ireland and the British Parliament.

The governor interviewed each prisoner on admission. Casey, (1865/66), described entering the prison. Accompanied by a policeman, he went up a walk to the prison entrance proper and there he awaited the governor in the hall. After a few minutes the governor appeared, spoke a few words to the police and then turned to the prisoner, Casey, and asked him "in a kindly tone", his name, age, religion, and a "few indispensable questions"

which were then entered in the Prisoner's Book. Then he beckoned a warder who then beckoned Casey to follow him to his cell. The governor's daily routine included daily visits to the prisoners in their cells either by himself or by his deputy. Governor John Barry Murphy was described as, 'doing rounds" with a warder each night just before lights out. This procedure Casey described. At 7.30pm the tramping of many feet and hasty unbarring of doors was heard by the prisoners. The prisoners then stood up for a visit from the governor who asked, 'is everything to your satisfaction? , if you have any problems, I will endeavour to solve them' (Casey,1865/66). Unannounced inspections of the prison by the governor could occur anytime either by day or by night. The inspections were directed at staff and prisoners alike. The introduction of telltale clocks added further controls to the inspection system and reduced the need for night time patrols by the governor. The Panopticon system dictated that the governors' offices were placed centrally so that a governor could inspect all warders at all times. The governor held sole responsibility for the prison keys including the hospital keys. The Inspectors complained that, the governor only took the hospital keys up to bed, when prisoners were confined to hospital (Forty-eight Report of the Inspectors-General). Responsibility for the supervision of the multitude of books and forms filled out daily by the system fell to the governor and his assistant governor / clerk. Under the 1822 legislation he was expected to compile an annual report on his prison for the year ending November 20th, which was to arrive at the Inspector Generals Office by December 1st of that year. His responsibilities also included the granting of written permission for the movement of prisoners between gaols and Courts. On Sundays the governor and his family attended church services in the prison. They remained on the ground floor, while the prisoners knelt on their respective lobbies in silence (Casey,1865/66). Times of religious services in the prison were at the discretion of each governor. The daily movements of warders were controlled by the governor. In 1869, written passes

were required, which were then handed up on return. These written passes replaced the verbal leave system in use until then (Forty-seventh Report of the Inspectors-General). The governor himself could never leave the prison, even for a night, without permission from the Local Board of Superintendence and the judiciary, who employed a police guard in his absence. The 1840 Separation System allowed for the appointment of a deputy governor, who could assume the responsibilities of a governor, when the governor was absent on rightful business.

Next in line of superiority to the governor, came the assistant governor or **Deputy Governor**. A John Daly was listed as deputy governor and Clerk in Cork City Gaol for 1855, on an annual salary of £63 per annum, rising to £67 in 1859, (the governor was receiving £200 per annum). It may be noted that, in 1824, when Cork City Gaol first opened at Sunday's Well, a turnkey, who was also a clerk, was paid £83 5s per annum. In the 1865/66 period, the deputy governor and his family lived in at Sunday's Well (Casey,1865/66). It is not clear if other deputy governors lived in the gaol.

THE DUTIES OF A DEPUTY GOVERNOR were not clearly defined in the Prison Reports, but as the title sometimes included that of clerk, one can but assume that office management was a big part of his day. The duties listed for the 1855 deputy governor included, that, of clerk, attendance at lock-up, and night inspection at variable hours (Thirty-fifth Report of the Inspectors General). Extracts from a later Deputy Governor's Report listed his duties as; control of officer conduct; punishment of prisoners; keeping of records of admissions; overseeing of employment; overseeing the work of Lady Visitors; and supervising the upkeep of the building.

An officer whose rank may have equalled that of deputy governor was the **Chief Warder**. Use of the term warder, in the Irish Prison Reports, seems to have been introduced about 1865, when

the staff list included; a chief warder & clerk employed at an annual salary of £80; a warder of works, paid £47 per year; and seven "ordinary" warders, with "gate " responsibility, employed at a cost of £41 per annum per person. Only one "turnkey" who also held the responsibility of storekeeper, with an annual salary of £47, was listed (Forty-fourth Report of the Inspectors General). A chief warder's duties were not well defined by the Prison Reports.

TURNKEYS / WARDERS

The disciplinary codes for prison officers were very strict in their instructions as to how turnkeys and prisoners should relate. Under the Separation and Classification Systems, a turnkey was expected to "positively befriend" the prisoners in his class. They were not expected to have "amicable conversations" with them, but, to "keep his place". The Carnarvon Inquiry of 1862, heard that a turnkey was not at liberty to talk to a prisoner except to direct him as regards his work by speaking out loud from a minimum distance of six feet, but the prisoner must reply in whispers. When Lady Lytton was imprisoned she complained to a wardress of the state of her shoes. The wardress replied, in the "peculiar tone of voice and with mannerisms which were peculiar to prison staff". She looked over Lady Lytton's shoulder, eyes fixed on a distant point and announced, "as if she were proclaiming an edict written by another person, "It's-no-good-complaining-about-those" (Priestley, 1985, pp.252-256).

Other rules imposed on the turnkeys included; no swearing or improper language; no incurring bad debts; no frequenting of public houses or bad company; no gambling or card playing, under pain of dismissal; no sleeping while in church or while on duty. Some senior officers seem to have taken a perverse pleasure in reporting new staff for the most trivial complaints. Cooperation with "old hand" prisoners could ensure a comfortable life for a "green horn" turnkey. A prisoner, Mark Jeffrey, "never a man to

mince his words", instilled fear into nearly all the warders with which he met. "Treat me well" he warned, and "you will be safe", but, "treat me harshly and I will wait my time and then attack you treacherously, and you may tell your mates that too". Balfour reported of Parkhurst, that every party had a "crow" who watched for the rest, notifying the arrival of any "visitor", in return the officer gave easy duties to the prisoner whenever possible. Experienced old gaol-birds had no compunction in betraying an officer when it suited their own needs. Priestley pointed out, that like the plan for penitentiary reform of the convict, this "positive vision" of moral supervision of officers and their families was "never much more than a pipe dream, ... discipline for both, remaining wedded to mainly negative sanctions". Many warders were "the worst bullies". "Warders were cruel and inhuman because the system demanded cruelty and inhumanity in its officers". The ex-prisoners quoted by Priestley met some very severe personalities. The genteel Lady Lytton complained of female warders who one day allowed you to go freely and another day punished you for doing so. Stuart Wood said of gaolers that the conditions of prison service "attracted only the lowest moral types of men and women", who carried out orders without question (Priestley, 1985, pp.254-256).

DUTIES OF A TURNKEY / WARDER AT CORK CITY GAOL

Warders checked the prisoners in their cells every hour, day and night, then clocking-in to the tell tale clocks. If an officer failed in his patrol duty, the clock could indicate this. Telltale clocks, designed to supervise and control the warders, were introduced primarily for the protection of prisoners. The warders / turnkeys acted, for example, as schoolmaster in the absence of a schoolteacher; supervised the admission of prisoners, including searching, bathing, fumigating and weighing; accompanied the prisoner when meeting with the governor on admission; showed the prisoner to his/her cell (Evans, 1982). Turnkeys observed each prisoner in his class both at work and at rest. They issued marks for good or bad behaviour. These, with

their trade earnings, were recorded regularly for each prisoner on the prisoner's own sheet, (form), and in the turnkey's book. Another portion of some turnkey's duty included the instruction of prisoners in a trade.

In 1824, there were but three turnkeys, (including the clerk), at Cork City Gaol. By 1855, ten turnkeys, six weavers, one shoemaker, one storekeeper, and a **Searcher at the Gate** were employed. In 1859, turnkeys at Cork City Gaol could turn their hands to weaving, shoemaking, cooperage, tailoring and smiting. A senior grade among turnkeys was **Master of Works**, only evident in Cork City Gaol from 1855, when the Convict Prison System was introduced nationally. This "Master of Works", supervised the day to day operation of the industrial output of the prison and was also a turnkey and weaver, earning £39 per annum in contrast with other turnkeys who also taught a trade but earned £27 6s. In 1857, turnkeys were supplied with uniforms, candles and coal. They were paid 10s 6d per week, unless provisions costs were high when they then received an extra 1s 6d. In 1860, they were supplied with uniforms and arms (Thirty-fifth & Thirty-eight Reports of the Inspectors General). When, in 1874, change was once again expected, the staffing levels of 1855 were seen as excessive. The emphasis on teaching a trade and using it as a source of income had become flawed. The duties of **storekeeper / hospital warder** fell to one particular warder. As hospital warder he issued stores, including dietary requirements. He also cared for the sick with the help of inmate orderlies. The Inspectors recommended that he also act as clerk, when required by the chief warder (Fifty-third Report of the Inspectors-General). Clerical work which included form filling for each prisoner in his care, was also part of his remit (Evans, 1982).

Other officers in Cork City Gaol included a **Protestant and a Catholic chaplain**, a **surgeon /medical officer** and an **apothecary**. A **schoolmaster** and a **schoolmistress** were employed from time to time. These officers were employed on a contract basis. A

Searcher at the Gate, was apparently introduced in 1855, when Jane Stanley was retained, at a cost of £5 per annum, on a contract basis. In 1869, Dr. Beamish and a Mr. Sheehan, schoolmaster, had their applications for a raise rejected. They had fixed salaries. "If the Board of Superintendence thought the attendance of a medical was necessary they should pay for it", were the Recorder's comment. If "a gentleman was required at the gaol for educational purposes, he was sure the Board of Superintendence would see that it was done" ('Constitution or Cork Advertiser', 20/03/1869). Some of the staff employed at the old Northgate Bridge Gaol who seem to have transferred to Sunday's Well included a tailor, a barber and a sweeper, who also acted as **executioner** when required. This sweeper may well have been the executioner in 1828, when Owen Ryan was hanged. From the very beginning a **Nurse tender** was employed. Her salary rose from £12 7s per annum in 1824, to £28 16s in 1859, £1 10s per year, higher than that of **Assistant Matron.**

Female warders (also called matrons according to Lohan, 1989), may have been less severe than their male counterparts, according to some of their charges. Susan Willis Fletcher, commented that they were "better than one would expect, considering the sort of person who would naturally seek for such employment". Others were described as "ignorant, lowbred, drunken and innately, constitutionally cruel" (Priestley, 1985, p.265). Lohan, (1989), discussed the social background of these matrons, describing them as "from the servant class" although they often called themselves "ladies' maids". Senior female officers were often from the class of gentlewoman who had no other means of support. Lohan concluded that the prison service gave women an opportunity to acquire a career which allowed them to achieve positions of some power and influence. Lady Lytton found the female staff in Holloway Gaol "fine-looking women, young and vigorous, with good figures and beautifully kept hair, in fact rather as one would expect of chaperon's at Court Balls". According to a governor Harris, female prisoners were better behaved for good-looking

female officers than for " a plain featured officer of unsympathetic address". Matrons and their staff were recommended to wear "dark clothes as a good example to their charges" (Priestley, 1985, p.266). Female prisoners in English prisons were described as "fond of tawdry finery" which was "very generally their chief aspiration, as well as the cause of their downfall" (Priestley, 1985, p.71).

A **Superintendent Matron** and her assistants, were the turnkeys or warders with responsibility for the female side of the gaol. A matron and female attendants were appointed by Grand Jury under the 1822 legislation. The Matron at Cork City Gaol was apparently first appointed in 1837. Feinman argued that, despite proposed prison reform for women in the USA between 1825 - 1873, there were few reported successes in acquiring matrons for women. Eliza Farnham, for example, was employed at Sing Sing prison in New York from 1844 - 1848. She and her staff broke the rules of Silence and Separation. They gave the female inmates an educational, rather than a religious instruction, and, they allowed them to decorate their wing with their own craft work. Matron Farnham was dismissed in 1848 amid much opposition (Feinman, 1985).

CHAPLAINS

Boyle O'Reilly, (1901), said that in English prisons the **Searcher and Fumigator**, (who carried probes and a fumigating bellows), visited each cell in advance of the **chaplain**. Boyle O'Reilly commented that the clergyman should "fumigate the cells" while he was "fumigating the prisoners souls". The chaplains visits were designed to impress on prisoners "the foolishness of their ways". If prisoners showed due remorse their sentences / treatment could be improved, consequently the prisoners usually told the clergymen what they wished him to hear (Boyle O'Reilly, 1901). Lohan, (1989), said that Roman Catholic chaplains were more likely than their Protestant counterparts to side with the prisoner. Prison Regulations 122, prioritised the "sick" and the

"wicked" and placed them at the head of the queue for personal visitation by a chaplain. The Rev. Kingsmill, apparently a caring man, reported on the "distress of a prisoner" which he helped by "pulling out his work basket for him". Others, such as Rev. Smith, offered more vigorous evangelism conversing with one man on the "Death of Infidels" and with a poacher on "the origin and nature of godly fear". The character and conduct of the chaplain himself was most important in shaping the prisoner's view of religion (Priestley, 1985, p.104).

Priestley also referred to a Dr McCook Weir who concluded that those who failed to make something of themselves outside joined the prison service, on the assumption that anything at all would do for prisoners. Many English prisoners complained that the chaplain never voluntarily visited them in their cells. A Frederic Martyn described three chaplains he met as "palpably out of place in prison and a fourth as "a terrible driveller". Oscar Wilde dismissed them as "entirely useless ... foolish, indeed silly, men". He described how every six weeks a chaplain opened his cell door, asked if he was reading his Bible, quoted a few texts, left a tract, then went out and locked the door". Nonetheless some chaplains were respected. 'One-who-has-endured-it' said of the Newgate chaplain that he often recalled the "many little acts of kindness and the really encouraging sweet words of comfort he had received from the chaplain" (Priestley, 1985, p.114). Rev. John Falvey was, in 1824, Roman Catholic Chaplain to the Cork gaols. In 1823, Dr. Quarry, the Anglican chaplain, was commended for his diligent attention to duty as a chaplain. He was commended for his attention to the "moral and religious improvement of the prisoners; and their improvement in school, under every disadvantage" (First Report of the Inspectors General, p.47).

DUTIES OF A CHAPLAIN

His **responsibilities** included the purchase of bread and milk, the examining and tasting of same to ensure their good quality; maintenance of strict discipline, tempered with kindness; control of expenditure of public money; constant inspection of the prison; visiting prisoners in their cells; interceding for prisoners and obtaining employment and money for them on release; keeping books and records of his visits; writing an annual report of his duties and findings; supervision of the education of the prisoners; control of library books; screening of visitors; and, of course, taking religious services. The chaplain's business was "to observe the effects of punishment and not to inflict it" (Evans, 1982, p.328). The chaplains were responsible for the education of the prisoners and the arrangement of the library. Under the more severe regime of the Separation System, the library books were generally uplifting, educational and never trivial. After the Gladstone Reforms in the 1890s, books of pure entertainment value were added to the list. As **Librarian**, their duties also included writing letters for illiterate prisoners and censoring both incoming and outgoing mail - a strange duty for a librarian. In 1874, chaplains were still supervising the quality of bread at Cork City Gaol and were responsible for ordering some goods for the gaols, a practice introduced prior to 1822 ('The Southern Reporter and Cork Commercial Courier', 05/10/1822). The Prison Inspectors usually reported that the samples of the diet which they had seen were excellent, and that these were always reported on favourably by the chaplains. However, the inspectors, in 1875, complained that the chaplains' journals contained little or no information, and were usually written by their deputies (Fifty-third Report of the Inspectors-General). The Protestant chaplain at Cork City Gaol was criticised sharply by the inspector - "I regret to state that, he has not himself performed his prison duties during the whole year", but that he has "sent his curates". The Roman Catholic chaplain was similarly reprimanded. He had three substitutes, "none of which were appointed" in accordance with the 11th Section of 19 & 20

Vic., cap.68.,(1856) (Fifty-third Report of the Inspectors-General, p.311). A Protestant minister at Cork City Gaol, the Rev. Dr. W.C. Neligan, was described by McCarthy, (unpublished), as having been "scholarly, crankish, and caring". In 1855, both the Protestant and Roman Catholic chaplain visited Cork City Gaol one hundred and fifty six times each - three times weekly on average (Thirty -fifth Report of the Inspectors General).

Chaplains "played a very minor role indeed" in the life of prisons. A number of prisoners, known as "foxes" tried to take advantage of them in the hope that a show of religious zeal would improve their conditions. There were so many of these that "they consumed a great deal of the chaplain's time". Prisoners were often converted by the possibility of better conditions more than by any exhibition of religious zeal (Priestley, 1985, pp.116 - 119). Lohan, (1989), discussed the problems encountered when prisoners, in the belief that it would somehow improve their treatment in prison, endeavoured to change religions. Two weeks notice was required before permission was given for a prisoner to attend the services of their new religion. Sometimes during this period, they changed their minds causing much bureaucratic upset. The chaplains of English Convict prisons were described as "tired functionaries, expected to discharge difficult duties in a hostile environment" (Radzinowicz & Hood, 1986, p.541). While Jebb's reports on English prisons included many sincere sounding letters praising the efficiency of the chaplaincy service, the fact remained, according to Radzinowicz & Hood,(1986), that prisoners who were crooks while free, were unlikely to become totally reformed while in captivity.

THE DUTIES OF A SURGEON

A gaol surgeon carried heavy responsibilities. An extern officer was chosen from the Local Infirmary panel by the 1822 Act. His duties to his employers were not always compatible with the needs of his patients. His main responsibilities lay in

the medical care of prisoners, staff and their families, both inside and outside of the prison hospital. The surgeon was expected to visit the hospital at least once daily. In Cork City Gaol, this visit came after the cease labour bell at 11.10am, the casual sick were escorted to the office or consulting room where they were examined (Thirty-eight Report of the Inspectors General). In 1858, William Beamish, M.D. received an annual payment of £55 for three hundred and eighty-two visits to the gaol. He was assisted by a William T. Jones, as apothecary, at a cost of £10 per annum. Medical attendants, (surgeons), refused to be apothecaries as well, claiming that there was too much work involved due to the great increase in medications available (Thirty-eight Report of the Inspectors General). Details of visits, including illnesses and injuries, and their treatment, were recorded daily. The surgeon supervised injuries which occurred at work or through prison punishment - he had absolute discretion in all cases of punishment, and made recommendations for safer practises. The 1849 Regulations for Prisons, gave the surgeon great powers. Whenever he had reason to believe that either the mind or body of a prisoner was likely to be "injuriously affected" by the discipline or treatment, he could report the cases in writing to the governor, together with such directions as he might think "proper". He was expected to call the attention of the chaplain to any prisoner whose state of mind appeared to require "his special care" (Priestley, 1985, p.185).

He also described, from the prisoner's point of view, the medical assistance available in a typical prison. Daily medical care was available to the mid-Victorian prisoner on demand. But to prevent its being seen as in any sense a "disinterested service" to the sick, its provision was hedged about with "procedural obstacles", and an "air of deterrent unpleasantness". At Parkhurst, the prisoner "handed in" a small wooden ticket, when his cell door was first opened in the morning. In Leicester County Gaol, the doctor passed along the landings, passing the opened cell doors, he called out "Surgeon, Surgeon". "But you

scarce had a sight of the surgeon; he went like a puff of wind by your door", was how a prisoner described it in evidence to the Leicester Inquiry of 1854. Prisoners were duly assembled for the "sick parade", which in one prison at least, took place "al fresco" in the exercise yard, which "saved the doctor the trouble of visiting each cell individually". A high percentage of the prison population in English prisons availed of the "powers of the surgeon, almost miraculous in their power to transform the daily life of the convict". He could pass men fit for hard labour or not. He could; remove them from a working party to indoor work or vice versa; order additional and tempting diet changes; or even order their release in extreme conditions. It was not surprising that the estimate by Dr. Quinton at Dartmoor was that of every one hundred patients seen daily, only a dozen (12), really needed attention. Treatment was administered "on the spot" from the compounders tray. Despite the horrible concoctions administered, "faking" was prevalent. As a result prison medicine became "a battleground" in which the surgeon had to measure "his shrewdness against the deceit and cunning of the most villainously artful and deceitful body of men in the world" (Priestley, 1985, pp.168-170).

Many of the adverse comments of the prisoners, quoted by Priestley, concur with Oscar Wilde's testimony; prison doctors were, as a class, "ignorant men ... the pathology of the mind unknown to them". Inquests held on prisoners who died in prison were "inconvenient" and often raised questions of competence from a jury, hence surgeons preferred to discharge sick convicts, allowing them to die at home thereby avoiding any questions. Prisoners could only be released "on medical grounds", if they had a friend to receive them. Friendless prisoners died in hospital and were buried in "a prison coffin filled with sawdust, without even a dirty old shirt, and buried in an unknown uncared-for grave" (Priestley, 1985, pp.186, 189). This gave a more cautious view of the statistics given by the 1891 Irish Inspectors, which listed deaths in Irish prisons as only one per

thousand, and, deaths in the general population at eighteen per thousand (Thirteenth Report of the General Prisons Board, p.17).

The decision of the doctor could not be altered even by the governor. They had "entire control of the men in hospital and absolute discretion in all cases of punishment". Despite this, Priestley concluded that, they:

> *lent to the work of preserving their employer's reputations whatever dignity their emerging profession possessed - and lost it ... patrolling the narrow straits that separate hunger from starvation and punishment from outright cruelty. (Priestley, 1985, p.190).*

Such complaints were not made, at least by the authorities, against Cork's William Beamish, who was described, as "most attentive to the sick", kept an "excellent journal", and his books were "regularly written up" (Fifty-third Report of the Inspectors-General, p.313). What the prisoners' opinions were, was not recorded in the official report.

THE PROBLEMS OF PRISON STAFF

The number staff in the prison was sometimes considered excessive; eighteen resident staff and five nonresident staff, for a daily prisoner average of 135 - a ratio of 1:6. Recommendations for the solution of this overstaffing included removing the chief warder's assistant clerk. If he needed occasional help, it was agreed that the hospital warder could pick up the slack (Sixteenth Report of the Inspectors-General). In 1874, discipline among the staff at Cork City Gaol was reported as very lax. Three prison officers were dismissed for drunkenness while two others were suspended. The Inspectors recommended that "great care" be taken in the selection of staff and that a medical officer should examine every officer before appointment. Many staff, both male and female, developed poor health from their work causing their discharge from work, apparently without any disability allowance. A serious complaint was made by one of the prisoners at Cork City Gaol against Matron

Sarah Kemp. She was described as "a very violent woman". The matter was raised before the Board of Superintendence. The Inspector concluded that the matron and her assistants were "willing to perform their duties" but that they were "inexperienced in the management of the obstreperous class of prisoners committed to this gaol" (Fifty-third Report of the Inspectors-General, pp.312-313). In 1878, Assistant Matron Kemp was found unfit for duty and was replaced.

The practise of employing staff on merit seemed suspect as similar surnames of turnkeys appeared between 1824 and 1874. B. Sullivan, Thomas and John Sullivan, Maurice Sullivan, and Mary A. Sullivan were employed as turnkeys. The turnkey/ storekeeper / hospital duties fell to a Daniel Giltinan, while a Teresa and Maria Giltinan were employed respectively as Nurse tender and Schoolmistress. John Stanley's wife Jane was Searcher at the Gate, while a Mary Stanley was employed as warder / Matron. William Plant Sen. and William Plant jun. were both weaver / turnkeys. If all these staff were related, it begs the question - had the recommendations of the Thirty-fifth Report of the Inspectors General, whereby staff were to be employed on merit, rather than, on family connections, fallen on deaf ears? Or, was it influenced by the general trade practises of the time, whereby trade apprenticeships were often retained for family members (Murphy, 1993).

While the staff in a nineteenth century Irish County Gaol were surrounded by rules and regulations, they were, at least, in a position of some power and relative freedom. Prisoners experienced an even more severe regime. The life of these prisoners is more fully discussed in the following chapters.

CHAPTER 10

PRISONERS - CORK CITY GAOL

On a June day in 1824, prisoners from the old overcrowded gaol at Northgate Bridge were moved to the new gaol. The Second Report of the Inspectors General, praised the new building "now almost completed", but lamented its location, "the only defect being its distance from the town, and the consequent difficulty of constant inspection. This, they said, would be felt most by "those benevolent ladies" who intended aiding "the improvement of the female class" (Second Report of the Inspectors General, p.47).

WHO WERE THE PRISONERS?

In the eighteenth century, Jeremy Bentham, described criminals as "forward children", persons of "unsound mind who lacked the self discipline to control their passions" according to the dictates of reason (Ignatieff, 1978, p.66). Random sampling of the Irish Prison Reports indicated that the prisoners housed at Cork City Gaol during the nineteenth century were; mainly in the age group 21 - 31 years; almost all had a low level of literacy; mainly Roman Catholic; more likely female, even prior to 1877/78; likely to have committed petty crimes usually petty theft of property without violence or been drunk and disorderly; a small proportion were vagrants. In 1832, over six thousand people in Cork City alone, were officially destitute (Murphy, 1980). O'Mahony, (1993), found that the modern prisoners which he surveyed at Mountjoy Prison differed little in sociological background to those recorded in the Irish Prison Reports, 1823 - 1877/78. There was one striking difference - females were a large proportion of nineteenth century prisoners but were rarely imprisoned in the late twentieth century. An examination of the Prisoner Registers indicated that the inmates came primarily from Cork City Courts but not exclusively so. The first prisoners and the last were sent from Courts in Youghal, Co. Cork, a distance of thirty miles. Other addresses observed included the counties

of Cork, Kerry, Limerick, Waterford, and Tipperary South Riding, and South Kilkenny. This was most surprising, as all the above-mentioned counties were well serviced with gaols and Bridewell.

THE "ORDINARY" PRISONER

The idea that a tendency to criminal behaviour was hereditary in some way was first considered in the eighteenth century. Physiognomists related antisocial tendencies to the irregularities of outward features. Phrenologists, in the early nineteenth century contended that each bodily function was linked to the brain which affected its shape and one could therefore recognise a criminal from the shape of his head. In the 1860s, experts, such as Thomas Beggs, "had no doubt that paupers and criminals were a deteriorated class". Even the Reverend Elliot, who acknowledged crime as "learned behaviour" nevertheless insisted that "nearly 15% of first convictions were due to inherited physical causes". But, all these ideas were just theories awaiting scientific analysis. Three different prison doctors set about doing just this. Dr. Wilson measured the heads of four hundred and sixty-four convicts. Dr. Thompson drew on his experience at Perth, and, in particular, on the six hundred and seventy-three prisoners who "required special care and treatment on account of their mental condition". Dr. Nicolson used his observations of prisoners but provided no statistics. Habitual criminals had an "unmistakable physique", with "rough and irregular outline", they concluded. Even Sir Edmund Du Cane was caught up in this theory, illustrating his lectures with photographs which "proved the connection between looks and a criminal tendency". Thomas Laycock described criminals as "weeds, who multiplied their kind and continually kept up the breed" (Radzinowicz & Hood, 1986, pp.7-10).

The Bell Curve, devised by Murray and Hernstein in 1994 was, wrote Moriarty in 'The Irish Times' in 1995, based on the thinking of Prof. Richard Lynn of Coleraine University. This Bell Curve theory which contended that I.Q. levels varied between

races and socioeconomic groups, was reported by Morganthau, (1994, pp.30-38), as having ignited a debate in America over race, intelligence and class, playing into public anxieties over "crime, illegitimacy, welfare dependency, and racial friction". He said that Hernstein argued that "dumb people" were "now outbreeding smart people in America". O'Mahony, (1993), found that in modern Ireland, that, individual prisoners often had a history of chaotic and disordered lives. Nineteenth century prisoners seem to have lived in a similar fashion. A more direct comparison between nineteenth and twentieth century statistics would prove interesting, but was outside the scope of this study.

The Reports gave no real clues as to the socio economic background of the prisoners at Cork City Gaol. They made passing references to the poor prisoners not working enough, or, not being properly organised in their work. Occasional mention was made of Master Debtors being housed in the Governor's House in quarters rented from the assistant governor. The Prison Reports tended to emphasise supervision, classification and statistical analysis of the prisoners' crimes.

SOME CRIME STATISTICS FROM IRELAND

The most common crimes in the five-year period, 1823 - 1827, show a yearly average for Ireland of -

Larceny / Burglary	4,068
Murder, including infanticide	401
Misdemeanours	2,260
Vagrancy	327
Embezzlement / Fraud	205
Illegal distilling	914
Other crimes	7,595

By 1856, the Prison Reports were showing a national decrease in crime of some 12% over 1855, (19% when calculated on the daily average of prisoners), a trend which was evident over the

previous four years. Vagrancy numbers, in particular, had shown a marked decrease by 1856, except among juveniles. Although, of one hundred and twenty-four juveniles committed for vagrancy, 78% were aged between 10 - 16 years. This decrease may have been influenced by the after effects of the Great Famine of 1845-47. This was confirmed by a Mr. Gibson, the Presbyterian chaplain to Spike Island whose critical 1860 annual report had been suppressed by the authorities. Gibson criticised the view which attributed the decline in committals to the superior nature of the Irish Convict System. He pointed out that this decline was also evident in Local Prisons, attributing the cause of this improvement more to the "social upheaval connected with the Famine and mass emigration" than to the effectiveness of the Irish Penal System (O'Mahony, 1994, p.461). Whatever decrease in crime was evident nationally in 1856, in Cork this was not immediately evident until 1858, when a decrease in committals to Cork City Gaol was recorded. Cork showed a 20% decrease in male criminals and only 9% in female criminals. Male vagrancy decreased by 58% while female vagrancy decreased by only 23%. The decrease in numbers of prisoners reported during the 1850s was no longer evident by the end of the 1860s. A contributing factor may have been the Crimean War. Historians have speculated that "confinement had its greatest vogue in times of high unemployment, expanding population, rising prices and falling wages". Confinement having the effect of "withdrawing labour from the market" (Ignatieff, 1978, p.12). The Crimean War, (1854 - 1855), had the effect of reducing unemployment and removing criminals and potential criminals from the streets, as had been observed during; the Seven Years War in the 1770s; the Napoleonic War at the beginning of the nineteenth century; and the First World War at the beginning of this century. The Forty-eight Report of the Inspectors General showed, an actual increase in 1869, while at the same time, showing an actual decrease in daily averages. The Inspectors attributed these increases to the many drunkards, vagrants and military offenders which could be found in Cork city. Crime in Cork City was not of "a heinous

character, assaults, street riots, breaches of the peace, and larceny being chiefly present" (Forty-seventh Report of the Inspectors-General, p.340). On September 21st, 1874, of the seventy-six males and seventy-seven females in custody at Cork City Gaol only 15% had been through the Superior Courts. The rest chiefly consisted of riotous, drunken, and disorderly characters, which was attributed to the "circumstances of the locality" (Fifty-third Report of the Inspectors-General, p.305). Of the three thousand three hundred and twenty-four commitments made in 1877/78, the last year when Cork City Gaol was a mixed gaol, 31% were classed misdemeanants, 57% as drunkenness, 0% as vagrants, and 12% as other. Of the total of one thousand nine-hundred and sixty-five individuals committed in 1877/78, twenty-three males and seventy females had more than twenty-one previous commitments. Despite the strong pre - Famine Temperance Movements, led by Fr. Matthew, drunkenness remained a major factor in the crime figures. These trends were corroborated for Kilmainham Gaol by Kelly, (1988).

THE LITERACY LEVEL OF THE "ORDINARY" PRISONER

64% of the total, (562), committed in Cork City Gaol, in 1837, were unable to read or write. Of the nine males, aged between sixteen years and thirty years, accused of offenses against property with violence, five were illiterate. Offenses against the person were charged to sixty-one males and twelve females - forty-two of whom were deemed illiterate. A total of fifty two-minor offenders could read and write (Sixteenth Report of the Inspectors-General). Nineteen Irish prisoners were apparently categorised sometimes as, unable to read and write, if they; read imperfectly; knew only spelling, or the alphabet; or were wholly illiterate. Therefore, it could be assumed that the level of comparative illiteracy amongst offenders was high. These five hundred and sixty-two offenders represented 3.8% of the total offenses for all of Ireland,(14,804). This number was exclusive of those termed, for drunkenness, or, tried in the most Minor Courts. Mokyr estimated that only 28% of the Irish population,

in 1841, were literate, (could read and write). He reckoned that if this had been raised by 50%, a half million people might have been saved from starvation because literacy "may have been correlated with other skills which were important for survival". Literacy gives "the ability to adjust rapidly to changing circumstances" (Famine Exhibition, 1995). It could be argued that remand prisoners with a higher level of reading and writing would be more likely to have been acquitted by the Courts. Yet, for example, in 1869, in Ireland, the acquittal level of literate remand prisoners was 17% and of illiterate remand prisoners was 29% (Forty-eight Report of the Inspectors General). An 1853 review of a pamphlet "The Prison and the School" stated; "boys taught to read and write in prison, on release, used their new skills to improve their old skills of thievery" (The Irish Builder, p.650). Chief Superintendent, Garda Long, speaking in Cork, (1995), remarked that the increased level of education in modern Ireland made it more difficult to ensure convictions - "criminals knew their rights and were more assertive in demanding them", while at the same time "the general public demanded greater accountability from the Police and the Courts". This aspect of criminology would warrant further study.

THE RELIGIOUS PERSUASIONS OF THE "ORDINARY" PRISONER;

In 1869, the numbers of each religious denominations for each class of crime was published. This indicated that the level of prisoners of each denomination in County and Borough Gaols in Ireland in 1869, when taken as a percentage of the total Irish population was very closely matched. 0.6% of Roman Catholics and 0.54% of Established Church members were in prison in 1969. Although these statistics were for one year only, it was surprising that the level of crime by percentage of population were so closely matched for members of the Established Church and Roman Catholics. This social aspect might well warrant further study across a broader base, because of the perception of the stage Irish Catholic "drunkard and thief" portrayed by popular English magazines such as "Punch" in the nineteenth century. It

would appear that Roman Catholics were no more prone to crime than were their non-Catholic neighbours, they were just a dominant sector of the Irish population. The propensity of prisoners to change their religion when it suited their needs, may also have been an influencing factor here. Another factor which might have influenced these figures was, the relatively large numbers of destitute families, who, in return for food, were converted to Protestantism during the Great Famine of the 1840s.

FEMALE PRISONERS

Some absurdities, which were "repeated as received truths" until "dealt a fatal blow" by Dr. Charles Goring in 1913, gave some unusual descriptions of female criminals. Their hair and eyes were believed to be "usually darker than those of honest women". Prostitutes, it was held, had voices "which were deep and coarse", and they were insensible to pain, a fact proven by "the readiness" with which they allowed themselves to be "wounded, cauterized for certain diseases, and undergo surgical operations" (Priestley, 1985, p.79). Feinman, (1985), argued that women in the modern American criminal justice system were not well understood by the general public, or by government. As a result, there was much misinformation, and a tendency to rely on stereotypes and superficial theories when interpreting the lives of women. Prison, said Priestley, "was a man's world; made for men, by men". Women in prison were seen as "somehow anomalous; not foreseen and therefore not legislated for". When the 1826 legislation first introduced a system of classification, females were all grouped together as one class. Women were provided with separate quarters and female staff, "for reasons of modesty and good order", but not otherwise dealt with all that differently. With no positive policy in place they were treated rather like "difficult men" or "lunatics" (Priestley, 1985, p.69). Women offenders in the USA in the early nineteenth century were believed to be more depraved than their male counterparts. They were deemed incapable of reform and redemption (Feinman, 1985).

Caring for the women's babies in prison was a practical nuisance. Some prisons (in Britain), had a creche but, babies disorganised an entire prison, from the Matron downwards. Everyone wanted to play with them, causing jealousies, as the mothers never seemed to "get a look-in" (Priestley, 1985, p.71).

The great preponderance of the female prisoners at Cork City Gaol were described as, prostitutes and persons of disorderly disposition (Forty-fourth Report of the Inspectors General). The 1866 and 1867 figures continued to reflect this preponderance to prostitution. Two cases of concealing births and one of abandoning children were recorded with a total of two hundred and four cases of larceny, (often from soldiers), committed by females in the two-year period. In 1869, crimes which had "entirely ceased to exist in other jurisdictions", were attributed in Cork City to "a worse class", who were "incident to a large city, the seat of a garrison, and a seaport". The females "frequently outnumbered the males" (Forty-seventh Report of the Inspectors-General, p.340). Many women were committed for "selling fruit and other articles in the street, and charged with obstructing the thoroughfare" (Forty-eight Report of the Inspectors-General, p.306). The commitments of females for drunkenness were reported as higher than that for males (fifty-third Report of the Inspectors-General). There was an underlying trend in the reports indicating that females were recommitted many times. In 1873, at Cork City Gaol, one female had been recommitted thirteen times in that year alone and there were two females who had been recommitted up to one hundred and twenty times in their lifetime. Nine hundred and twelve females were represented by three thousand five hundred and eighty-two recommittals, an average of four recommittals per female (Fifty-third Report of the Inspectors-General). The Inspectors, repeated their observations from the previous years, "that abandoned women" committed for loitering in the streets and similar offenses against public order constituted "the great majority" of females in custody and a "great number of

recommitments". The extraordinary number of recommittals of the same persons was seen as a "sad evidence of the inadequacy of short incarceration" in a criminal prison, especially one administered on the "antiquated and vicious System of Association for purposes of repression or reformation" (Fifty-third Report of the Inspectors General, p.307). A similar discussion as to the inadequacy of short sentencing is taking place today.

McLoughlin, (1992), discussed the importance of "foul language" as an offence committed by women in the nineteenth century. Six new categories of crime associated with language "heard in a public place" were introduced in the mid nineteenth century. The empowering of women gave their public language importance in society. This development made public space more inhospitable to women, who were now expected to "enter their husband's thoughts" and do everything possible "to preserve the home as a sanctuary from the world". This reflected the changing attitude to crime, which perceived crime as stemming primarily from social causes. Refuges for women discharged from prison, were offered as a solution. Females were "left helpless on their discharge", and often became "outcasts on the streets from want of friendly aid and advice". The Inspector recommended that a Refuge be built on the lines of Namur, attached to Marseilles female prison as described by Beranger in 'De la Repression Penale", and on the lines of the Victoria Asylum in Dublin, built in 1839, by Lord Carlisle acting on the advice of Mrs. Fry (Forty-eight Report of the Inspectors-General, p.306).

Female prisoners had difficulty obtaining work on release from prison. The factors which influenced this were discussed by Lohan, (1989). She quoted the superintendent of the Goldenbridge Refuge who attributed this problem to the kind of work available to women, namely domestic employment. Such indoor employment required higher references than those required by males who could apply for outdoor jobs. This was a particular problem in Ireland due to a lack of industrialisation. Other influencing factors

included the deeper mistrust of women ex-convicts, because it was believed to be much more difficult to reform women than men. Women were also more likely to be attracted back to their old associates than men were. Men were more likely to make a clean start.

JUVENILES

Children of any age could be "bewildered" by their induction into the strange world of prison. Wilde described a child in Reading Gaol whose "face was like a white wedge of sheer terror, in his eyes the terror of a hunted animal". One chaplain's description of children in gaol was "heart rending". Sometimes, they would "neither eat nor sleep" but "wept continuously for three or four days, 'till the gaolers were at their wit's end". A Major Fulford told the Carnarvon Committee, "I have had them really so small and so tender that I have been obliged to put them in the female hospital to play with the kitten". The treatment of children was not always so considerate. "The pitiful cries of boys who were little more than children were often suppressed by blows" (Priestley, 1985, pp.56-57).

In the year 1869, thirty males and six females of 10 - 16 years were committed to Cork City Gaol. One boy under 10 years old was committed for misdemeanants. "Taking into account the large street population of juveniles", the number of juvenile prisoners was "trifling" according to the Prison Inspectors. In Ireland as a whole, two girls and nineteen boys under 10 years were convicted and lodged in the County and Borough Gaols. Nine hundred and ten juveniles, aged 10 to 16 years were in Irish prisons. However, if those "not tried" and those "acquitted" were included, the numbers rose to a total of one thousand one hundred and forty-five juveniles, an actual decrease on the previous year. This decrease the Inspectors hoped would "continue with the proper working of the Reformatory and Industrial Schools Act" (Forty-seventh Report of the Inspectors-General, p.340). In 1873, of the eighty-three juveniles in Cork

City Gaol, only 15 were sent to Reformatories. Seven had previously been in Reformatories (Fifty-third Report of the Inspectors-General). O'Mahony, (1993), found that modern adult prisoners were likely to have been first convicted before sixteen years and were likely to have spent time in St. Patrick's Detention Centre for males aged 17-21 years.

In 1872, an attempt was made to identify the circumstances which led young people into crime. The parental situation of each juvenile was closely studied. Juveniles were classified as, under 10 years, and 10 - 16 years. Using these two sub divisions, which were further divided into males and females for each prison, the prisoners were studied under the following headings; having stepmother or stepfather; abandoned by parents; absconded from parents; or illegitimate. They also asked whether; both parents were living; both parents dead; father dead; mother dead; or couldn't be ascertained. Of the one thousand two hundred and nine surveyed, 57% had both parents living. Of the remaining 43%, 10% were orphans, 21% were fatherless and 11% were without a mother. Of the five hundred and five who had lost either or both parents 16% had a step parent (Fiftieth Report of the Inspectors-General). The practise of surveying the parentage of juvenile prisoners seemed to have lost favour quite quickly. However, it did fit neatly into a social trend of the time, which identified a secure family base as a solution to all society's ills. Evans, (1982), and Murphy, (1993), pointed out that, the intimate charms of family life were recognized as a crime preventative in the eighteenth century, but, by the middle decades of the nineteenth century domesticity was seen as the ideal social experience.

Hood and Sparks, (1970), observed that criminologists have almost always agreed that there was no such thing as a cause of crime, but, that criminal activities are a product of multiple factors. Modern prisoners, much as their counterparts in the nineteenth century, were likely to have come from the lowest socio economic

class, and have fathers who were manual workers. The modern Irish situation was unique in some circumstances as modern Irish prisoners were likely to still live at home and to come midway in a large family (O'Mahony, 1993). From the 1850s, when "reform was retreating from the prisons, another campaign was being mounted in the slums". Prison reform had "begun with a fever scare, (typhus), and so had housing reform, (cholera)" (Evans, 1982, p.404). The concept of encouraging families to live, in 1872, as a separate entity in spacious houses containing at least three bedrooms, separate bathroom, kitchen and living area with a small garden to the front and rear, anticipated a solution to crime. Overcrowded tenements, seen as dens of vice, were demolished. Families who showed prospect of reform, were moved to new artisans' dwellings, built on roads renamed with uplifting titles such as 'Industry Row' or 'Prospect Avenue' (Murphy, 1980; Evans, 1982).

DEBTORS were subdivided into two main categories Pauper and Master Debtors. These two classes were then subdivided into males and females, giving four classes in all,(4 Geo. 4., 1823). Abuses were apparently removed by the following rules for County Gaols; no rent should be chargeable in a County Gaol; and when the prisoner received no county allowances, he was to be placed in the class of pauper debtors, and lodged in a separate part of the Marshalsea, and amenable to all the rules and regulations applicable to the poor prisoners (Second Report of the Inspectors General). The difficulties associated with implementing these rules raised practical problems at Cork City Gaol. The pauper debtors lived on the ground floor of the eastern wing, adjoining the master debtors, who rented rooms on the ground floor of the Governor's House from the assistant governor. The Master Debtors complained that the pauper debtors were encroaching on their space en route to the airing yards. The pauper debtors in turn had complaints. Their wing was badly ventilated, but they could only air their space with the cooperation of the master debtors. The Prison Inspectors set their minds to solving this problem and

suggested that a door should be opened from the pauper debtors' Day Room into their airing yard. The master debtors could then go directly to their own yard "without mixture of classes" and the pauper debtor cells could be ventilated (Ninth Report of the Inspectors-General, p.37).

Discrepancies in treatment continued throughout the century. Although pauper debtors were, in theory, subject to all the rules applicable to the "poor", they were apparently treated with much greater leniency. The following dialogue from an Improvement Department meeting of Cork Corporation in 1866 demonstrated this. A Mr. Maguire wished to know "were the cells occupied by the pauper debtors heated by steam, as it was intended to heat other parts of the building"? The Mayor replied, that he believed that the cells were not heated. Mr. Maguire continued, by saying that he considered the rule of the prison in dealing with pauper debtors "a very cruel one". The day room in which they were permitted to remain during the day was "a kitchen in which there was a comfortable fire and some association". They were obliged to leave this "comparatively comfortable" apartment at five o'clock and "betake themselves to their cold cells", in each of which there were four beds:

> *But still that number of occupants was not enough to communicate warmth to each other. It was one of the most cruel things that could be conjectured. They ought to see that the man who had committed no crime - committed no criminal offence - should not be taken from a warm room and a cheerful room and thrust into a cold cheerless cell.*

The Mayor agreed that poor people who owed a few pounds should not be more harshly treated than those who owed large sums of money (The Constitution or Cork Advertiser, 13/01/1866).

Two master, two mistress and three pauper male debtors were in Cork City Gaol in 1869. They were apparently most unwelcome. The inspectors hoped that the legislature would pass legislation which would solve the problem of criminals and debtors

associating (Forty-eight Report of the Inspectors-General) In 1870, a warder rented furniture to some of the Master or gentlemen Debtors, and acted as a servant for them. This practice seems to have ceased by 1872. One of the pauper debtors had been in prison for three years for a debt of £18 while another had a wife and seven children but was still imprisoned despite offering to pay 10s per month as repayment on a debt of £5 13s 4d (St. Ledger, unpublished). One of the more exciting debtors imprisoned at Cork City Gaol was James Morgan, a landscape painter of "great ability when sober". His best work was reputedly completed while in prison (McCarthy, unpublished).

UNUSUAL PRISONERS AT CORK CITY GAOL

A **hangman**, reputedly imprisoned at Cork City Gaol prior to 1828 on a three-year sentence, was reported as having had "his services availed of whenever they were required" (McCarthy, unpublished). **The vitriol throwers** were imprisoned for their part in an industrial dispute incident which occurred in Cork City in 1842. A conspiracy of sawyers planned an attack with vitriol acid on the owner of a sawmills who had imported new steam powered saws which improved productivity and replaced three sawyers with one operator. The Court cases which followed were highly emotive occasions, which resulted in some of the perpetrators being transported to Tasmania (Herlihy, unpublished). A question mark remained as to which of the two Cork gaols were used for their imprisonment. Research through the Prison Reports showed that some vitriol throwers were imprisoned at Cork City Gaol. "Annoying crowds" congregated, outside the front gate and on the hill to the rear, in support of the imprisoned vitriol throwers (Twenty-first Report of the Inspectors General, p.62).

FAMINE VICTIMS filled the gaols to overflowing in the period 1845-1847 and during other major Famine times. Their main crimes being that of stealing the gleanings from harvested fields, and stealing an occasional animal for food. Butcher's meat increased

in price due to the shortage of green feed on the farms. This shortage was attributed to the eating of the greens by the country people when the potato crop failed (The Cork Examiner, 10/04/1847). The refugees who reached the City of Cork, were regularly charged with stealing bread and other foodstuffs from shops and street stalls (The Southern Reporter and Cork Commercial Courier, 30/01/1847). The Vagrant's Act whereby magistrates could sentence beggars to a month's imprisonment, put, according to McDowell, increased strain on accommodation. The abandonment of individual work became necessary. Classification was disregarded. Separation was impossible. Disease and death increased. Between 1841-1851, the population of Cork City increased by 27% despite reported deaths on the street of Cork during Famine times of one per hour. Stealing of food diminished as a crime after 1846 due to official measures, (the Vagrancy Act), and because, by then most families were too ill to steal. Reports abound of Famine refugees pleading with a judge to find them guilty so that they might be fed in prison (Harrisson, 1991). Grattan reported to Parliament that eight hundred and sixty-six Famine victims died in a Cork gaol in a month - "starvelings who should have been in hospital" (Sigerson, 1890, p.37). The Inspectors General devised a probable solution for the problem of severe overcrowding. They "reduced the scale of the prison dietary", because the superior diet in prison to the Workhouse was inducing paupers to commit crime. This reduced expenditure without having an adverse affect on prisoner health (McDowell, 1964, p.155).

'**THE YOUNG IRELANDERS**' was a mainly middle class political movement whose membership were more polemic than pragmatic. A nationwide sweep of arrests, under the Suspension of Habeus Corpus Act, 1848, led to some of the leaders of the movement being imprisoned at Cork City Gaol. These names included; cousins, Ralph and Isaac Varian; Terence Bellew McManus and others en route to transportation; Charles D. Murphy, the brother of an M.P; the poet, Denny Lane; James Mountaine; and an

anonymous gentleman who has written a first hand account of their conditions while imprisoned (Blarney Street Boys' School, unpublished: Register of Convicted Prisoners, 8/10). Allowed associate relatively freely, and separated from the rest of the prison, their treatment differed greatly to that received by later political prisoners, who felt the full brunt of the Separation System. "It might be fairly alleged on behalf of the Government that the conditions were not, in 1865, analogous to what they had been in 1848" (Sigerson, 1890, p.51).

Dawn raids, in 1865, on the houses of **THE FENIANS**, filled the gaols to overflowing, and put the Court System under great pressure. Consequently, an elastic approach stretched Prison Rules to their utmost. The Suspension of the Habeus Corpus Act in February 1866 changed the prisoners status. From the moment of their imprisonment they were subjected to a discipline, which was much more severe than that which was inflicted upon convicted offenders. They were kept in solitary confinement in their cells for twenty-two hours daily, and for twenty-four hours if the weather was inclement (Butt, 1870). Fenian prisoners at Cork City Gaol were released into the corridors and privies for one hour's exercise daily but never in association. They maintained morale by singing patriotic songs to each other, and made contact with the outside through the crowds of supporters who congregated on the hilly incline behind the gaol (Casey,1865/66). A fifty strong military guard patrolled the walls of Cork City Gaol, "to resist any attempt that might be made to rescue those in confinement". Security at the gates was also strict due to the large numbers of sympathizers who kept constant noisy vigils (The Cork Examiner, 13/02/1865).

Later Inquiries and Commissions raised an interesting legal question - were the Irish Crimes Act prisoners political prisoners? If so, should they have been subjected to a distinct

form of treatment?; should political offenders be treated as common criminals or not? (Gray, 1889). Similar questions had been raised in England in the 1790s, when the Jacobins were imprisoned and subjected to the earlier Separation System. The Act of 1877/78, taken in connection with its antecedents, returned the position of prisoners of conscience to its previous status treating such prisoners as class one misdemeanants. This was apparently implemented at Cork City Gaol, when political prisoners such as Countess Markievicz, 1919, were imprisoned there (Roper, 1934).

Whatever the reasons for their imprisonment, prisoners were punished in varying degrees depending on the system in use at that time. These punishments will be discussed in the following chapter.

CHAPTER 11

THE PUNISHMENT/REFORM OF PRISONERS

Punishment was seen as a humane method of reforming criminals. The causes of crime and its elimination has always been at the forefront of all discussions relating to the reform of prisoners. For example, Durkheim introduced a theory of anomie, which inferred that, in modern societies when traditional norms and standards become undermined and are not replaced by new ones, people feel anxious and disoriented (Giddens, 1989). In 1783, demobbing plus a trade depression brought the most serious increase in crime since 1720. The reformers saw this in another light - as evidence of a breakdown in urban order, class harmony and moral discipline among the poor. "Luxury", in their view, had eroded that "strict sense of civic duty among the rich upon which public order depended". The poor had shaken off the "trammels of delayed gratification embracing the sensual pleasures of crime" (Ignatieff, 1978, p.82). Jonas Hanway, writing in his pamphlets in the late eighteenth century, remarked, "everyday's experience proves the punishments which we inflict have lost their effect ... something new must be devised" (Ignatieff, 1978, p.83). Holford, in 1821, blamed the crime wave on "the tide of blasphemy and sedition" which "poured incessantly" from the public press "to subvert the principles and deaden the moral feelings of the people" (Ignatieff, 1978, p.158). Some twentieth century criminal activities have also been attributed to the influence of the so-called video nasties. The nineteenth century experienced an escalating fear of a:

> *dangerous criminal class - vast, self contained, self perpetuating, largely irreclaimable, implacably hostile and alien to the State - an 'imperium in imperio' (Radzinowicz & Hood, 1986, p.231).*

Davenport Hill, who, in 1864, devised a system whereby Habitual Criminals could be imprisoned indefinitely, claimed that "90% of the malefactors who roamed the Country unmolested could be

to the report (The Cork Examiner, 10/04/1847). Arguments such as this, which perceived imprisonment on a cost basis, were never far from the surface of any discussion of Prison Discipline.

EXECUTIONS

A hanging at Cork City Gaol in 1828, is the only execution which has to date been directly associated with this gaol. A William Robinson was credited as the designer of the ill-fated gallows of 1828. Owen Ryan was hanged on April 26th 1828 for the crime of rape (The Freeholder, 30/04/1828: McCarthy, unpublished). 'The Freeholder' described the scene. There was "an immense concourse" of spectators. A black flag waved on high and minute bells tolled. At half past twelve the convict moved from his cell, through the passages and yards leading to the house of death, accompanied by the Sheriff, Governor, High Constables etc. Uncovered, he walked with firm step, his countenance fixed and solemn. None but the clergyman and Mr. Walsh, the hangman, went upstairs. In something of a quarter of an hour, the door in front of which he was to be executed opened. He could be seen a few feet inside, with his cap over his face, fervently praying with the Rev. Mr. Falvey (The Freeholder, 30/04/1828). The newspaper report described the intricacies of "Mr. Robinson's famed invention". Apparently the drop was only a few inches, thus allowing the condemned man to "torturingly and tediously" die. An actual entry should appear in the Register of Convicted Prisoners, 8/9, in the National Archives, but an examination failed to find it nor can it yet be traced through the Irish Prison Reports which record sentences of death and executions for other gaols, but sentences of death only for Cork City Gaol. The hanging may have occurred at Cork County Gaol from where numerous executions were reported. The hangman, Mr. Walsh, may have been the same hangman who was imprisoned for stealing a pair of overalls and "whose services were availed of whenever necessary" (McCarthy, unpublished).

The cells without windows which contain the "original beds" were still relatively intact on the first floor of the Gate Lodge at Cork City Gaol. They may have been 'condemned cells' in which prisoners were housed awaiting execution as local lore indicated. However, 'The Freeholder' described the journey of the condemned man from his cell to the gallows as moving "through the passages and yards leading to the House of Death". At a Cork Corporation meeting, a Mr. Hegarty raised the question of the gallows at the front gate of the gaol. He reminded the members that "it was contemplated sometime ago" that the gallows which were on the front of the gaol should be taken down as it was "a most offensive spectacle to the entire neighbourhood". The question was deferred until a decision on capital punishment was made by the Royal Commission (The Constitution or Cork Advertiser, 13/01/1866). The campaign against public execution rested in part on evidence against "the brutalizing effects of the spectacle on the spectators", and in part on the belief that "seeing a hanging encouraged rather than deterred the commission of further crimes", as had previously occurred at Tyburn (Priestley, 1985, p.234).

PUNITIVE LABOUR

Prison labour was divided into two main sections; punitive labour, imposed either as part of a Court sentence or as a punishment in cases of a breach of prison discipline; and industrial labour, which was compulsory for all "poor prisoners". Industrial and some punitive labour were, in theory at least, profit making occupations, and often overlapped.

Hard Labour was a particular sentence imposed by the Courts. Introduced initially as an alternative to the death penalty or transportation, (Ignatieff, 1978), it became the back bone of Court sentencing and prison discipline. How it was implemented varied from prison to prison. The usual occupations which were deemed as Hard labour included; tread wheel; stone breaking; hand-crank; and shot drill. "All bodily exertion", explained

Lieutenant Sibly, "must inevitably create a great deal of irritation and excitement of the mind", and this was why Hard Labour, "from which such signal advantages were expected", had "totally failed". For a prison to reform character, it "must reduce stimulation, not add to it" (Evans, 1982, pp.118-120).

STONE BREAKING was employed as Hard Labour in more of the Northern than of the Southern District gaols. The contractors for roads and streets entered into a contract with the county gaols for a supply of broken stone. Stone breaking was seen as productive and as punitive which reduced the pressure involved in seeking other income generating employments (Second Report of the Inspectors General). In 1830, there were still problems in acquiring other employment for those prisoners receiving prison allowances. The Inspectors pointed out that, as the prisoners were all subject to work, there could be no objection to the breaking of stones, "the work being the ordinary occupation of the labouring classes" (Eight Report of the Inspectors General, p.50). Therefore, they concluded it should "not be considered as a punishment, nor be confined to the convicted class" (Eight Report of the Inspectors General, p.50). Operational difficulties continued. In 1842, as no separate stalls were available for stone breaking, the Inspectors noted the impossibility of preventing the prisoners from communicating with each other (Twentieth Report of the Inspectors General). In 1859, although stone breaking was still considered as "Hard Labour" there were not enough available hands to make it viable at Cork City Gaol. By 1868, Hard Labour was enforced, at Cork City Gaol, during three and a half hours each day in summer and two and a half hours in winter, with an option of the treadmill or, of stone breaking (Forty-eight Report of the Inspectors General). But by 1872, the Inspectors were regretting that the system of Hard Labour in force in the gaols of England and Wales had not been generally extended to Ireland, pending legislation (Fiftieth Report of the Inspectors General).

THE TREADMILL OR TREAD WHEEL was used as punitive labour and as industrial labour. In 1824, the new prisoners could at least rest easy that William Cubitt's new redesigned treadmill or tread wheel was not yet in place in Cork's newest gaol. The expedient of adapting the Chinese design whereby the labourers stood outside the wheel and used a backward motion to increase productivity was "effective", and "productivity was what was needed". Prisoners were regarded as "a natural source of energy in the same way as wind, water, steam or horses" (Evans, 1982, pp.295-296). The Recorder, at the 1824 Cork City Sessions Court, regretted that "there was no treadmill to amuse him at", when sentencing, to "Very Hard Labour", a young prisoner who, "finding the weather cool", went into the shop of Misses Webb and Sandwick and stole a worsted cravat or "comforter" (The Southern Reporter and Cork Commercial Courier, 30/11/1824). A new treadmill had just been contracted for, probably from the local Hive Foundry, who were specialists in the production of water wheels. It was designed for use not only as a punishment, but, as source of renewable energy to wash and scutch flax. There was no proof to date that this treadmill was used for flaxwork at Cork City Gaol, although it was used for the main purposes of pumping water and grinding flour. Evans, (1982), illustrated grain stores at the front gate of an English Prison which closely resemble the disputed curved edifices at either side of the front gates at Cork City Gaol. The building survey failed to answer what these additions were or why they were added. In later years the tread wheel was purely a form of punishment often used in lieu of Solitary Confinement. The value of the wheel in prison lay not just with its industrial potential but with its "capacity" to reduce the act of labour to "an inescapable sequence of necessary movements". It was seen as an "excellent instrument of corrective discipline", and an "irksome penalty which excited a strong dislike" (Evans, 1982, p.297).

The Inspectors recommended the erection of tread wheels, even when they were used as a means of employing the prisoner, as

distinct from their use as a punishment. This conclusion was reached, after the authorities had consulted the highest medical authorities, read the relevant literature of the time, and considered the public arguments. The two main points which were considered by the Inspectors were, whether the labour of the tread wheel was, to be considered in the abstract as "injurious and objectionable", and to what description of prisoners it was, "expedient that it should be extended". The fifth report of the 'British Society for the Improvement of Prison Discipline' was consulted on the Inspectors first point. Despite the findings of a paper entitled 'Correspondence on Prison Labour', which argued that the wheel was "unsafe, unhealthy and degrading punishment", the Society concluded that "after mature consideration" they could recommend the use of the wheel (Second Report of the Inspectors General, pp.15-16). Sir Robert Peel's Enquiry of 1823, found that "the wheel did no bodily mischief, and was positively beneficial to health". He claimed reports of prisoners queuing for the pleasure of using the wheel and even of one woman who could knit while treading the wheel while other women said "it was nowhere near so hard as washing clothes". These reports were in complete contrast to the horrific descriptions of crushed limbs, heart attacks, hernias, varicose swellings, inflammation of the groin and even an inability of nursing mothers to produce milk reported by other observers (Evans, 1982, p.307). On the second point, as to who should use it, the Inspectors recommended that class one prisoners, (males sentenced to Hard Labour), were "the legitimate subjects for the tread wheel". Classes two and three raised a neat legal question. Class two were males sentenced to imprisonment but not Hard Labour. Therefore, it would seem that use of the tread wheel was illegal if considered as a punishment. If the wheel was considered as legitimate employment, then another argument arose. Under the 37th Section of 3 Geo. IV, the keeper of a gaol was "required to keep every "poor prisoner" to labour". Under the 40th section of the same Act, a "poor prisoner" received one

third of the profits of his labour, two thirds going to defray prison expenses. Therefore, if there was only a tread wheel available and it was deemed a punishment, then a poor prisoner with no access to gainful employment was also held illegally. The third class, the untried, which must under English Law be considered innocent until proven guilty raised a similar legal problem. The Inspectors concluded that unless time on the treadmill was specified by the Courts at Trial, then it should not have been used. Its use by the fourth class of prisoner, the females, was acceptable provided it was "managed with caution". Despite its apparent value in reducing the number of idle female vagrants in one county, (not specified), they felt that its general use in Ireland would cause objections where "the management of females on principles of the mildest and most gentle treatment, was found to produce very satisfactory results" (Second Report of the Inspectors General, pp.15-16). The problems related to an understanding of how the tread wheels should be used, seemed clearer by 1825, "the management and regulation of the quantum of work being better understood" (Third Report of the Inspectors General, p.13).

By 1842, the tread wheel at Cork City Gaol was used by those sentenced to Hard Labour and was used to raise water for prison use (Twentieth Report of the Inspectors General). In one day, the workload of one wheel could equal an ascent of fourteen thousand feet, in summer, at Knutsford (Evans,1982, p.309). The Cork wheel averaged eight thousand two hundred and forty feet per day in 1842, and, eleven thousand four hundred and sixty in 1868 (Twenty-first & Forty-eight Reports of the Inspector General). The Cork City Gaol's tread wheel was forty feet long and operated by five prisoners at once who, when "a curious contrivance of a bell" rang, "hopped off in turn bequeathing their place to the next prisoner". The bell was controlled by the speed of the wheel (Casey,1865/66). Twenty minutes was the usual time span before a prisoner could sit and rest, and while resting they

picked oakum. Neither a prisoner nor a warder had any control over the bell.

OTHER PUNISHMENTS

Heavy sentences were often handed down. For example, the Recorders Court of January 29th, 1847 sentenced a John Kelleher to one month's imprisonment with Hard Labour and to be once whipped. His crime - stealing two drawing knives and a spoke shave (The Cork Examiner, 30/01/1847). One hundred and eight males were sentenced to **whipping** in 1855 (Thirty-fifth Report of the Inspectors General). It was difficult to determine how, where or by whom this punishment was administered at Cork City Gaol. The debate on whipping which raged in England indicated that the governors there were not entitled to whip prisoners. They were required to await the arrival of the Prison Director from London. In 1862, twenty-four lashes with a light cat was introduced to English Convict prisons "to remain in line with this practise in County Prisons" (Radzinowicz & Hood, 1986, p.553). A Young Irelander recorded that in Cork City Gaol:

> *the cry of a rending heart often met our ears when some unfortunate malefactor was undergoing that part of his sentence which commanded a whipping on his bare back (Blarney Street Boys' School, unpublished).*

Other Punitive measures employed at Cork City Gaol included, **Refractory Cells** which were ordinary cells but darkened, which were used for Solitary Confinement (St. Ledger, unpublished). Judge Keogh said that "if he had proper cells he would sentence prisoners to **Solitary Confinement**". Hanway, according to Ignatieff, described Solitude as "the most terrible penalty short of death but the most humane". Unlike earlier systems, the prisoner was "never ill-treated by brutal hands", but, the reformers hoped that "in the silence of their cells", superintended by an authority "too systematic" to be evaded, and "too rational" to be resisted, prisoners would surrender to the lash of remorse" (Ignatieff, 1978, p.78). Solitary Confinement

could be used as a punishment for prison offenses, and could also be ordered as a Sentence of the Courts. In 1866, Mr. Gould told a Corporation meeting that "The Recorder sometime ago was unable to inflict Solitary Confinement on offenders as a punishment in consequence of the cells not having proper air". Mr. Maguire replied that it gave "a fortiori reason why the thing should be looked after" (The Constitution or Cork Advertiser, 13/01/1866). There was a punishment cell on the male and on the female side. On the female side bedding was given at night to a prisoner while in solitary. "Under these circumstances", the report continued, it was "not astonishing that the numbers of punishments" in Cork were as numerous. Unless "proper" punishment cells were provided, and prisoners were dealt with, while in Solitary, "more severely than in their own cells", punishment for the breach of prison rule would have "very little effect for good upon them" (Fifty-third Report of the Inspectors-General, p.310). Twenty-three females punished in 1856, were set to washing and prison duties. In 1856, twenty-seven males were employed at shot-drill, stone breaking, crank labouring, tread wheel and general prison duties (Thirty-fifth Report of the Inspectors General).

THE SHOT-DRILL, favoured by the Carnarvon Committee, was described by many commentators as the most useless and base form of punishment (Evans, 1982, Priestley, 1985). The prisoners when walking the concentric circles at exercise time, were sometimes required to use shot-drill. The shots, or heavy, (32lb or 24lb), iron balls sometimes suspended from a chain, were operated as follows. Each prisoner with his shot took his place on the circle a distance of some feet apart. He then picked up the heavy shot, using one hand and without bending his back, he elevated it to chest height, and carried it forward on the circle. He then picked up the next shot dropped by the prisoner in front, and continued thus for the period of exercise time. In the severest Separation System gaols, such as Pentonville, the prisoners were also hooded while carrying out this activity. Other routines for this "useless occupation" existed. For

example, a pyramid of shots was built at either end of the exercise area and the "shots" were transported from one pyramid to the other unceasingly (Priestley, 1985, p.131).

CRANK LABOUR MACHINES, could, unlike the shot-drill, be put to productive use if required. They sometimes operated a saw which produced firewood, as at Leicester Gaol. That saw was worked by thirty men, ten changing every quarter of an hour, thus twenty men were always turning the saw handle while ten others rested. Useless interpretations of its use were invented. At Coldbath Fields, the crank handles were connected to the tread wheel and were worked against the force of the working tread wheel. At Leicester, workers on the "crank" developed "crank oedema". If the productivity of the "crank" dropped, then it was the practise that prisoners received reduced diet. The Royal Commission of 1853, investigated the "scandal" associated with the machine's use. They found that the coupling of the crank to diet was "unwarranted by the Laws of England". Bidwell was quoted as saying that before "the occupant" could have his breakfast, he was required to turn the handle one thousand eight hundred and seventy-five revolutions. His dinner was earned with five thousand and his supper with four thousand revolutions of the crank". At Birmingham, it was calculated, that a boy on the "crank" needed to exert a force equal to one fourth that of a draught horse. At ordinary labour, a boy would exert one tenth that of a draught horse (Priestley, 1985, p.130). Crank labour was recorded in Prison Reports as having been utilised at Cork City Gaol, but they were not specific as to its particular use.

PUNISHMENT FOR PRISON OFFENSES

Minor prison disobedience were punished by order of the governor, while more serious infractions were referred to the Board of Superintendence. Forty males and forty-four females were sentenced to Solitary Confinement in punishment cells, all by order of the governor (Thirty-fifth Report of the Inspectors General). Thirteen women prostitutes had between them six

hundred and thirty-four convictions for prison offenses written against them in Cork City Gaol alone. This said the Prison Inspectors, showed the futility of the system of gaol punishment in regard to the class of females (Fortieth Report of the Inspectors General). The prison governors were reminded in 1860, that the only punishment which the governor could inflict was that prescribed by rule 15 of Sec. 109 7 Geo IV, cap.74. (1826). Stoppage of diet was illegal, according to this rule (Fortieth Report of the Inspectors General). Yet, **Stoppage of Diet** as a punishment for prison offenses was ordered by the governor to one hundred and eighty-eight males and forty-seven females in 1872. No stoppage of diet was ordered by magisterial authority that year (Fiftieth Report of the Inspectors-General). 1947 Irish Prison Rules allowed for reducing diets as punishment (O'Mahony,1994). Mr. Groves of Millbank Prison, offered suggestions in 1853, to the General Prisons Office (Ireland), on how to punish females "place her alone on a diet of bread and water as long her health will permit". He suggested that "her violence" might be "restrained by a strait waistcoat" (General Prisons Office, 1853).

Prison punishments may seem cruel or mindless with hindsight. But the industrial labour systems which were employed were often equally mindless. This aspect of prison discipline will be expanded on in chapter twelve.

CHAPTER 12

INDUSTRIAL LABOUR AT CORK CITY GAOL

Labour, whether punitive or industrial in intent, had three main aims; financial viability for the prisons; the introduction of a work ethic and a trade to illiterate or semi-illiterate untrained prisoners; and above all, labour had a moral component which stemmed from its "regularity rather than its productivity" (Evans, 1982, p.297). This moral component was often in direct opposition to the aims of financial viability and the obtainment of a realistic trade by prisoners. The Prison Inspectors remarked on the state of Ireland - a country, in which "great difficulties attended the introduction of many modes of employment". This they attributed to "a want of habits of industry and of manufactures". Some efforts were made to introduce the manufacture of cottons, calicoes, cloth and blanketing, but, they said, "this was an incipient attempt". These products having been proved successful in English gaols, the Irish Grand Juries were advised to attend to "this problem" as "nothing but perseverance would ever attain that which should be our leading aim in the improvement of the gaols" (Second Report of the Inspectors General, pp.14-15).

The principal works in Irish gaols in 1824 were; cleaning and whitewashing the gaol; beating hemp and flax; picking oakum; breaking stones; and in port towns making nets. Stone breaking, recommended as a "last resort" in giving "effect to the intention of the Legislature", was employed, despite its controversial nature. It was, in theory, a hard labour punishment but was regularly used as employment for all male prisoners. Breaking stones was considered suitable for "the air and exercise of the different classes", and for "the yards with their hard dry floors" (Second Report of the Inspectors General, pp.14-15). The main industrial employments for females, at Cork City Gaol included; knitting, sewing and washing for the gaol and the Bridewell; spinning, plain-work, the laundry and making clothes

for the male and female prisoners. A "gratifying return" was made of "the works accomplished by them for the gaol" (Eight Report of the Inspectors General, p.50). The prisoners produced all the articles for use or wear within the prison, except blankets and rugs. Murphy, (1981), listed twenty-eight trades for Cork City between 1841 and 1871. All of these trades, with obvious exceptions such as farrier or shipwright, were, according to the Prison Reports, available to prisoners in Irish Gaols, at least in theory. The practise, as the Cork figures showed, was somewhat different. Irish Gaols seem to have concentrated on artisan style crafts rather than on the more industrial mechanised skills.

The Prison Acts, (1810, 1815, 1821, 1822), rendered work the condition on which support was given to "the poor prisoners". The work was to be "so appointed as not to be a mere contrivance to occupy the prisoner", but that it should give prisoners "the advantage of a trade". There was no "discretionary power", they warned the Boards of Superintendence and the Grand Juries, "the legislature has established the instruction of the prisoner as his public right". The Inspectors exhorted the Board of Superintendence to instruct "as many as possible of the younger prisoners in profitable and useful trades". This instruction was given chiefly by turnkeys, who were required to be "never absent from their class of prisoner except for meals". Inspectors Palmer and Woodward inspected forty-two County and City Gaols and Houses of Correction. They reported in 1838 that, of these prisons, twenty-six had trades extended more or less throughout the gaol; in twenty-one of these the work was supervised by the Local Inspector or an effective governor; in five others the workshops were overseen by a Conductor of Works. In the remaining sixteen counties the work was "almost entirely" confined to stone breaking. While it was considered as "a most valuable change from a state of idleness", it was also seen as a work that "produced neither present good nor future advantage to the person employed". The Inspectors recommended, that, each

prison should manufacture goods, for sale in a distant market. The distant market would avoid any possibility of interfering with the local traders, - the ratepayers. This, the Inspectors argued, would produce a good moral effect on the inmates, while also repaying the County for the prisoners' diet, from the profits. This method, they claimed was successful at Ghent, in Glasgow and in Perth (Sixteenth Report of the Inspectors General, pp.5-7). The influence of the Philadelphian Experiment, (discussed earlier), was reaching into the organisation of all prisons, at this time. The Experiment saw work as "at a premium", denied to those who refused to "cooperate with the educative process" of Solitary Confinement. A new prisoner, when placed alone in his cell with nothing to do, would, after a while ask for something to do. This was perceived as making "work a favour", and, withholding work a punishment (Melossi, & Pavarini, 1981, pp.151-157).

The Thirty-fifth Report of the Inspectors General, gave an apparently thorough assessment of the employment of prisoners at Cork City Gaol in 1855. An average daily workforce of twenty-nine males and thirty-four females were supervised by turnkeys, including three weavers and one shoemaker. The net profit returned for 1855 was £40 19s 2½d. The Howardian and Blackburn Systems of the late eighteenth century, had faltered on many factors, including the question of costs. Consequently, all nineteenth-century prisons were expected to match the industrial output of the prisoners with an equivalent income which, at a minimum, equalled expenditure but ideally exceeded it. This was despite William Crawford's admonitions in 1834, when he criticised Auburn "for concentrating on the exploitation of prison labour at the expense of moral reformation" (Ignatieff, 1978, p.195). Some remunerative return was obtained from the sale, "outside of prison", of mats, skewers for wool-combers, and oakum picking (Forty-seventh Report of the Inspectors-General, p.342). **Oakum picking** was, at this time, becoming a less profitable proposition because demand was adversely affected by

the introduction of iron for shipbuilding and wire for rigging. But as oakum picking had become such an intrinsic part of gaol life, finding alternative occupations proved difficult. The manufacture of mailbags eventually replaced oakum picking.

The need to make gaols self supporting had its objectors according to Lohan, (1989). In 1854, the Roman Catholic chaplain at Grangegorman Penitentiary in Dublin complained that labour was making the classification and education systems suffer, because the prisoner was "occupied" not at the employment most suited to them, but, often at "that from which the largest profit might be realised". Other problems associated with the implementation of a profitable industrial labour regime included the difficulties inherent with matching an industrial regime to the needs of the Separation System and to general prison discipline. The male workroom was "objectionable, as had been frequently remarked on" by the Inspectors. Although it was not so crowded as formerly, prisoners employed there still had "too great opportunities of communication". The female laundry was described as "inconveniently placed". Situated outside the female prison, it was not partitioned. This allowed the women employed there "unrestricted association" (Thirty-eight Report of the Inspectors General, p.241).

"Tried prisoners were set to various trades in one large hall" in 1866. In 1869, the Inspectors were recapitulating "these defects" which allowed an 'Associative System' to remain in existence at Cork City Gaol. The laundry was described as "ill contrived" and, the male factory was described as "unpartitioned", thus "nullifying the approximation to individual Separation" which was maintained at the tread wheel, in the stone sheds and in the cells" (Forty-seventh Report of the Inspectors-General, p.341). By 1871, the laundry was remodelled giving ten compartments. The drying room was considered suitable and sufficient, but, other problems remained. The females complained, to the Inspector at the time of his visit, "of the

cold of the separate sheds in the yards in which they were employed". The Inspectors concluded that their complaints were "not without cause" and that these sheds were only suitable for the employment of prisoners in warm weather in the summer" (Fifty-third Report of the Inspectors-General, p.311). Industrial labour in prisons encountered further problems. Despite the cells having the advantages of artificial heating and bells, lack of gas lighting in the cells was seen as a great commercial disadvantage. The Inspectors, in 1874, were disappointed with this situation. This deficiency meant that the prisoners were unemployed for twelve hours daily in winter, and for eleven hours daily in summer. Gas lighting was later introduced by an ingenious method which illuminated two cells with one gas lamp controlled from the corridor by a prison officer. It was also suggested by the Inspectors, that the manufacture of clogs be discontinued and replaced with shoes and slippers, which would not be more expensive to manufacture and be more suitable than the clogs for the prisoners (Fifty-third Report of the Inspectors-General). It is surprising that wooden clogs were still being manufactured for prison use in 1874. The wearing of slippers, to reduce all unnecessary sound, was an accepted routine under the Separation System (Evans, 1982).

The idealistic expectations attributed to imprisonment in the nineteenth century were not often met. The reality and the rhetoric were often in stark contrast. This was especially so with regard to prison labour which was intended as hard, punitive and productive without unduly interfering with the free labour market.(The Irish Builder, p.1087: Morris and Rottman, eds., 1995). The physical and moral welfare of prisoners, discussed in the next chapter, was of paramount importance, and was often a deterrent to realistic work ideals.

CHAPTER 13

THE WELFARE OF PRISONERS

But, it was not all work and punishment in a nineteenth century Irish County Gaol. The moral and physical welfare of the prisoners and staff was considered of equal value. Prisoner welfare, both moral and physical, was the backbone of the Separation System. The "savage man", it was believed, could be transformed into the "disciplined man", when institutional discipline was transformed into discipline of the body. The Philadelphian Experiment recommendations included - cold showers and hot baths for two or three hours daily as "the loss of muscular force" was considered "advantageous to the nervous sensibility" (Melossi & Pavarini, 1981, pp.151-157). Lonergan, the governor of Mountjoy Gaol, spoke of modern prisons first hand. Modern prison regimes, he argued, were humane and positive, and, all prison work was of a productive, educational or training nature. The philosophy of boring, repetitive and non-productive work was no longer in use at Mountjoy prison, prisoners were now much better cared for medically, physically and mentally. But, yet, despite many real improvements, some things never changed, he concluded (Kelly, 1988). According to Rutherford, (1984), modern reformers were often frustrated by the inherently authoritarian structures of modern prison, which derived its main functions of control and security by relying upon explicit threats of force which would be unacceptable elsewhere in a liberal democratic state. O'Mahony, (1993), placed the purposes of modern prison punishment into two broad categories; those that, look to the future focussing on the prevention of crime; and, those that, look to the past focussing on inflicting punishment as a means to reassert the correct balance between the criminal and his victim.

When examining the Irish Prison Reports, it was advisable to remember that the overall guiding principle at these gaols was one of moral welfare rather than physical welfare. The diet and

medical facilities were designed to keep prisoners healthy and strong for work and prisons free from contagious diseases. The implementation problems encountered within the system did not seem to reduce the earnestness of the original intent.

ADMISSION PROCEDURES at Cork City Gaol, included, baths for each sex, in which all who required it were washed on admission (Thirty-eight Report of the Inspectors General). The exact location of the admission baths at Cork City Gaol remained unclear. The laundry tubs were used as baths in other gaols. One big bath with partitions was sometimes used, the prisoners all washing in the same water (Priestley, 1985). Fear of fever was still a worrying factor in 1871. The Inspectors were concerned that new prisoners might introduce disease. The Inspectors recommended an "inexpensive disinfecting chamber", in which the private clothing of the prisoners could be "purified and cleansed from contagion and vermin". Smallpox raged everywhere in 1870, according to the Inspectors. They called attention to this matter, but, "up to then no notice had been taken" (Fiftieth Report of the Inspectors-General, p.359). By 1874, "a fumigating apparatus" had been supplied to each prison but they were only to be used for the clothing of prisoners that were considered "dirty". This was "regretful", said the Inspectors, as it was "impossible to insure cleanliness in a prison, and to prevent the introduction of infectious disease", if all the clothing was not "fumigated before being put away, with no exception to this rule" (Fifty-third Report of the Inspectors-General, p.309). The sheets on the male prison side were changed about every three weeks, but the Inspector was "unable to ascertain that any fixed rule existed in this regard in the female prison". The Inspector recommended that rules be introduced whereby all sheets were changed fortnightly and on reception of a prisoner. The class warders were ordered to certify to the governor that this was done on the specified day (Fifty-third Report of the Inspectors-General, p.310).

PRISON DRESS

The initial introduction, about 1785, of a formal prison uniform reflected the monastic influences (Evans, 1982). The prison legislation of 1 & 2 Geo.4, c.57 (1822), introduced free clothes and bedding to poor prisoners. This legislation was probably influenced by the findings of Dr. Lind and others as discussed in chapter five. According to Priestley, (1985), when prisoners were transported they were issued with a new set of prison attire. Their secondhand prison uniforms were then sold at a reduced price to the Local Gaols. He described how, on admission to gaol, prisoners were faced with an ill assortment of uniforms, from whence they took the first uniform to hand, irrespective of size or shape. Lohan, (1989), found that in Ireland although the Grand Juries were supposed to provide money for clothing the transportees, they declined to do so. English transportees, she said, received presents of new garments from the Ladies Committees founded by Elizabeth Fry, while the clothing provided in Ireland was "generally defective".

The prison dress situation at Cork City Gaol prior to the introduction of the Separation System seemed mixed. The Inspector recorded that the system of a general issue of prison dresses had formed "a striking feature in the regular appearance of this establishment, (Cork)". But, later the Inspector reported that he "was sorry to find" that the issue of prison dress "was partially discontinued". Dr. Quarry was praised for his economic approach, which allowed prison dress be supplied with "little expense", and with "every serious advantage, not only to the creditable appearance but to the substantial discipline of the gaol". The Inspectors said that when prisoners felt that "every reasonable advantage" was "afforded to them", they were then "invariably more disposed to industry and to a willing obedience to the regulation of a prison". Attention to prison discipline was also enforced in the female prison where the female prisoners were "uniformly clothed and kept in a state of perfect neatness" (Eight Report of the Inspectors General,

p.50). By 1831, the Inspectors could report progress in the introduction of prison dress although the gaol had not yet completed a "general system of clothing", which some gaols had accomplished. Prison dress, they said, contributed "so much" to "the good appearance and comfort of the prisoners" (Ninth Report of the Inspectors-General, p.38). Woollen suits were substituted for coarse flax material by 1856 (St. Ledger, unpublished). Males wore canvas trousers in winter, but complained that they were too cold for the season. The twentieth rule of the 109th section of the Prison Acts directed that female prisoners should be suitably clothed. It directed that it was "most unsuitable that females in prison should be without stockings" (Fiftieth Report of the Inspectors General, p.359). These problems were apparently solved, when, the Inspectors recommended that stockings or socks should be issued. "Trowsers" were being manufactured in a heavier material as "linen ... was much too thin for winter wear" (Fifty-third Report of the Inspectors-General, p.310). According to Evans, (1982, p.112), this substitution was introduced in prisons in England as a sanitary measure. Flax material, it was considered, would contain less "impure air". A list of the prison clothing issued included; Male Clothing - shirts, jackets, vests, trowsers, caps. Female Clothing - shifts, jackets, petticoats, aprons, and neckerchiefs. The lack of a tailor in the prison contributed to some of the male clothing being badly fitted, and in need of repair (Forty-seventh Report of the Inspectors-General). A boy at Cork City Gaol complained, in 1873, that he was not given prison clothes which caused his own clothes to be worn out. He claimed that, he would have difficulty finding work on his release, if his clothes were worn out (Fifty-second Report of the Inspectors-General). The issue of prison clothing was apparently quite disordered by that time.

VISITING ARRANGEMENTS; In 1869, the Inspectors complained that there were not suitable visiting bye-laws in Cork City Gaol, - "convicted prisoners were entitled to see visitors once in the

month" (Forty-eight Report of the Inspectors-General, p.309). Admission of visitors to prisoners at Cork City Gaol was lax. Visitors to the prisoners are admitted "by order of those who have no authority to do so". The visits were also "much too frequent". Convicted prisoners were allowed one visit per three months. The visits took place in the open air between the two gates, a warder seated between the visitor and the prisoner. One male visitor was identified as a returned convict, but this could not be verified because photography was not yet in use (Fifty-third Report of the Inspectors-General, p.313). Photography was introduced nationally in the last half of the nineteenth century. The photographs were housed at the General Prisons Office, Dublin. They were used for identification purposes, designed to eliminate the practise of prisoners using false names on arrest, and for the control of habitual criminals. Early in the twentieth century, plans were drawn for the construction of a visitor's office at Cork City Gaol, but it is unclear if this building was ever constructed. Record of a previous building having existed for visiting purposes had not yet surfaced. Apparently, the prisoners and visitors met in the open air in the security area between the front gate and the inner wall, supervised by a warder. Anecdotal evidence suggested that in the late 1880s, when the Plan of Campaign, (Land League), women were imprisoned at Cork City Gaol, they received their visitors 'al fresco' but confined to a metal cage (Kearns,1996).

EDUCATION IN PRISON

The Inspectors could, from 1823, feel satisfaction with the schooling aspect of their prisons. There were very few gaols in which this system of schooling had not been established, they reported. The reading and writing skills recorded on entry of a prisoner into confinement, may have been acquired during a previous term of imprisonment. In the few prisons which were still without schools, the Inspectors gave as the reason, the general negligence of the officers (Second Report of the Inspectors General). In the schools established, they found that

progress in both, literacy and religious instruction had been such as to "counteract the effects of a general want of education". The "increase in crime in this country" could be attributed to this "educational want" (Third Report of the Inspectors General, p.13). One might, from a twentieth century viewpoint, be critical of this enthusiasm, but prison schools were innovative. A public National School System did not come into effect until the mid 1840s in Ireland and thirty years later in England and Wales. Education of the masses remained in the hands of charitable trusts such as the Lancastrian Schools.

THE EDUCATION OF FEMALE PRISONERS

Schools for females were established and run by committees of ladies, formed on the pattern of Mrs. Fry's Ladies' Committees. These ladies were reported as "regular in their attendance" and "unwearied in their efforts to redeem from ruin", this "unhappy portion of their fellow creatures". They instructed the "ignorant and reclaimed the guilty". These Ladies Associations were "very effective in English gaols", where they could "take credit for the most important improvements" which had taken place in England (Third Report of the Inspectors General, p.13). The Inspectors praised these Ladies Associations for their work with female prisoners all over Ireland. Turnkeys and schoolmistresses were later employed for this purpose. Dr. Quinton was quoted by Priestley, who saw women as troublesome. The woman who would "curl her hair with the pages of a library, or even a devotional book", was not "a hopeful subject for intellectual improvement", he said. Because of "their talk and general ideas", Quinton considered women prisoners to be "vapid and silly", giving the impression that "their opportunities for talking with sensible people" had been "very limited" (Priestley, 1985, p.71). American women prisoners of the twentieth century were, despite the many changes made since the 1780s, treated in programmes which were based on a traditional concept of the role of women (Feinman, 1985).

THE ROLE OF EDUCATION IN CRIME PREVENTION

Lack of education was considered as a reason for an increase in crime (Third Report of the Inspectors General). Yet, Kingsmill said of Pentonville that the educational status of its inmates was higher than amongst the general public. This indicated, he said, that "the greater the crime, the higher the degree of education" which would be found (Lohan, 1989). An 1853 review of a pamphlet "The Prison and the School", observed; "children educated morally and spiritually before they become criminals would be more successful". The pamphlet suggested an Act of Parliament to allow the building of Industrial Schools ('The Irish Builder', p.650). This is a good example of the change in social understanding which was emerging about this time. Criminals were no longer born but made by an inadequate society (Murphy, 1980). O'Mahony, (1993), discussed the self-perpetuating cycle in which many modern offenders found themselves. As a majority, he said, came from the lower socio economic classes, they were therefore more likely to have left school early because which is the pattern observed for this class. He surveyed prisoners in Mountjoy Prison in Dublin. He found that 75% of those surveyed had stopped attending school before the legal age of fifteen years. Feinman, (1985), quoted from a survey of six thousand four hundred and sixty six women prisoners in American prisons made by Glick and Neto which was published in 1977. They found that, of those female prisoners, less than 60% had graduated high school and that 15% had graduated from elementary school only. These American prisoners had also emerged from a low socio economic background with little or no prospects for self-improvement.

EDUCATION AT CORK CITY GAOL

Under the Law, the Grand Juries were expected, in conjunction with the Boards of Superintendence, to appoint a schoolmaster and a matron, who taught the females. The chaplains were instructed by the Inspectors to give their personal attention to ensuring that this was done correctly (Third Report of the Inspectors

General). The Board of Superintendence, for Cork City Gaol, met on September 1st, 1845 to "take into consideration the expediency of altering the school hours and other important business", and on December 22nd, 1845, at the Bridewell, to discuss "an application from the chaplains, relative to schools in the prison and the appointment of a teacher" (Day 2, unpublished).

In the 1825 - 1851 period, there was one male and one female school at Cork City Gaol. Turnkeys were reported as instructing their respective classes, but, the inspectors were critical of their ability (Twentieth Report of the Inspectors General). The 1849 suggestions for Cork City Gaol included, the compartmentalisation of schoolrooms, in a similar fashion to that used in the prison churches. Separate compartments for each pupil was suggested with a very high pulpit overlooking all the compartments for the use of the teacher (Twenty-seventh Report of the Inspectors General). The Inspectors reported that a shed had been "enclosed and converted into a commodious schoolroom for the males" (Thirty-fifth Report of the Inspectors General, p.166). The practise of compartmentalising schools and chapels seems to have been discontinued by 1865. It never seems to have been implemented at Cork City Gaol's schoolroom which was described as "in a shed" - "a bright and airy room with a bright fire burning" (Casey,1865/66). School was held for six hours daily. Prisoners of both sexes were divided into three classification classes, each receiving two hours instruction. Males and females attended school from 10.00am to 4.00pm. The total school attendance, in 1868, at Cork City Gaol was seventeen males and fifty-one females. These females were, for the most part, "prostitutes and disorderly persons under very short sentences", few of whom attended school (Forty-eight Report of the Inspectors-General, p.310).

Instruction was given in reading, writing and arithmetic to the boys and girls and to adults who were able and willing to learn (Thirty-fifth Report of the Inspectors General). By 1869, at

Cork City Gaol the males were taught by master John Sullivan, trained by the National Board of Education, the practise of employing turnkeys as the teachers for each class having been discontinued. The females were taught by the daughter of a turnkey , who was an untrained teacher. She was later replaced by a "qualified schoolmistress who taught young persons of both sexes, and, who also held a "discipline class" as matron (Forty-eight Report of the Inspectors-General, p.310). The Roman Catholic chaplain, expressed great pleasure that "some progress" had been made. He apparently took a great interest in this "branch of gaol discipline and reformation", as the great majority of the prisoners were of "his persuasion" (Thirty-fifth Report of the Inspectors General, p.166). The school in Cork City Gaol was not under the Commissioners of National Education at this time. By 1874, the school at Cork City Gaol was no longer in use having neither pupils nor teachers. This despite the Education Acts of 1870 and 1876 which enforced compulsory education for all children.

DIETARY ARRANGEMENTS

The concept of a prison diet supplied by the County was first sold to taxpayers on the basis of security. If a prisoner was fed by family and friends, then free access to the prison yards would be necessary which would undermine the Separation System (Ignatieff, 1978). Cost versus quality influenced the final dietary system. The concept of criminals receiving a better diet than hard working, honest labourers caused a social furore. Karl Marx later contended that the English prison dietary, was more a case of "agricultural workers having too little to eat than the prisoners having too much to eat".A discussion compared the "appallingly low standard of living of the country labourer and city slum dweller", in Britain, and the presumed higher level of diet obtained in prison.(Radzinowicz & Hood, 1986, pp.510-511). Many prisoners "served life by instalments". They entered prison "hungry, emaciated and often very ill". They left after a "scientifically administered dose of the same", only to be

released to "free range starvation" followed by another "dose of prison". The cumulative effect was "devastating and destructive" (Morris and Rottman, eds., 1995, p.149). Radzinowicz and Hood, (1986, p.507), said that it was "absurd to assume" that "decent conditions" in prisons had ever caused "a single garrotting, or burglary or forgery". "No one", they said, committed crime to "arrive at prison dinners". Thackeray visited the Cork County Gaol. The prisoners, he stated, got "a pound of bread and a pint of milk twice a day". "There must be hundreds of people in this wretched country to whom such food would be a luxury", he wrote (Thackeray, 1842, p.85).

A Medical Commission, regulated the diet in force and what might or might not be substituted. The system of Hard Labour introduced into England and Wales, and on which the dietary scale was based, had not been introduced into Ireland. Pending legislation, the Inspectors General obtained the sanction of the Lord Lieutenant to establish a scale of dietary to suit the Irish gaols. This change was made in accordance with the 84th and 85th sections of the Act Geo. IV., cap.74., (1826). It was then the only scale of dietary which could be legally used in the County and Borough Gaols of Ireland (Forty-seventh Report of the Inspectors General). However, some gaols were not adhering to it as strictly as they should. At first, the staple diet at Cork City Gaol was bread and milk, due to the need for a steam kitchen. The Inspectors, finding that, this diet was too expensive, suggested the use of oatmeal and potatoes (Sixteenth Report of the Inspectors-General). The Inspectors reported "a cheap, wholesome and sufficient dietary" had been adopted in every prison in the country, under the Prison Act, costing from 2d to 4d per head per day, except where there was a want of a general kitchen "to dress the food", the costs there being 5d to 6d for bread and milk" (Twenty-first Report of the Inspectors-General, p.5).

Problems arose with the bread contract and with bread quality at Cork City Gaol. The Board of Superintendence met on December 8th, 1845 as the bread contractor had refused to supply any more bread. General complaints were made of that already supplied (Day 2, unpublished). The governor was admonished to be more careful when filling up a regular requisition order every morning (Twentieth Report of the Inspectors-General). Complaints about the dietary were made by prisoners, which the Inspectors often found to be without foundation. Having apparently tasted the bread, the inspectors declared it as "rather soft" but "sweet in flavour". Responsibility for the quality of these provisions lay with the chaplains on a day to day basis and with the Inspector General of Prisons when he visited. Complaints were taken very seriously by the prison inspectors and were not just the subject of the Annual Report but of a comprehensive correspondence with the Dublin Offices and the local county gaol governor. A complaint was examined very carefully. The Inspector tasted the food and found "that it was of good quality". The Inspector questioned "all the prisoners in custody", reporting back that "no complaint was made to me by any". He also questioned the Local Inspector, the Protestant Chaplain and the Medical officer, none of whom had any complaints to report. The Inspector did note that the chaplains "seldom found fault with the food submitted". The complaints raised by the chaplains book included; on a few occasions the milk "was not very good"; the bread "not well baked"; and the stirabout "very thin" (Forty-eight Report of the Inspectors-General, p.311). The dietary needs were bought on contract. A 12 lb loaf of bread costing 1s 6d. Oatmeal cost 14s/cwt and rice 18s 8d /cwt. Meat for the hospital diet cost 6d/lb, sweet milk 3½d/gal. and salt 2s 2d/cwt. There was a more varied "dietary" by 1855, consisting mainly of Indian meal, rice in stirabout, and milk for breakfast. Juveniles received extra diet. They received the usual bread and milk for their evening meals with the addition of gruel. In 1872, some Irish gaols were having problems in its implementation, but not so at Cork City Gaol, where the dietary

was strictly adhered to, each portion being carefully weighed or measured by the storekeeper (Fiftieth Report of the Inspectors-General).

Priestley discussed the procedure involved when meals were served in English prisons. The meals were given to the ordinary prisoner through a trap door. The trap door was locked outside, and when the turnkey opened it, he thrust in the dinner and laid the vessel on the trapdoor. If the prisoner was not ready to take his meal off the trap door the moment it was laid on, and ready to shut the trap door at the same time, he subjected himself to a report. No other event in the prison day was "so keenly anticipated", nor so "soon after or so often regretted", as the arrival of food at the door of the cell (Priestley, 1985, p.148). Charles F. Bourke, the Inspector General noted that "the one hour and a quarter allowed" for breakfast at Cork City Gaol, was "a great waste of time, inasmuch as free labourers were only allowed half an hour for this purpose" (Fifty-third Report of the Inspectors-General, p.310).

PRISON HOSPITAL and **PRISONER HEALTH**

Access to hospital as an in patient was the next best thing to release. "A haven of rest and a promised land of abundant food". Bidwell's daily diet included a mutton chop, well-stewed rice pudding, new milk, tea, and supplies of bread, potatoes and meat so plentiful that the patients threw it around (Priestley, 1985, p.185). The Second Report, which referred directly to the then new Cork City Gaol, remarked that in the insulating yard, there were "two good buildings", which the Grand Jury intended fitting up as infirmaries for males and females although "they were not intended for these purposes in the original plan" (Second Report of the Inspectors General, p.47). These two separate buildings were, apparently, never used as the hospital. Cork City Gaol was later reported as having a good separate hospital, with six wards, three each for males, and for females (Fifteenth Report of the Inspectors General). The hospital was described, in 1842,

as, a detached building with male and female wards. The conveyances plan showed that the hospital was a separate building centred on the northern perimeter of the site. An outline for an ideal prison hospital suggested that it should contain; sick wards; surgical wards; an operation room; a convalescent ward with fever apartments in a separate building, with a bathroom and nurses apartments. This ideal building should be situated at either end of a prison and for males and females separately (Twenty-seventh Report of the Inspectors General). The Cork City Gaol hospital was declared "clean and airy but with no bath or w.c.". The sick quarters for both sexes were "spacious, clean and well ventilated, with convalescent yards attached", the floors on the lower storey were tiled. Convalescent yards, in direct contrast with the starkness of the prison yards, were usually green, landscaped gardens with a Victorian maze. The greenery of the gardens, in which the patients were encouraged to roam, was deemed suitable to patient recovery. Such gardens were apparently found at Cork City Gaol (O'Dwyer,1995). The Inspectors advised that tiles should be changed to planks. The hospital was adequately furnished with bedding etc. but, with no fumigating apparatus. The bedding supplied included; two hundred pairs blankets, one hundred and sixty pairs sheets, and one hundred and seventy-six rugs though some were well worn (Forty-seventh Report). Twenty-two cases of fever were reported in eleven months of 1841, fifty-seven patients were admitted into the hospital in the same period (Twentieth Report of the Inspectors General). The Medical Officer initialled all orders for sick and extra diet (Thirty-fifth Report of the Inspectors General). In 1874, just prior to the nationalisation of the prisons in Ireland, the hospital at Cork City Gaol "was suitably provided with all the requirements for the sick". Medicines, at a cost of £17, were procured from the town apothecary, "a more expensive system" than if they were procured from Dublin or from the local infirmary (Fifty-third Report of the Inspectors-General, p.313).

RELIGIOUS INSTRUCTION

Until the mid nineteenth century, the only religions recognised in English prisons were Roman Catholic, Church of England and the Jewish religion (Priestley, 1985). Irish prisoners were categorised as Established Church, Presbyterian, Roman Catholic and others. Modern Irish prisoners, on reception at prison, are required to state their religion and are issued with appropriate Bibles and prayer books. There never seems to have been a Jewish category in Irish prisons. Failure to register as one of these religions and attend the appropriate service could end in punishment for a nineteenth century prisoner. Under the stricter regimes prisoners were held in Silence and much Solitude during the week. On Sunday they were marched to Church and admonished to sing out loudly. Any other sound, including coughing, was not allowed under threat of punishment (Priestley, 1985). Under a system of Complete Separation, the prisoners having come together for communal worship were sometimes separated into separate "coffins", as at Lincoln Gaol, an anomaly which Daniel Nihil, found contradictory. Priestley, (1985, p.94), quoted prisoners who claimed to have sung their hymns so loudly and with such gusto that hymn singing was banned and replaced by the quieter psalms. The authorities had good cause to fear loud singing as it often hid conversation. An example given was, a rendering of 'Nearer My God to Thee' in which a conversation was cleverly inserted by singing the first word of every line as a crescendo. This they followed by speaking to their neighbour during the rest of the line.

Religious instruction was given at Cork City Gaol on two days per week. This was given by the Sisters of Mercy, under the chaplains direction, to the Roman Catholic female prisoners and to the Roman Catholic hospital patients of both sexes. A Protestant lady visitor instructed the few Protestant ladies which were committed (Forty-eight Report of the Inspectors General). The Sisters of Mercy archivist in Cork apparently had no record of this. The Church Services at Cork City Gaol were

held on the ground floor of the Rotundas. The Roman Catholic priest officiated. The governor and the deputy governor and all officers connected with the prison remained on the ground floor, including family members. The prisoners knelt on their respective lobbies, under the eye of the warders - all the Fenians on the top gallery, the tried prisoners on the first and second galleries. The prisoners descended to receive Communion and after Mass returned in silence to their cells. The Protestant minister officiated similarly on the female side (Casey,1865/66). Later in the century, the disused Debtor's Prison at Cork City Gaol was apparently converted into a chapel.

The **Library**, at Cork City Gaol contained "a few antiquated books" for the use of Catholics but the library for the Protestants was "really very fair". It contained a few "trashy nonsensical productions", and "eighteen or twenty volumes of the Annual Register, (a diary of the principal events of the previous year)" (Casey,1865/66). Supervision of the library lay with the chaplain. Only books of a morally reforming character were recommended. The librarian also censored the prisoners' letters - a practise still in place in modern prisons (Hayes, 1993)

Thus, the prisoners at Cork City Gaol endured the exigencies of the nineteenth century Irish County Prison System. The final chapter of this study will summarise and discuss the findings which were expanded on in previous chapters.

CHAPTER 14

A DISCUSSION OF THE ISSUES RAISED AND CONCLUSIONS REACHED

REVIEW OF THE DEVELOPMENT OF THE IRISH COUNTY PRISONS SYSTEM OF THE NINETEENTH CENTURY AS STUDIED AT CORK CITY GAOL

The Irish County Prison in the middle years of the nineteenth century was an integrated society. When a prisoner entered its portals his whole life was dictated by a strict routine which was apparently exactly the same in the other similar prisons. The routine was developed during a century of close analysis and development of systems designed to improve the prisoner's morals. The penal reforms of the late eighteenth century and early nineteenth century regularized imprisonment and made it the centrepiece of a penal system which; gave the penal system a moral purpose; and, made prisons acceptable as a subject which could accept architecture "as a vessel of conscience" which was "beyond the limits of art or prosaic utility" (Evans, 1982, p.3). Bentham based his ideas not on tradition, but sought the same scientific assurances that the then new scientific community were discovering. Many scientific developments of the late nineteenth and early twentieth century can trace their origins to the apparently unrelated science of prisoner reform. Examples of these include; hygiene practises; medical practises; dietary practises; physical education; social reform; airconditioning; and acoustics.

CORK CITY GAOL - THE BUILDING

This study has concentrated on one example of these County Prisons - Cork City Gaol, apparently built after the "radial" style of Blackburn, and based on Bentham's Panopticon design. The main architect/ building contractors appear to have been; William Robertson of Kilkenny, and Mrs Alexander Deane on behalf of her son Thomas, in conjunction with other Deane family members including Alexander. The detailed drawings for the gaol are, as yet, undiscovered but they were apparently executed by the young

John Hogan, who was to later make his name in Italy as one of Europe's finest neoclassical sculptors. The gaol first opened in 1824. The attempted implementation of the 1840 Separation Act introduced physical changes to the internal buildings. A plan of proposed alterations prepared by Richard Walker, Cork with the cooperation of the Inspector General of Prisons and the architect of the Board of Works was introduced in 1873. This plan proposed widening some of the cell ranges, thereby increasing the amount of cell accommodation available, and allowing for larger cells better adapted for inside work (Fifty-first Report of the Inspectors-General). The western wing was the only range adapted. The remainder of the prison cells remaining largely unaltered to date. Alterations to outbuildings, the addition of a Separation spur wing, and major site work at the front of the main building were some of the other alterations which affected the building during its century of use.

According to local belief, governor Barry Murphy lived at 'Springmount House' across the road from the gaol. Tunnels, which were believed to make a secret connection between this house and the gaol, were more likely storm drains, typical of this area of Cork. The stairs down to a dungeon from within the gaol, more than likely gave access to a half basement which may have existed before the work on the front grounds was completed about 1900. This basement may have been dungeons, constructed prior to their abolishment by the Act of 1826, two years after Cork City Gaol opened. Further extensive surveying is required to prove or disprove the tunnel theory.

CORK CITY GAOL FALLS BETWEEN TWO DISTINCT ERA OF PRISON DESIGN

Bentham's management principles were finally rejected by Parliament in 1811, but according to Ignatieff, (1978), his design exerted a profound influence on the circular forms adopted by Millbank in 1817, the Bury New Prison of 1805, and on a number of other British County Prisons built after the Napoleonic Wars. The name 'Panopticon' was soon stretched to include radiating

wings or polygonal terrace arranged around a central observatory. The direct influence of the Panopticon was felt in most of the early nineteenth century prisons, where inspection was accommodated to a less demanding technology. Not until Joshua Jebb's Pentonville, (1842), was the attempt to construct an "entirely predictable, synthetic reforming environment repeated". The inspection principle of Bentham's Panopticon, became the "unifying feature of early nineteenth century prison architecture" (Evans, 1982, p.228).

Cork City Gaol designed and built 1808 - 1824, fell in to this interim period. Radiating wings from the central control hub of the governor's house, coupled with an all embracing castellated outside wall built on an airy, south facing site displayed the physical attributes which developed within the prison reform movement of the late eighteenth and early nineteenth centuries. The beginning of the nineteenth century was "a revolutionary era in prison architecture" (McDowell, 1964, p.152),

THE SOCIAL BACKGROUND OF THE "ORDINARY" PRISONER IN CORK CITY GAOL

The prisoners in Cork City Gaol were; largely illiterate; without a trade; Roman Catholic; apparently from the lower socio economic classes; more usually female; and predominately of the age group twenty one to thirty-one years. They were more usually imprisoned for minor offenses, particularly those in relation to, drunkenness, prostitution, and theft. In 1869, 0.6% of the total Irish population were imprisoned (Forty-eight Report of the Inspectors-General).

Juvenile crime rates recorded for Cork City Gaol had decreased by 1869, despite the large street population of juveniles. This decrease, the Prison Inspectors attributed to the Reformatory and Industrial Schools Act (Forty-seventh Report of the Inspectors-General). An attempt to identify the circumstances which led juveniles into crime used a minute recording of their parentage

(Fiftieth Report of the Inspectors-General). Murphy, (1980), suggested that the social trend of the time, favoured a poor upbringing as a probable cause of crime.

Offenses related to "loitering" were prevalent amongst **females** in Cork, where female offenders "frequently outnumbered the males". "Crimes which had ceased to exist in other jurisdictions", were attributed to "a worse class of woman, incident to a large city, the seat of a garrison, and a seaport". A great number of women were "left helpless on their discharge", thereby leading to many re commitments. These "helpless" women, when discharged, "become outcasts from want of friendly aid and advice". The Inspector recommended the building of a women's refuge on the lines of Namur, at Marseilles, and Dublin's Victoria Asylum, built on the advice of Mrs. Fry (Forty-eight Report of the Inspectors General, p.306). Hood and Sparks, (1970), argued that, imprisonment only postpones reconviction. It does not always prevent recidivism.

Males at Cork City Gaol, were imprisoned for crimes ranging from murder, paedophilia, and rape to more minor crimes such as burglary, theft and drunkenness related crimes. Although mainly in their twenties, some men reached their seventies or eighties while in prison. They were more likely to have been imprisoned for more serious crimes and therefore endured longer sentences. This was an advantage when it came to learning a trade. Imprisonment for fighting was more usual amongst females than males.

RELIGIOUS PERSUASION OF THE PRISONERS AT CORK CITY GAOL

The religious persuasion of the prisoners at Cork City Gaol was comparable with the findings for Ireland as a whole. Commonly portrayed, as the "fighting drunken Irish Catholic, by such publications as 'Punch' magazine, it was interesting to study the ratio - religions of prisoners versus the numbers of prisoners. The percentage of the Irish prison population in the two main religious categories, when taken as a percentage of the

population as a whole showed a marked similarity, (Roman Catholic, 0.6%, Established Church, 0.54%) (Forty-eight Report of the Inspectors-General). This social phenomenon warrants further investigation. It appears that Roman Catholics were no more prone to crime than their Protestant neighbours. The numbers of Roman Catholic prisoners was large because in the population as a whole they were the dominant group.

EDUCATION IN CORK CITY GAOL

Some prisoners at Cork City Gaol, while largely illiterate on entrance, attended school within the gaol. The Prisons Inspector cited "want of education" as a reason for crime, and he complimented the system whereby "persons unable to read and write" acquired the skill while in gaol, having "entered the gaol in a state of total ignorance" (Third Report of the Inspectors General, p.12). By 1853, confidence was waning in a system which concentrated on the education of criminals. The moral and spiritual development of children before they became contaminated by crime was mooted, encouraging the Government to introduce industrial schools and housing reform (Ignatieff, 1978). This relationship between education and crime warrants further investigation. It could possibly be argued that while education can reduce crime it can also make it more difficult to convict those who continue in crime.

PUNISHMENT IN CORK CITY GAOL

Punishments at Cork City Gaol included; stone breaking; tread wheel; crankmill; shot-drill; and prison duties for males. Females were subjected to; prison duties; and laundry work. Both males and females were subjected to solitary confinement and bread and water diets, both as Court punishments and as punishment for prison offenses. These punishments were also indicated for other Irish County Prisons.

EMPLOYMENT OF PRISONERS AT CORK CITY GAOL

The 1840 Separation Act consolidated earlier legislation (1821, 1822), encouraging the Boards of Superintendence to introduce work which would "afford the prisoner a trade - his public right". Practical problems inhibited its successful implementation. The inherent difficulties encountered when matching industrial output to income proved too difficult. Matching a profitable industrial regime to the needs of the Separation System proved costly. Prisons which were confined within a legalistic, stringent regime had great difficulty in responding quickly to a changing marketplace. A typical example here was oakum-picking. The final product, used for caulking ships, had a ready market in wooden sailing ships of all sizes. The introduction of steam and the development of iron ships decimated the oakum market. Irish prisons, including Cork City Gaol, continued in its manufacture late into the century, building an oakum "mountain" which sold at below cost. Industrial labour in Cork City Gaol was also hampered by the need to compartmentalise workrooms, and find other profitable employments suited to "cell-work". The cells were too small in most prisons to accommodate the meagre cell furniture and work tools. Lack of gas lighting in the cells reduced the work hours available to a prisoner, thus reducing the potential income. The Inspectors attributed these "difficulties" to the "want of habits of industry and of manufactures" in Ireland (Second Report of the Inspectors General, p.14). This trend was observed for Cork City Gaol. Stone breaking, although technically a Hard Labour punishment, was used, as an income earning industry, and as an exercise, in most Irish gaols.

Males at Cork City Gaol were employed mainly at; cleaning and whitewashing the gaol; beating hemp and flax; picking oakum; stone breaking; weaving, cobbling, tailoring, mat and skewer making, carpenter's work, masonry work, and painting. Female employment remained traditional and uninspiring throughout the period. Carding and spinning, needlework, making and repairing

the bedding and clothing for all prisoners was their main occupations (Sixteenth & Thirty-fourth Reports of the Inspector General).

ADMINISTRATION OF CORK CITY GAOL

The nineteenth century prison staff were, in theory, chosen for their potential ability to reform the moral character of their charges. Administration at Cork City Gaol followed a typical pattern. Old style staff were transferred from the old medieval Northgate Bridge Gaol. They found adaptation to the new regime and building rather trying (Second Report of the Inspectors General). Similar problems were reported from the modern Feltham Prison (Rutherford, 1984). The prison buildings were designed to maximise all aspects of the regime and to instill reformation in the minds of the prisoners with the aid of the prison staff. By 1837, when new or developed buildings were the norm nationwide. The Inspectors became convinced that a proper system of staffing was now the biggest stumbling block to prison reform. The employment of military trained personnel at all levels, but especially at officer level, was seen as a solution to the problem. Military men were used to "obeying orders". However, employment of officers continued by "word of mouth" methods. In 1856, when John Barry Murphy was appointed as the first Roman Catholic governor at Cork City Gaol, the Prison Inspectorate were hopeful that his selection would be "regulated solely" by his qualifications (Thirty-fifth Report of the Inspectors General, p.168). Later, in 1870, an examination system was introduced for potential male prison officers but which excluded married women. Alexander Kingstone, was appointed as governor in 1878, following on a public advertisement, which had by then become the norm.

These research findings indicate a distinct link between nineteenth century prison development in Ireland as observed at Cork City Gaol, and the modern debate on prison reform. Aspects of these findings follow.

NINETEENTH CENTURY PRISON THINKING STILL INFORMS TWENTIETH CENTURY PRISON THINKING

O'Mahony, (1993), said that the Irish Criminal Justice system still resembles the British System. He observed that most of its legal and penal structures date from the time when Ireland was ruled from Westminster, and, which used a system which was never really suitable to the local Irish conditions. Despite the Prisons Act of 1972 being in force, aspects of prison regime were still subject to nineteenth century laws - for example, the 1914 Criminal Justice Administration Act which incorporated a series of prison legislation dating from 1826 to 1907 (Byrne, Hogan, McDermott, 1981). Sigerson, (1890), argued that when the 1848 Crown and Government Security Act was passed, the 1826 Act still governed Irish prisons, and implied that all subsequent Acts should be interpreted against that Georgian Act. The field of prison law in Ireland is largely unexplored (Byrne, Hogan, McDermott, 1981).

The most striking aspect of prison reform over the last two centuries, was how little of it there has been (Rutherford, 1984). Rutherford could well conclude that, Howard, two centuries later, would find more that is familiar to him within the prison than across society as a whole. Lonergan, the governor of Mountjoy Gaol, could speak of modern prisons first hand. Modern prison regimes he said were "humane and positive - for example, all prison work was of a productive, educational or training nature, and prisoners were much better cared for medically, physically and mentally. But, despite many real improvements, some things never changed, he concluded (Kelly, 1988). According to Rutherford, (1984), modern reformers were often frustrated by the inherently authoritarian structures of modern prison. This authoritarianism depended on a control, which relied upon explicit threats of force, which would be unacceptable elsewhere in a liberal democratic state. O'Mahony, (1993), placed the purposes of modern prison punishment into two broad categories; those that look to the future focussing on

crime prevention; and, those that look to the past focussing on inflicting punishment as a means to reassert the correct balance between the criminal and his victim. Reformers from the eighteenth and nineteenth century would find much in common with their twentieth century counterparts.

This study contends that attempting to understand or reform twentieth century prisons seems a futile act, if there is little or no attempt at understanding the reform attempts of the nineteenth century. A better understanding of nineteenth century prison discipline theories will better inform modern prison reformers and may save them from repeating the mistakes of their predecessors. This study adds a further dimension to this discussion. It hopes to stimulate well-informed debate.

NINETEENTH CENTURY OPINIONS CONCERNING THE CAUSES OF CRIME ARE STILL RELEVANT IN THE TWENTIETH CENTURY.

Major prison uprisings, particularly in 1815, forced the reformers to see the increase in crime as an indicator of the deep political and social alienation of the poorer classes (Ignatieff, 1978). As O'Mahony, (1993), found, most modern Irish prisoners come from the most deprived homes with a history of chaotic and disordered lives. They have, he said, little hope of improving their conditions. Most nineteenth-century prisoners came from a similarly dysfunctional background.

Durkheim introduced a theory of "anomie", which inferred that in modern societies when traditional norms and standards become undermined and are not replaced by new ones, "people feel anxious and disoriented" (Giddens, 1989, p.127). Holford blamed the crime wave on "the tide of blasphemy and sedition" which "poured incessantly" from the public press "to subvert the principles and deaden the moral feelings of the people" (Ignatieff, 1978, p.158). The nineteenth century experienced an escalating fear of a "dangerous criminal class - vast, self contained, self perpetuating, largely irreclaimable, implacably hostile and alien

to the State" (Radzinowicz & Hood, 1986, p.231). Davenport Hill, who, in 1864, devised a system whereby Habitual Criminals could be imprisoned indefinitely, claimed that "90% of the malefactors who roamed the Country unmolested could be withdrawn from society" (Radzinowicz & Hood, 1986, p.234). Modern society experiences similar fears.

THE SEPARATION / CLASSIFICATION SYSTEM STILL INFLUENCES IRISH PRISON LIFE

Separate Confinement spread all over Europe, and, according to Evans,"the products of this phenomenal burst of energy" are still at "the core of the British penal system", (Evans, 1982, p.385) Rule 65 of the 1972 Prison Rules, (Ireland), provided for association by prisoners, with communication at work, or recreation, provided such communication was conducted in an orderly manner, and did not impede the work on which prisoners were engaged. This association, according to Byrne, Hogan, McDermott, (1981), was recognised as part of the normal prison regime. The prison which eventually replaced the County Prison in this study, tells a similar tale. Hayes has written of the present Cork Prison, it had "every modern facility", yet this place was "different" - each prisoner ate in his own cell, the librarian censored his letters, the prisoners spent the bulk of their day confined to their cells. When privileges were withdrawn, the prisoner was in solitary confinement sleeping on a mattress on the floor (The Cork & Ross Fold,1993, pp.6-7). The British Home Office reported in 1989 on its recently restored, (at a cost of over £25m), Feltham Prison for Juveniles. They were disappointed to find that, despite the elegant, modern and carefully landscaped buildings, the problems of discipline inherent in the old regimes still existed (Rutherford, 1984). These defects are echoed by the difficulties encountered when

prison staff were moved to the new Cork City Gaol from the unreformed medieval gaol at Cork's Northgate.

MODERN PRISONS ARE "TOO SOFT"

Those who argue that modern prisons are too soft and are little more than holiday camps, should study the early atrocities and abuses inflicted on prisoners when statutory controls, which ensure a basic standard of civilised containment, were absent or not enforced (Kelly, 1988). During the 1820s, the prison reformers, were criticised for having made prisons that offenders were likely to "consider as a sure and comfortable asylum, whenever their better fortunes forsook them". In response, magistrates set about making prison "as lonely and as inconvenient and as irksome as the human mind could bear" (Ignatieff, 1978, p.175). Belfast Gaol, (1824), once the "model prison of Ireland" had an exterior of "heavy gloom calculated to strike terror into the heart of the wrongdoer" (McDowell, 1964, pp.152-153). This once model prison is only now being decommissioned.

Cork City Gaol, the subject of this research, has become a well-respected heritage centre. It was not feasible to study this subject without considering the heritage aspects of its story. This will be discussed in the next section.

CORK CITY GAOL AS AN EXAMPLE OF HERITAGE RESEARCH AS AN ACADEMIC SUBJECT

A secondary aim of this study was to demonstrate that heritage research can be and needs to be a proper academic subject. This example of an academic study is based on a specific project, broadening what might have been a purely local story. Percival, (1979, p.15), commended researchers to "tell the truth", and when the truth was "too large a story it should be distilled to

provide the essence". The story of the nineteenth century Irish County Prison System is certainly a "large story". Distilling the "essence" of this large story into the story of one unique location - Cork City Gaol - "tells the truth". Academic heritage research is not in conflict with realistic commercial development. The final product depends on a clear, concise presentation, which in turn depends on a clear understanding of the broader story.

As Stevens pointed out at the 1990 Bord Failte Heritage and Tourism Conference, "people are searching for the real experience, rejecting replications". For example, Cork City Gaol, if seen out of context with the nineteenth century County Prison debate, would be an anaemic local story with little or no broad appeal. Because it also encompasses the "essence" of nineteenth century prison reform and the corresponding social conditions, seemingly simple questions are answered while other questions are posed.

Stevens,(1990), said that interpretation at heritage sites "hits the core motivations of education and learning". The story of Cork City Gaol, can be measured by the public reaction to the first phase of this heritage development. It motivates its audience and helps them to understand the basics of the development of Prison Reform. It encourages additional study of the subject thus furthering the debate on twentieth century prisons. The success of the first phase of this Interpretation Project can be verified by the numbers of visitors it received, (more than one thousand seven hundred to 1996). The positive feedback the project received including comments such as; "a very good insight into a life gone by"; "exceptional presentation - but so sad"; "very child friendly" (Visitor's Book, Cork City Gaol, 1993-1995). The "core motivation of education and learning", can be seen in the many educational projects which Cork City Gaol has to date spawned, for example; eighty-one education projects from all three levels of education in its first year. It has attracted students with an interest in;

History; Sociology; Restoration; Marketing; Art; Women Writers; Irish Studies; Tourism and Heritage students at all levels; and students of architecture (Kearns,1996).
Academic heritage research is time-consuming and therefore expensive. These overheads could be greatly reduced if there was a better understanding of the job-specific needs of heritage researchers. If archivists, librarians and historians were trained in heritage research as a distinct academic discipline, this inherent research dilemma would be greatly reduced. As Cannon, (1992), said, at the 1992 Bord Failte Conference on Heritage and Tourism, universities put on a course in heritage management while history graduates "never get an opportunity" to study or train in the skills of local history research. University College, Cork, is offering a post graduate course in Local History as part of its 1996/97 curriculum. This is a welcome development.

Any worthwhile heritage project, if it is to appeal to a broad customer base, should draw together as many human aspects of the story as possible. All heritage research projects cover a broad span of subjects including history, sociology, and their own case specific aspects.

THE STUDY OF CORK CITY GAOL AS A CONTRIBUTION TO THE RICH SOCIAL HISTORY OF NINETEENTH CENTURY CORK

The local reaction has been very supportive of this heritage project. They feel that they are "receiving a true representation of their heritage", often adding "and it wasn't so long ago" (Kearns,1996). The restoration of the building and the consequent landscaping at street level, is seen by local people as a positive addition to the quality of their lives. The reaction of visitors from abroad has also been positive. They go away with a better understanding of nineteenth century Ireland. The transportation aspect is of particular importance to Irish Australians. Visitors generally "react to the scale of the complex and to the authentic but simple presentation" (Kearns, 1996).

CONCLUSION

In conclusion, this study has:

* redressed the apparent absence of published material on the Irish County Gaol System of the nineteenth century,

* used Cork City Gaol as a typical example of an Irish County Gaol, within which it considered the Irish County Gaol prison system,

* compiled a comprehensive study of this individual gaol as a pilot for the study of other individual gaols in Ireland and Britain,

* recorded and analysed the statistics available for Cork City Gaol from the official Irish Prison Reports for this period, and recorded and identified emerging trends,

* opened the material generated by this study of Cork City Gaol to a broad range of students from many and varied disciplines.

Its secondary aims and objectives have been reached by having:

* identified reform trends for the nineteenth century Cork City Gaol which are directly relevant to the debate on modern prison reform.

* told the story of Cork City Gaol as an example of heritage research,

* and, located the gaol within local data as an addition to the rich social history of nineteenth century Cork,

However, as happens with any good study some questions were answered while other new and intriguing issues were raised. Unanswered questions which need further study include; is the

debate on nineteenth century prison reform directly applicable to the modern criminological debate?; should prisons simply protect society from criminals or should they aim to reform?; or should a totally new comprehensive and scientific concept be devised?

The practical experience of heritage research raised some new and intriguing questions. Can heritage research be an academic subject in its own right or will it remain as mainly the domain of the dedicated local historian? Should university departments be more aware of the needs of heritage research and its responsibility in communicating important information? Should archivists and librarians be more alert to the broad ranging aspects of this kind of research?

Finally, the success and validity of the practical techniques used in researching Cork City Gaol are acceptable academically and it achieves scholarly significance as part of a general interpretation of County Prison Systems in Ireland in the nineteenth century and their place vis a vis the debate on modern prison reform. It is also a reproducible example of heritage research and adds considerably to the study of Cork local history. The material of this study is now available to a wide range of subjects.

In brief, a sense of the past persuades us that, "the tangible past we recall and chronicle is a living part of the present" (Lowenthal, 1985, p.249).

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APPENDIX

PRISON ACTS/COMMISSIONS/ENQUIRIES - IRELAND

(Non exhaustive list).

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1809- 49 Geo. 3.

Commission of Inquiry into condition and government of State Prisons and Gaols in Ireland.

1810- 50 Geo. 3.

c 103, Repealing Laws relating to prisons in Ireland, some repealed 1822, 1826. c. 74. Centralized aspects of system, set up an Inspectorate, allowed poor prisoners work instead of paying their keep. Prison fees abolished in Ireland. Grand Juries responsible for aspects of prison regime including prevention of all previous abuses. Classified prisoners as males, females and committed for trial. Bill to authorize punishment by confinement and Hard Labour of persons in Ireland liable to transportation, 1810-1811.

Official Correspondence on State of Gaols in Ireland

1814- 54 Geo. 3.

Bill to amend Act relating to Contracts for repairing or building prisons in Ireland. Allowed local authorities take out a repayable government grant.

1815- 55 Geo. 3.

C. 50 Gaol Fees abolished. Act repealed 1826. c. 74.

1817- 57 Geo. 3.

Bill to amend Laws relating to prison in Ireland. Established asylums for the lunatic poor of Ireland

C. 75 abolished whipping of female offenders, repealed 1820.

1819- 59 Geo. 3.

Prisons (Ireland), repealed 1826. Select Committee on Gaols and other Places of Confinement in Ireland, held January to July. Account published 1819.

1821- 1 & 2 Geo. 4.

c. 33 - An Act to make more effectual provision for establishing asylums for the lunatic poor and for insane persons charged with offenses in Ireland.

c. 77 further abolished payment by prisoners in Ireland of Gaol fees.

1822- 3 Geo. 4.

c. 57 amended laws relating to prison in Ireland allowing for poor prisoners to be fed, clothed and supplied with bedding from public finances by order of the newly appointed Inspector General of Prisons of Ireland.

C. 64 amended Laws relating to prison in Ireland, especially that a notice should be displayed in all Gaols reminding all that prison fees were abolished. repealed 1826, c. 74.

1823- 4 Geo. 4.

Sir Robert Peel's Gaols' Act; based on the thinking of the Society for the Improvement of Prison Discipline - fell far short of their ideals but Magistrates were required to submit annual reports to the Home Secretary, then to Robert Peel who added his own questions. This marked an important step in the improvement of the State of prisons, abolishing gambling, and other abuses. It introduced an element of protection for the prisoners. The new rules for County Gaols included; rent chargeable to debtor prisoners in County Gaols; Debtors unable to pay. pauper debtors), to be lodged separately from Master (gentlemen), debtors; pauper debtors to be amenable to the laws relevant to ordinary poor prisoners. First Report on General State of Prisons in Ireland.

1825- 6 Geo 4

Bill for consolidating and amending laws relating to prisons in Ireland.

1826- 7 Geo 4.

Statute to provide for more effectual punishment of certain offenses in Ireland by imprisonment with Hard Labour

Prisons (Ireland), Act, repealed in Northern Ireland in 1953. c. 18.

c. 74, s17; allowed loans to grand juries from the Consolidated Fund for erection of prisons etc. (in use until 1878); Provided for the appointment of Local Boards of Superintendence by the local Grand Jury; classification and segregation of prisoners; rendered work the condition on which support was afforded to the poor prisoner - work to be a means to a trade; employment of trade instructors allowed.

1828- 9 Geo.4

c. 54 Criminal Law (Ireland), Act. Capital punishment section part repealed 1842. c. 28.

1831-1832,

C. 83 and 1847, Bill to authorize removal of prisoners from gaols in Ireland in cases of epidemic diseases

1836- 6 & 7 William 4.

C. 38 allowed for arrest for drunkenness.

1837- 1 & 2 Vict.

Criminal Lunatics (Ireland), Act.

1840- 3 & 4 Vict.

C. 44, extends Separation System to Ireland, with little change from the 1839 Separation System (England), Act.

C. 44 sec. 5. -'provides for the superannuation allowances to prison officers be extended to the City and County of Dublin.

1845- 8 & 9 Vict.

C. 107, An Act to establish 'a central asylum for insane persons charged with offenses in Ireland'

1846- 9 & 10 Vict.

C. 115 s.2. from September 1st Cork Lunatic Asylum to become a district asylum for the city and county of Cork and other counties as may be deemed necessary. Asylum to be supported by the grand juries of said counties.

Bill for consolidating and amending laws relating to prisons in Ireland.

1847- 10 & 11 Vict.

Bill for enabling Commissioners of Public Works in Ireland to purchase Land for prisons.

Juvenile Offenders Act empowered two magistrates to try children up to the age of 14 years.

1849- 12 & 13 Vict.

C. 19, Act for removal of prisoners from gaols in Ireland in cases of epidemic diseases. Habeus Corpus Act suspended in Ireland.

C. 55, abolishing Newgate Prison in Dublin and allowing an increase in salaries to the chaplains in other Dublin gaols.

Act to remove doubts concerning transportation of offenders under judgement of death in Ireland, repealed Northern Ireland 1968. c. 28.

1850- 13 & 14 Vict.

Grey Committee - a Select Committee on prison discipline deplored the continuing lack of uniformity in Local Gaols. They urged the adoption of the Pentonville Model of the Separate System and the establishment of a Central Prisons Board.

1851- 14 & 15th Vict.

C. 90 - The Fines Act for better collection of fines etc. or imprisonment in lieu.

1853- 16 & 17 Vict.

C. 99, Penal Servitude Act ended transportation to Van Dieman's Land and replaces it with Penal Servitude at home. England / Wales), followed by 'transportation as 'ticket of leave men' to W. Australia, repealed 1948, England / Wales. c. 58.

1855- 17 & 18 Vict.

Convict Prisons Act for the governing etc. of Convicts.

1856- 19 & 20 Vict.

Report of Select Committee of House of Lords who enquired into the provisions and operations of the 16 & 17 Vict. Penal Servitude Act.

C. 68, Prisons (Ireland), Act amend Laws relating to prisons and prison staff in Ireland.

Bill to enable the Office of Public Works to acquire land for prison sites for the reception of juvenile convicts in Ireland.

1857- 20 & 21 Vict.

Bill to promote and regulate Reformatory Schools for juvenile offenders.

C. 3, Penal Servitude Act amends the Act of 1853, substituting, in certain cases, transportation with other punishment.

1859- 22 & 23 Vict.

Act for consolidating and amending laws relating to County Prisons in Ireland.

1861- 24 & 25 Vict.

C. 113 Act for provision of Care, Education and Industrial Training of destitute and refractory children, and promotion of Industrial Schools.

1862- 25 & 26 Vict.

Lord Carnarvon's Select Committee of the House of Lords insists that uniformity in Local Gaols be imposed by Act of Parliament.

1864- 27 & 28 Vict.

Home Office Committee report on Prison Dietaries in Local Gaols. They recommended a more uniform diet with a reduction in meat content.

Penal Servitude Act incorporated some of Lord Carnarvon's recommendations including the compulsory adoption of the Separation System in all prisons of the kingdom.

1865- 28 & 29 Vict.

C. 126, Prison Act further implemented Lord Carnarvon's Committee's recommendations including a mandatory duty on justices to maintain a centrally determined mode of penal discipline. repealed 1952.

1866- 29 & 30 Vict.

C. 100 Act to amend Laws relating to prison in Ireland.

Capital Punishment Commission recommended that hanging take place within Prisons.

C. 1, Suspension of Habeus Corpus Act in Ireland.

1867- 30 & 31 Vict.

C. 112 LXXX - Grand Jury allowed raise money for making and repairing gallows.

Bill to amend Laws relating to prison in Ireland and to make further provision for prisoners, 1867/8

Bill to extend Industrial Schools Act to Ireland.

Bill to amend Law relating to Reformatory Schools in Ireland

Report of Committee to enquire into dietaries of County and Borough Gaols in Ireland

1868- 31 & 32 Vict.

Commission appointed to inquire into the dietaries in the Blue Book

C. 25 - An Act to extend the Industrial Schools Act to Ireland.

C. 59. An Act to amend the Law relating to Reformatory Schools in Ireland.

1869- 32 & 33 Vict.

C. 99, Habitual Criminals Act, repealed 1871. c. 112.

1870- 33 & 34 Vict.

The Devon Royal Commission on association with criminals by political prisoners. Earl of Devon chairman

Forfeiture Act and Judicature Act.

1871- 34 & 35 Vict.

Office of Registrar of Criminals under the Prevention of Crimes Act 1871, c. 112. The office was at Dublin Castle. Transferred to G.P.B. in 1877/78.

1872- 35 & 36 Vict.

C. 58 S.74 - a bankrupt who cannot pay his own conveyance to and from court, such expenses to be paid by local county treasurer.

Act to make further and better provision for of prisoners and to amend law relating to prisons in Ireland.

1873- 36 & 37 Vict.

Warders have a written examination

C.51 Act to amend law relating to superannuation of prison officers in Ireland.

1874- 37 & 38 Vict.

C.72 - An Act to explain the Fines Act. Irl), 1851.

1875- 38 & 39 Vict.

C.67. Lunatic Asylums (Ireland), Act.

1877/78- 40 & 41 Vict.

C.49. General Prisons. Ireland, Act implemented with Irish variations. This Act brought Convict and County Prisons under the central control of the General Prisons Board. Ireland. Repealed in Northern Ireland, 1980.