

IRISH CRIMES RECORDS

The Irish Crimes Records are a small series of volumes containing material on crime in Ireland in the nineteenth century. These volumes were removed from the Chief Secretary's Office in Dublin Castle to London in 1922 but were later returned to the State Paper Office in Dublin Castle. They include four volumes containing printed returns of outrages for the period 1848-93. These returns were published by the Constabulary Office, which had its headquarters in Dublin Castle.

OUTRAGE REPORTS

The documents known as the Outrage Reports form part of the record series known as the Chief Secretary's Office Registered Papers which includes most of the incoming correspondence received by that office. The Outrage Reports cover the period 1835-52, and are arranged by county. The bulk of the Outrage Reports were initially received in the office of the Inspector General of Constabulary and were forwarded by him to the Chief Secretary's Office. However, some were addressed directly to the Chief Secretary or the Under Secretary. There is a degree of uncertainty as to why these reports were sent to the Chief Secretary's Office but the most likely explanation is that it was for intelligence purposes. Generally speaking, no action was taken on individual cases by the Chief Secretary's Office. The Chief Secretary's Office appears to have been particularly interested in accounts of agrarian unrest, and a large number of the Outrage Reports relate to the various popular movements of the period. Similar material for the period after 1852 can be found in the main series of Chief Secretary's Office Registered Papers under the headings 'Constabulary' (Royal Irish Constabulary) and 'Police' (Dublin Metropolitan Police).

REBELLION PAPERS

The Rebellion Papers are documents relating primarily to the rebellion of 1798 and Robert Emmet's rising in 1803, which were received by the Chief Secretary's Office in Dublin Castle. They cover the period 1790-1808, and consist mainly of correspondence and reports on the state of law and order in the country during the turbulent decades around the turn of the nineteenth century. They also contain records of courts martial and papers concerning state prisoners.

(PENAL) TRANSPORTATION REGISTERS

The Transportation Registers were compiled in the Convict Department of the Chief Secretary's Office in Dublin Castle. They provide summary information about every convict sentenced to transportation and originally spanned the entire period of transportation to Australia. Unfortunately, the registers for the period 1790-1835 were destroyed in the fire at the Public Record Office of Ireland in 1922. The surviving registers cover the period 1836-57. The National Archives also holds a number of other records which deal with the transportation of Irish convicts, including the Prisoners' Petitions, State Prisoners' Petitions, Convict Reference Files, Free Settlers' Papers, Chief Secretary's Office Registered Papers and Official Papers. These records allow for a greater understanding of the administrative and political framework in which the transportation system worked.

Convict Reference Files

The Convict Reference Files in the National Archives cover the period 1836–1922. They relate to convicts (i.e. persons convicted of offences for which the statutory penalties were death, transportation or penal servitude). There is a parallel series, the Criminal Index Files, which relates to persons found guilty of lesser offences.

The submission of a petition to the Lord Lieutenant was the only method by which a convicted prisoner could obtain a commutation or remission of sentence. The Lord Lieutenant passed the petition to the Convict Department of the Chief Secretary's Office. A Convict Reference File was opened when the petition was received in the Convict Department. Of course, not all of those who were convicted of a crime during this period brought petitions before the Lord Lieutenant. Those who did so were, in many cases, habitual and not first-time offenders. Also, not all petitions were prepared and written by the prisoner in person. Some were written by family members, employers and other interested parties. While no two petitions are the same, they tend to follow similar patterns in terms of style. In many cases expressions of remorse and pledges to atone for past wrongs form a significant part of the petition. In other cases a plea of total innocence is the core of the petition.

When a petition was received in the Convict Department, it was referred to various individuals who had been involved in the prisoner's trial. These usually included the trial judge, members of the local constabulary and, from time to time, the governor of the local jail. While the contents of the Convict Reference Files can vary from case to case, a typical file would include a report from the trial judge, depositions given before the constabulary or the local justice of the peace, and statements relating to the prisoner's character. In this way a comprehensive file was created, enabling the Convict Department to check statements made by the convict relating to innocence, age, size of family or state of health, and providing the information required to arrive at a decision on the petition.

The vast majority of those who petitioned the Lord Lieutenant were unsuccessful, and the most common judgement was that "the law must take its course". Most successful petitions were on the grounds of old age, chronically bad health or insanity. However, meeting these conditions did not always guarantee a successful outcome as shown by the case of the Reverend Samuel Cotton, Co. Kildare. It will also be seen that those who gave undertakings to emigrate, in particular those younger convicts who already had family in America or Australia, were surprisingly successful in their petitions.

The Convict Reference Files cover the broad spectrum of criminal activity, with larcenies and assaults occurring most often. The case of John Wilmot, Co. Clare in many ways typifies the petitions of those convicted of crimes which were of a political nature. Charged with "appearing in arms" at the time of the Fenian rising in 1867, Wilmot claims that he was 'inveigled by the society of others' and promises to 'renounce all connexions with Fenianism'. The case of Thomas Burke, Co. Dublin is one of the more high profile cases to be found among the Convict Reference Files. Burke was sentenced to death for his involvement in the Fenian rising of 1867. Petitions from all over Ireland were received by the Lord Lieutenant on his behalf, and two days before his execution date his sentence was commuted to penal servitude for life.

The Convict Reference Files provide many insights into the administration of justice in the second half of the nineteenth and the early twentieth centuries, and contain much valuable incidental material of interest to social historians. Also, when used in combination with the Transportation Registers, they offer the researcher a greater understanding of the lives of the men and women who left Ireland, not as economic emigrants, but as convicts.

Counties in Time

Documents and commentaries from the National Archives of Ireland
(National Archives of Ireland, [2003]).

Fenian Photographs

The Fenian Photographs represent the first large-scale attempt by police in Ireland to use photography for the purposes of criminal identification. They were originally held by the Chief Secretary's Office, and were transferred to London in 1922. Later they were returned to the State Paper Office in Dublin Castle and are now held in the National Archives.

The Fenian Photographs relate mainly to arrests made under the Habeas Corpus Suspension Act of 1866, which allowed the Lord Lieutenant to issue warrants for the apprehension and detention of any person suspected of conspiracy. The National Archives holds some 600 photographs taken of these detainees in the gaols and prisons where the men were held. Although some of the photographs are not dated, we know that all of the photographs were taken between 1866 and 1872. Generally the prisoners were released or granted bail on condition of going to England, Australia or America.

A 'Form K' is attached to most of the photographs and gives a description of the prisoner. Because some men had not been convicted or charged with any offence the word 'convict' had to be struck off many of the forms, as in the following example: 'Particulars relative to Convict James McCaffrey 765'). Where applicable, the form notes the particulars of the conviction. Other details recorded are the age of the prisoner and his ability to read or write, religious persuasion, marital status, occupation and place of birth and residence.

The detainee's physical appearance is also recorded. His hair, eyes, nose, mouth, complexion, visage, make and height are all noted. Other distinguishing features are often described, such as burn marks, sores and varicose veins. In the photographs the men invariably look well. Initially the photos were taken on a voluntary basis, and the men were allowed to dress well and strike poses. However, a rule was soon introduced which made sitting for photographs compulsory.

The Fenian Photographs are an extremely valuable source for historians and genealogists. They give faces to the people in the Habeas Corpus Suspension Act Abstracts of Cases and widen our understanding of the measures taken by the government to suppress the growth and activity of a radical nationalist movement. However, for information on the major events in which the Fenians were involved, other records relating to Fenianism must be consulted.

Further reading

Noel Kissane, *The Irish Face* (National Library of Ireland, 1987).

Counties in Time
Documents and commentaries from the National Archives of Ireland
(National Archives of Ireland, [2003]).

Habeas Corpus Suspension Act

The Abstracts of Cases of persons arrested under the Habeas Corpus Suspension Act, 1866 are part of the police and crime records of the Chief Secretary's Office. They were included among the volumes on crime in Ireland that were removed to London in 1922, where they received the classification of Irish Crime Records (ICR). They were later returned to the State Paper Office at Dublin Castle, and are now held in the National Archives.

The Habeas Corpus Suspension Act was passed on 17 February 1866 as part of the government's response to Fenianism. This revolutionary movement had originated among Irish emigrants in the United States of America, but had been established in Ireland in the late 1850s. Concerned at the possibility that the end of the American civil war would free large numbers of Irish-American officers for involvement in Fenian activities in Ireland, the government had arrested several prominent members of the movement in 1865. Much larger numbers were arrested under the new Act.

The Habeas Corpus Suspension Act provided for the apprehension and indefinite detention of any person suspected of conspiracy on warrant of the Lord Lieutenant. It remained in force until it lapsed in March 1869. The Abstracts of Cases were designed to control the influx of papers associated with the government's attempt to combat the Fenian threat. Each paper was abstracted and assigned a number to enable the quick production of files on prisoners held under the Act. Because of the huge output of material, the Chief Secretary's Office engaged the services of a solicitor, Samuel Lee Anderson, his brother, Robert, and two other assistants. It was they who arranged the Fenian Papers and produced the abstracts.

There are three volumes of abstracts, ICR 10–12. At the head of each abstract are details relating to the prisoner, his arrest, detention and release. The heading is followed by the grounds for suspicion and details of the prisoner's arrest. Most prisoners were already Fenian suspects, but some were arrested for other reasons. For example, Thomas Barr was arrested because 'his account of himself was not strictly correct'. He spent a month in jail before the police came to the conclusion that he was not a Fenian.

The abstracts contain details of memorials on behalf of the prisoners from their families and friends, medical reports on their health from visiting doctors, magistrates' and police reports, and details of the prisoner's release, usually on bail or on condition of going to America or England.

The numbers on the left hand side of the page in each abstract refer to Fenian Papers and to Chief Secretary's Office Registered Papers (CSORP). Two-fifths of the Fenian Papers were destroyed in London in the 1930s by water damage, but the surviving papers are held in the National Archives. ICR 13 is an index to ICR 10-12, and ICR 14 is an index of names in the Fenian Papers in the period 1862-65, and can be used in conjunction with ICR 10-12 to provide details of Fenian activity prior to the Habeas Corpus Suspension Act.

This class of records, used in conjunction with other records relating to Fenianism, is an invaluable source for examining the origin, growth and development of this radical nationalist movement and the government's attempts to suppress it. The biographical details of the prisoners are also of genealogical value.

Further reading

Breandán Mac Giolla Choille, 'Fenian documents in the State Paper Office' in *Irish Historical Studies*, vol. xvi, no. 63 (March 1969), pp 258–84.

Counties in Time

Documents and commentaries from the National Archives of Ireland
(National Archives of Ireland, [2003]).

Proclamations

Proclamations were formal public announcements issued by the chief governor and Privy Council of Ireland. Normally the chief governor was the Lord Lieutenant appointed by the king to act in his place in Ireland. However, when the Lord Lieutenant was absent from Ireland, which was often the case, his functions were carried out by two or three Lords Justices. The Privy Council consisted of leading peers and bishops and the principal officers of state.

The original proclamation was engrossed in manuscript, but it was printed for distribution and reading in public. The main set of proclamations now held by the National Archives is a set of printed proclamations for the period 1652–1875.

At the head of a Proclamation is the royal coat of arms. This is followed by the reinforcing attribution: 'By the Lord Lieutenant and Council of Ireland'. Occasionally an identifying title is included. The main text of the Proclamation commences with an explanation of why it was issued. Following the explanation is an order. To ensure that the order was complied with, rewards and penalties are stated. This is followed by the date, a list of the members of the council, the royal prayer and finally the name and address of the royal printer.

Generally Proclamations were issued to enforce existing laws. This can be seen in the citation of the 'Act for better suppressing Tories, Robbers and Rapparees and for preventing robberies and burglaries and other heinous crimes'. A number of Proclamations were issued to reinforce the Penal Laws. Examples of these include licenses for papists carrying arms, and prohibitions against persons exercising ecclesiastical jurisdiction, i.e. Roman Catholic clergy. In most cases Proclamations were issued in response to the commission of a crime. This can be seen in the examples which describe a murder, and which concerns the carrying away and forcible marriage of a spinster. Further Proclamations were issued in response to public order disturbances and trade disputes. A final type of Proclamation refers to the supply of money.

These records reflect the government's perception of threats to public order, and demonstrate the reactive nature of government at this time. They are especially useful for examining crime and law enforcement in a pre-industrial society.

Further reading

'Catalogue of Proclamations issued by the Lord Lieutenant and Council of Ireland, 1618 to 1875, as well as some issued by the King' in the *Reports of the Deputy Keeper of the Public Records in Ireland*, (22nd Report, 1890, pp 35-41; 23rd Report, 1891, pp 25-74 and 24th Report, 1892, pp 33-93.

[Note: This is a catalogue of the main set of printed proclamations held in the Public Record Office of Ireland before 1922, and includes some proclamations which are not included in the set now held in the National Archives.]

Counties in Time
Documents and commentaries from the National Archives of Ireland
(National Archives of Ireland, [2003]).

Department of Justice

The Crime and Security Registered Files of the Department of Justice are arranged in a number of alphabetical series and sub-series (A, B, C, D, E and S), which overlap somewhat in content. The 'S' series was the main Crime and Security series. The earliest file in it dates from 1923, and it remained in use at least until the 1970s. The files lettered A, B, C, D and E form a separate and more specialised series covering only the period 1934-39, with each letter denoting a sub-series relating to particular types of organisation or activity.

Files in the 'A' sub-series are arranged by county and chronologically, and relate to meetings of various political organisations, especially Fine Gael and the League of Youth. They include files concerning disturbances at meetings, Blue Shirt parades and incidents of malicious damage. The sub-series covers the period 1934-38, but most of the files date from the year 1934.

The 'B' sub-series also covers the period 1934-38, and consists mainly of files containing press cuttings relating to various T.D.s and other people, and documents issued by the League of Youth.

The files in the C sub-series contain reports and other documentation concerning IRA activity in various counties, Cumann na mBan and the Women Prisoners' Defence League. The sub-series covers the period 1934-39.

The 'D' sub-series is made up of files of papers and press cuttings documenting the activities of a variety of organisations over the years 1934-39, including the Irish Labour Defence League, the Unemployed Workers' Movement, the United Tenants' League and the Women Prisoners' Defence League. Also included are files relating to Communist organisations and the discovery of bombs and ammunition.

The 'E' sub-series comprises files concerning the payment of land annuities, especially the execution of decrees for non-payment. The files are arranged by county and chronologically, and cover the period 1934-39.

The files in the 'S' series that are currently held in the National Archives cover the period 1923-71. They document the activities of a wide variety of organisations, including the Anti-Imperialist League, the Workers' Revolutionary Party, the Women Prisoners' Defence League, Cumann na mBan, the Unemployed Workers' Association, the Irish Neutrality League, the Green Cross Fund and various farmers' associations. There are also a number of files relating to the activities of individuals, such as James Larkin.

Other subjects covered by the files include discoveries of arms and ammunition, the firing of shots over graves, and demonstrations and meetings. There are a few files on the I.R.A. border campaign of the late 1950s and early 1960s and there are also some files concerning the alleged attempts by Government ministers and others to import arms illegally in 1970.

The Crime and Security Registered Files are a major source for anyone interested in the state's surveillance of republican and left-wing organisations, as well as those inspired by fascist ideologies, particularly in the 1930s and 1940s.

Counties in Time

Documents and commentaries from the National Archives of Ireland
(National Archives of Ireland, [2003]).

Office of Public Works : Plans

The Act for the Extension and Promotion of Public Works in Ireland was passed in 1831, establishing the Board of Works as a government department. The Board immediately took over the responsibilities of the Directors General of Inland Navigation, the Fisheries Commissioners, the Postmaster General, and the Civil Buildings Commissioners. In addition to carrying out these inherited functions, the Board of Works also operated as a lending agency, granting loans for the establishment, maintenance or improvement of public works schemes. Over the nineteenth century as a whole, the functions of the Board of Works covered matters as varied as public buildings, roads and railways, piers and harbours, fisheries, inland navigation, arterial drainage, labour schemes, relief of distress and national monuments.

The Board of Works is now normally known as the Office of Public Works. The archives of the Office of Public Works held in the National Archives are very extensive, and include volumes, papers, files, maps and plans. Some series of volumes which pre-date 1831 were inherited from the Directors General of Inland Navigation and the Civil Buildings Commissioners. A detailed guide to the archives was published in 1994 (see under Further reading below). Lists of some of the archives are available online on the National Archives website.

Initially, after 1831, the building activities of the Board of Works related primarily to the maintenance of the law courts, the residences of the officers of government in Dublin and the buildings in the Phoenix Park. Over the years, a wide range of other buildings came within their scope including post offices, custom houses, coastguard buildings, Royal Irish Constabulary barracks and agricultural colleges. Their plans for buildings did not always meet with total approval. The National School Register for Kilcummin National School in Co. Tipperary, 1905, notes that the manager returned the Board's plans for new classrooms as they were unsuitable.

Functions taken over from the Postmaster General and other predecessor bodies included the maintenance of hundreds of miles of public roads and the completion of various harbours. Other examples of plans for transport structures include bridges, canals and piers.

The archives of the Office of Public Works are an enormously important source not only for historians but also for a wide range of other specialists, including architects, engineers, archaeologists, conservationists and geologists. The variety of functions carried out by the office means there is scarcely a parish in the country untouched by its work, and its archives are therefore also a major source for local historians.

Further reading

Rena Lohan, *Guide to the Archives of the Office of Public Works* (Dublin, 1994).

Rena Lohan, 'The archives of the Office of Public Works - their value as a source for local history', in *Irish Archives*, vol. 1, no. 2 (Autumn 1994), pp 26-47.

Counties in Time
Documents and commentaries from the National Archives of Ireland
(National Archives of Ireland, [2003]).

Church of Ireland

"An Act to provide for keeping safely the Public Records of Ireland" (30 & 31 Vict, cap. 70) was passed on August 12th 1867. This was expanded on August 11th 1875 as **"An Act to amend the Public Records (Ireland) Act, 1867 and to make provision for keeping safely Parochial Records in Ireland"** (38 & 39 Vict. ch. 59) and amplified on August 11th 1876 as **"An Act to amend the law relating to Parochial Records"** (39 & 40 Vict. ch. 58). This legislation enabled Church of Ireland records of specific dates to be transferred to the **Public Record Office of Ireland** or to be retained in local custody under special authority. Parochial officers were required to make inventories of all records in their possession, custody or care. The 1876 Act regulated the conditions under which records could be retained locally while expanding the function of the term "record". So the situation remained until the first quarter of the twentieth century.

Depending on where records were stored in the Record Treasury of the Public Record Office in 1922 the destruction of records was either complete or minimal. As a collection the records of the Church of Ireland suffered heavily. *Appendix iv to The Fifty-Fifth Report of the Deputy Keeper* lists those records which survived. The survival rate was negligible. Some original and transcript material was subsequently donated to the Public Record Office of Ireland but did little to minimise the loss suffered.

Notices were issued in the newspapers on 3rd and 28th July 1922 and an official note was issued in *Iris Oifigiul* dated July 27th 1922 requesting members of the public to hand in documents and fragments thereof which they might have found after the explosion. As was to be expected only fragments were returned. None related to the Church of Ireland.

While the destruction of Church of Ireland records suffered as a consequence of the Public Record Office fire in 1922 was total there are some ways around this loss for the experienced researcher.

Foremost among the sources available are the thirteen volumes of searches in Church of Ireland parish registers from correspondents interested in baptismal or marriage dates with a view to establishing their age. The need of correspondents to establish their ages was consequent on the Old Age Pension Act of 1908. While many of the searches were negative those which were positive provide valuable genealogical data. However, these searches are not copies of church records and cannot be used to recreate lost registers except in the most superficial way. There is a comprehensive index to all parishes covered by those searches.

A better means of recreating lost registers is from the transcripts of parish registers made for genealogical purposes. While much of the abstracted data is relevant to a given surname only the wealth of material transcribed can lead to partial reconstruction of registers. Among the best of these genealogical transcripts must be mentioned the parish searches undertaken by Miss Gertrude Thrift (mainly for Dublin), by James Grove White (mainly for Cork), by Tenison Groves and by T.U. Sadlier. These collections are indexed according to surname and not according to parish.

Selected genealogical information abstracted from Church of Ireland parish registers will be found in the collection relating to the Protestant Orphan Society and in the records of the Charleton Charitable Trust. Here, in order to gain admission to the charity and / or to apply for a marriage gratuity it was necessary to produce evidence of the applicant's baptism, or marriage of parents, or marriage of the applicant. There is not a full listing to these collections and some ingenuity is needed to extract the relevant information.

Parish registers searched for genealogical purposes or copies of parish registers still extant will be found listed in the M [miscellaneous] finding aids in the National Archives. Likewise copies of vestry minutes, preachers' books etc. will also be found enumerated there. These records will be found indexed under the name of the parish.

In the 1950s and again in the 1980s a systematic programme of microfilming Church of Ireland registers was undertaken. The most comprehensive filming was undertaken in the eastern part of the country. There is a card index to all filmed parish registers and records detailing nature of record, covering dates and acquisition number (this covers the 1950s filming only). The films taken of Church of Ireland records in the 1980s are also available to the public. The films cover parish registers as well as other classes of material found in registers. However, more modern records were not covered by the filming projects.

Unfortunately most records of the Church of Ireland, particularly for the pre Disestablishment period, do not survive. Total reconstruction of parish registers will never be possible. However, the more information we have at our disposal the more feasible the task becomes. Publications such as the *Table of parochial records and copies* ed. Noel Reid (Naas, 1994) or *An Irish genealogical guide, guide to church records* (P.R.O.N.I, 1994) which list extant and destroyed registers, copies, transcripts, précis and abstracts thereof are thereby all the more valuable.

Business Records Survey

The Business Records Survey was initiated by the Irish Manuscripts Commission in 1970, with the object of locating and reporting on collections of business records and ensuring the preservation of material of historical interest. A surveyor was appointed to examine records throughout the country. In 1993 the Business Records Survey was taken over by the National Archives. By the year 2000 the Survey had accessioned almost one thousand collections of business records from all parts of the twenty six counties. Most of these collections are held in the National Archives, but material accessioned from business firms in Cork city and county is held in the Cork Archives Institute.

These business collections vary enormously in terms of size, type of record and date span. An record is a rather badly kept hatter's account book from County Kilkenny, dating from the late eighteenth century. The records of small pub / grocery shops, still commonplace in the early days of the survey, are well represented among the collections, often by day books, which tell us what was sold by the shop during a particular day and often give the names and addresses of the purchasers. On occasion, local events such as deaths are noted in the margins of these books.

The records of large industrial concerns, often comprising thousands of individual items, are also well represented. Wages books, which record the names of employees, are frequently found among the collections. Photographs are not as well represented, but when they occur, they can provide a precious and poignant record of the workforce, as in the case of a Dublin clothing factory around 1950. Many collections reflect the importance of the rural economy, such as the plan of a mill in Aughrim in Co. Wicklow and advertisements for veterinary medicine from a Thurles chemist.

The records can be utilised for a wide variety of research purposes. Insights are provided into the physical disruption caused by civil unrest by the photograph of the burning of barracks in Cork by republicans prior to the entry of the National Army into the city in 1922. The financial impositions placed on businessmen by the warring factions are reflected in an Abbeyleix publican's abortive attempt to obtain compensation for goods seized by the Irregulars during the civil war. The records show that many aspects of business, such as advertising, were surprisingly sophisticated even in the late nineteenth and twentieth centuries.

The human condition from birth to old age is often reflected in the records. A list of children's toys purchased by a Mrs O'Connell in Clare in December 1897 appears in a draper's day book. A letter from a Kerry woman requesting drink for visitors in anticipation of a bereavement gives an interesting insight into the often friendly personal relationships between customer and publican.

The records collected by the Survey include a wide variety of records outside the strict definition of business records. A river pilot's journal from Waterford contains a well written and acutely observed account of a storm in 1838. A printed tender for supplies for the workhouse in Bawnboy, Co. Cavan in 1900 provides an insight into how important these institutions were in terms of the local economy. Cultural bodies are also represented among the collections. The minute book of the Ballinasloe branch of the Gaelic League describes the public meeting in the town in 1902 which established the branch and outlines the aims of the organisation.

Further reading

L.M. Cullen, 'Irish Manuscripts Commission Survey of Business Records' in *Irish Economic and Social History*, vol. 10 (1983), pp 81-91, and similar articles by Brian Donnelly in each issue of *Irish Economic and Social History* since 1984.

[**Note:** These articles contain brief summaries of collections of business records surveyed and / or deposited in the National Archives and the Cork Archives Institute. An online version of the information contained in them is available on the National Archives website.]

Counties in Time

Documents and commentaries from the National Archives of Ireland
(National Archives of Ireland, [2003]).

Chancery Pleadings

Until 1877, when they were amalgamated to form the High Court, there were four main courts in Ireland. These were the Courts of King's Bench, Common Pleas, Chancery and Exchequer. Sadly, almost all of the records of the courts were destroyed in the fire in the Public Record Office of Ireland in 1922. The Chancery Pleadings now held by the National Archives form the largest single series of original records to survive the fire.

The Court of Chancery was presided over by the Lord Chancellor. The primary function of the Chancellor was to keep the Great Seal of Ireland, which was used to seal letters issued in the name of the king, and in the later middle ages the Chancery was in effect the government secretariat of the English colony in Ireland. However, in the sixteenth century the Chancery developed new importance as a court of equity.

About 12,000 Chancery Pleadings survived the disaster of 1922. They begin in the 1560s. Approximately half pre-date 1640.

The pleadings comprise the papers filed on behalf of the parties to a case in the Court of Chancery. Normally the first step taken in a case was the presentation of a *bill* of complaint by the plaintiff to the Lord Chancellor (the plaintiff is sometimes referred to as the suppliant or supplicant). If the court agreed that there was sufficient cause it issued a *subpoena* requiring the defendant to appear and give a formal *answer* in writing. The plaintiff was entitled to submit a *replication* replying to the defendant's answer. Similarly the defendant had the right to reply in a *rejoinder*. Occasionally cases are known to have proceeded to *surreplications* and *surrejoinders*, but this was rare.

After the court had considered the arguments from both sides, the Lord Chancellor (or in some cases the Master of the Rolls) would issue a *decree* or judgement. Sometimes these decisions were simply written on to the original pleadings, but usually they were also enrolled. The enrolled decrees that were still extant in the early 19th century were transcribed for the Irish Record Commission, and sometimes these transcripts can be linked to the pleadings.

Judicial decisions taken in an 'equity' court were different from the norm. Most other court judgements were determined by existing common law (i.e. judicial precedent) or by statute law (acts passed in parliament). An equity court was directed to make judgements based on equity and conscience, and as such it was capable of dealing with thorny legal matters not covered by the regular courts.

As a consequence the cases covered by Chancery relate to a range of issues poorly addressed by other sources. For example, the Gaelic-Irish appear regularly in cases concerning border warfare, landholding, farming and many other matters. Women are also well represented. There are cases concerning the treatment of widows and women who had been abandoned by their husbands. There are also several cases concerning the urban and merchant community, especially those trading with England and Spain where they ran the risk of capture by pirates. The pleadings are very informative about the experience of the New English and planter communities across the country and there are also extensive records concerning the Church of Ireland. The majority of the pleadings concern issues of land title, but often relate to smaller estates that have left little other evidence.

The pleadings are in English rather than Latin, which was the language used by most courts, but they can still be a difficult source for the novice. They are written in an unfamiliar script and in non-standardised early modern English. Many were badly damaged by fire and water in 1922 and are currently undergoing conservation. Few are dated, although many can be dated by internal evidence. Most numbers are written in roman numerals, and monetary values are expressed in pounds (li) shillings (s) and pence (d). The name of the attorney acting on behalf of the plaintiff or defendant is usually given at the end of each pleading. However, the majority of the pleadings are entirely legible and almost half display no evidence of fire-damage. A typescript calendar of the pre-1640 pleadings was compiled by Mr Kenneth Nicholls and is available for consultation in the National Archives.

Further reading

Mary O'Dowd, 'Women and the Irish chancery court in the late sixteenth and early seventeenth centuries', *Irish Historical Studies*, vol. xxxi, no. 124 (November 1999), pp 470-87.

Herbert Wood, *A Guide to the Records Deposited in the Public Record Office of Ireland* (Dublin, 1919).

Counties in Time

Documents and commentaries from the National Archives of Ireland (National Archives of Ireland, [2003]).

Department of the Taoiseach

The records of the Department of the Taoiseach relate to the head of the cabinet and Prime Minister of the Irish Government, previously the President of the Executive Council of the Irish Free State.

Commencing in 1922, the Central Registry files of the Department of the Taoiseach and of its predecessor, the Department of the President of the Executive Council, were originally numbered in a straight numerical sequence and bear the alphabetical prefix S, the first file bearing the reference S1. The series is still accruing and the Department makes annual transfers of files or file parts containing papers that become thirty years old on 31 December of each year.

The content of the files is varied, containing primarily background papers, including memoranda and correspondence, relating to matters considered at meetings of Government and also to the exercise of its functions conferred by the Constitution or by statute, such as advising the President on judicial appointments. In addition, the files document the formulation and administration of Government policy, the performance by the Taoiseach of duties as head of State and of Government, as well as more routine internal departmental matters, such as staffing of the Department and accommodation.

The General Registered files contain correspondence, memoranda and annual reports on a wide range of subjects such as Ireland's diplomatic relations with other countries, Irish industry and the economy, the I.R.A. and Partition and legislation such as the Auctioneers' and House Agents' Acts of 1967 and 1973. There is material of interest on the political situation in Hungary and Israel, the visit of President Richard Nixon to Ireland in 1970 and the election of the sixth President of Ireland in 1973.

The files of the Taoiseach's Private Office, which supports the Taoiseach in his role as head of State and of Government, were originally allocated reference numbers bearing the letters RA, the abbreviation for Runaí Aire, and are numbered within each year. The extant files commence in 1932 and run to the mid-late 1970s, after which Private Office papers were simply filed in Central Registry S files.

Generally, the content of the files largely concerns the performance by the Taoiseach as head of State and includes files relating to official visits and ceremonial openings by the Taoiseach. In addition, there are files concerning deputations received by the Taoiseach and files on policy matters of personal interest to a particular Taoiseach, such as one on conditions on the Aran Islands.

The Private Office files mainly contain correspondence and cover a range of topics and themes including invitations to dinners and openings, speeches, requests for autographs and issues such as the European Economic Community Referendum in 1972. Both Jack Lynch, Fianna Fáil (Taoiseach, November 1966-March 1973 and July 1977-December 1979) and Liam Cosgrave, Fine Gael (Taoiseach, March 1973-June 1977), are represented in the files.

Most of the files deal with invitations to the Taoiseach to attend dinners and other functions. Other files deal with invitations to the Taoiseach to attend official openings of buildings and factories. The files contain mainly correspondence to discuss and confirm the arrangements as well as draft of the Taoiseach's speeches on these occasions.

A number of files contain copies of the speeches delivered by the Taoiseach as well as details of press conferences and radio and television interviews. There are also a number of files which document requests to the Taoiseach from Irish citizens and individuals from abroad for autographs, photographs and stamps. Also present are files which contains Christmas and New Year greetings to the Taoiseach from individuals and Heads of State, while others contains messages of congratulations to the Taoiseach.

Dáil Éireann papers

Following the general election in the United Kingdom of Great Britain and Ireland in December 1918, the 73 Sinn Féin candidates who were elected refused to take their seats in the House of Commons at Westminster. Instead they met in Dublin in January 1919, and established the parliament of the Irish Republic known as Dáil Éireann. They went on to elect a ministry or cabinet with a number of departments, which attempted to administer the country and supplant the existing British government departments in Ireland.

The Dáil Éireann Papers record the work carried out by the various departments of the Dáil Éireann ministry. They consist of a number of different series relating to the departments from which they originate. Documents are available from all the departments, although some were more active than others. The Department of Local Government was especially active, and has left a correspondingly larger series of records. Other important series are those of the Departments of Defence, Finance, Justice and Labour. Most of the records of the Department of Justice pertain to the functioning of the Dáil courts. There is also a large body of documents recording the work of a committee which was established to examine the issue of partition.

The papers cover the years 1919-23, and thus relate to three distinct periods:

- The period of the War of Independence from January 1919 until July 1921, when Dáil Éireann, as the elected assembly of the Irish Republic, was an illegal body under British law;
- The period from the Truce of July 1921 up to the signing of the Anglo-Irish Treaty in December 1921;
- The subsequent period of transition from British rule, involving the establishment of the Provisional Government in January 1922 and the Irish Free State in December 1922, under conditions of civil war from June 1922 until May 1923.

The three periods can be distinguished both by the content of the documents and by the conditions under which they were written. The documents are for the most part concerned with the years 1920 and 1921, prior to the signing of the Anglo-Irish Treaty in December 1921, but some relate to events following the ratification of the Treaty in January 1922.

During the War of Independence, Dáil departments were forced to operate under extremely difficult conditions. While they attempted to regulate courts, schools, rate collections and so on, the personnel responsible for doing so were almost invariably either on the run or in prison. Even where local authorities had pledged allegiance to the Dáil, the departments were often

unable to assist them in any material way. This is clear from the correspondence between the Department of Finance and the Nenagh town clerk regarding the latter's request for aid in the building of a housing scheme.

The post-Truce period was perhaps the most productive in terms of activity by Dáil departments. While the British had not recognised the institutions of the Republic, there was an understanding that they would not interfere with Dáil personnel. As can be seen from the report on the functioning of the Dáil courts in Cavan, this was not always observed. Another interesting aspect of the Truce is that republican internees had not been released under its terms. Indeed, as the report of inspection of the Rath camp in the Curragh demonstrates, conditions had not improved. Another major issue which arose during the post-Truce period was the problem of dealing with the partitioning of six of the Ulster counties from the rest of the country.

One of the main problems with which the Dáil had to contend was social unrest. Dáil arbitration courts were established to deal with strikes and disputes over land. There are general reports on this and specific examples of boycotts, cattle drives and land seizures from other counties. The unrest continued after the establishment of the Free State in December 1922.

The Dáil Éireann Papers are a fundamental source for anyone researching the period 1919-23. They can be used either to conduct an in-depth study of a particular department or topic, or to gain an overall view of the period. Lists of the Dáil Éireann Papers are available online on the National Archives website.

Further reading

Mary Kotsonouris, *Retreat from Revolution: the Dáil Courts, 1920-24* (Dublin, 1994) AND 'Revolutionary Justice - the Dáil Éireann Courts' in *History Ireland*, vol. 2, no. 3 (Autumn 1994), pp 32-36.

Arthur Mitchell, *Revolutionary Government in Ireland: Dáil Éireann, 1919-22* (Dublin, 1995).

The Creation of the Dáil a volume of essays from the Thomas Davis lectures, ed. Brian Farrell (Dublin, 1994).

Counties in Time

Documents and commentaries from the National Archives of Ireland (National Archives of Ireland, [2003]).

Irish Crimes Records

The Irish Crimes Records are a small series of volumes containing material on crime in Ireland in the nineteenth century. These volumes were removed from the Chief Secretary's Office in Dublin Castle to London in 1922 but were later returned to the State Paper Office in Dublin Castle, and are now held in the National Archives. They include four volumes containing printed returns of outrages for the period 1848-93. These returns were published by the Constabulary Office, which had its headquarters in Dublin Castle.

The returns contain statistical information concerning outrages. This information is presented in tabular form and is arranged by county and province. For each year the returns are divided into four categories:

- returns of outrages reported throughout Ireland during each month;
- returns of outrages in each county;
- returns of outrages in each province;
- similar returns for agrarian outrages.

The outrages are also divided into four categories: offences against persons, offences against property, offences against the public peace, and other crimes.

Beginning in 1863, the returns also contain information relating to the particulars of individual homicide cases as they occurred in each county. The names of those murdered together with the names of those convicted of the crime, where known, are recorded. Additional information is also given concerning cases of attempted murder, cases of firing at persons and places, cases relating to the administration of poison, and the number of sheep and cattle stolen.

There were always many more ordinary crimes than political crimes, so it is not especially surprising that the returns for 1848 show a decrease in the number of crimes from 20,986 in 1847 to 14,080 in 1848, even though the Young Ireland rebellion took place in 1848. The total number of outrages reported to the Constabulary Office in 1862 was 4,401, which represents a huge decrease from the number recorded in 1848. Of the various categories of outrage, the most significant decrease was in cases of cattle-stealing, which dropped from 6,738 in 1848 to 312 in 1862. The decrease in crime from 1848 to 1862 was undoubtedly due in part to the fact that 1848 was a Famine year while the early 1860s were a period of economic prosperity, but it certainly also reflects more long-term social change.

It must be stressed that the returns relate only to reported outrages. They are not a comprehensive guide to all outrages committed during the period 1848–93, as not all outrages were reported to members of the Constabulary, any more than all crime is now reported to the Garda Síochána.

Nevertheless, they provide clear evidence of major changes in the incidence of crime, and are an important source for the study of criminal activity in the second half of the nineteenth century.

Counties in Time

Documents and commentaries from the National Archives of Ireland
(National Archives of Ireland, [2003]).