

CASE OF MR. WILLIAM O'BRIEN, M.P.

P A P E R S

RELATING TO THE

TREATMENT OF MR. WILLIAM O'BRIEN, M.P.,

IN

CLONMEL PRISON,

IN

JANUARY AND FEBRUARY, 1889.

Presented to both Houses of Parliament by Command of Her Majesty.



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REPORT OF MR. JOYCE.

INQUIRY.

CLONMEL PRISON.

PRESENT :

Captain V. S. Morton
R. Cooke, Esq., D.L.
Alderman E. C. Hackett } Members of Visiting Committee.
Rev. J. Everard, C.C., Acting Chaplain.
Dr. Hewetson, Medical Officer.
Surgeon-Major Garde.

To the Chairman,
General Prisons Board,
Dublin Castle.

SIR,

Galway, 22nd March 1889.

I HAVE the honour to report having, on the 19th and 20th instants, at Clonmel Prison, and on the 22nd instant at Galway Prison, held a sworn inquiry into the alleged ill-treatment of Mr. William O'Brien, M.P., in Clonmel Prison, and also into the intimidation of the prison officials there, and I beg to submit the evidence.

It will be seen that the governor, chief warder, and warders Baird, Clarkin, and Murphy, of Clonmel Prison, were the only officers or persons present while Mr. O'Brien was being dressed in prison clothes in the reception class and passed from there to the cell he subsequently occupied in probation class.

I examined the governor most minutely as to the various circumstances attending the imprisonment of Mr. O'Brien as they occurred, and he swears that before entering Mr. O'Brien's cell he gave the four officers named instructions to use no more force than was absolutely necessary in removing his clothes, and to avoid hurting Mr. O'Brien in any way.

That no wanton violence was used towards him.

That he was not attacked or thrown down on cell floor.

That his clothes were not dragged off while he was lying on the ground.

That he did not faint at any time.

That his arms were not twisted or injured.

That the struggle lasted about 15 minutes.

That Mr. O'Brien was at no time in a prostrate condition.

That at no time did he lie speechless in his cell.

That it would be impossible for the officers to treat him more gently than they did in taking off his clothes.

While undressing Mr. O'Brien his spectacles were removed for the sole purpose of preventing them from being broken.

It was never intended to deprive him of them.

As soon as he asked for them they were restored to him.

He was only one afternoon without them.

He could not have suffered from their loss for this short time.

Mr. O'Brien was not dragged across the yard to be weighed.

The weighing-machine was about three yards from his cell door on the direct way to the cell he subsequently occupied.

He resisted being weighed and was not weighed.

He passed through no yard.

When passing weighing-machine he refused to stand on it, and was lifted on by two warders, but as he kicked and resisted the governor directed not to enforce it.

Mr O'Brien was at no time naked.

He always retained the prison shirt and wore it.

It was entirely his own act.

New flannels and clothes were lying beside him the whole time he selected to remain in his shirt.

He remained about eight hours altogether in his shirt.

The governor gave directions that good fires should be kept up to increase temperature.

The medical officer swears that Mr. O'Brien refused to answer him any questions about his health on the day of his committal or to give his family history.

The evidence of the governor as to the treatment of Mr. O'Brien is corroborated by that of the chief warder.

By warder Murphy.

By warder Baird.

By warder Clarkin.

There is no evidence to show that Mr. O'Brien was ill-used in any way, while all the evidence goes to prove that his alleged ill-treatment is not in accordance with facts.

It seems to me that it was clearly the intention and spirit of the 26th section of the Prisons (Ireland) Act, 40 & 41 Vict. cap. 49 (which empowers justices to visit certain prisons), that any complaint should be entered in visitors book in order that it might be investigated by the visiting committee, and notwithstanding, the governor having invited the magistrates to do this, they refused.

This, together with the voluntary statement made by one justice to the governor in presence of the chief warder, appears to me very significant.

I observed in the visitors book the only two entries made by the mayor, Mr. Condon, M.P., dated the 9th and 10th of February, just before Mr. O'Brien was transferred to Killarney.

In contradiction to the statement made in these entries there is the sworn evidence of Alderman Hackett, who says he saw Mr. O'Brien every day while in cell and in hospital, and that every day he saw him he was improving and did improve.

And there is the sworn evidence of Dr. Garde that at the very time alluded to Mr. O'Brien was in his usual health, free from any illness, and fit for removal.

Dr. Hewetson also certified for Mr. O'Brien being fit for removal.

The evidence of the acting chaplain, and, in fact, of every witness, is that Mr. O'Brien found the food good.

The annoyance and intimidation to which the prison officials were subjected are detailed by them.

Mr. O'Brien, Galway Prison, on being sworn, said he desired to state exactly what occurred, and I took his statement in his own words.

He made no request to see the evidence already taken.

Mr. O'Brien declined to make any statement whatever as to his state of health to the medical officer.

Mr. O'Brien stated to the governor he would be obliged to make the same struggle now as before in Tullamore upon the same three points he had contended for.

Mr. O'Brien describes what occurred while he was being dressed and undressed in the cell.

But he says it was with the rules he was quarrelling, not with the officers, and that the logical enforcement of the rules involved brutality, and that the enforcement of wearing the prison clothes could not have been carried out in his case in a less violent way.

He resisted the entire time.

He says he must have been unconscious for some time, and the water revived him.

Mr. O'Brien says there was a lapse in his memory from the time they commenced cutting his hair off until he became conscious, but he says the irregularity in cutting his hair and moustache was owing to the struggle and to his own resistance.

Then again at page 14, Mr. O'Brien says he was nearly fainting, but resisted all the time.

Mr. O'Brien says it was not intimated to him that he was being brought to be weighed; but he admits he resisted, and that a struggle took place there.

The officials showed no ill-temper.

He did not pass through a yard.

As soon as Mr. O'Brien mentioned in the governor's presence that he had not his glasses, the governor ordered them to be given, and they were given to him.

He had not asked for them.

He could fairly do without them in the cell.

The food was good: the milk, bread, and potatoes excellent.

He got more than he could use.

Mr. O'Brien was not bodily injured in the struggle.

He was not naked and always kept on the prison shirt.

He could have dressed if he wished.

It seems to me that in all material points Mr. O'Brien corroborates the evidence of the Governor, chief warder, and warders Baird, Clarkin, and Murphy, who were alone present during the alleged ill-treatment, and what slight discrepancy there is, appears to be only what might be expected, in the description of any struggle, by those who took part in it.

I have the honour to be,

Sir,

Your obedient servant,

PIERCE J. JOYCE.

EVIDENCE TAKEN AT CLONMEL PRISON.

Mr. ANDREWS, GOVERNOR, sworn and examined.

Mr. O'Brien was committed here on the morning of the 31st of January last at 2.30 a.m.

After having been examined by the medical officer, Mr. O'Brien was asked to put on the prison clothes.

On arrival at the prison, Mr. O'Brien went to bed, and he was not examined by the medical officer until between 11 and 12 o'clock.

Mr. O'Brien refused to put on the prison clothes.

I remonstrated with him, and pointed out the prison rules.

I informed him that I would be obliged to use force.

I called up four officers.

They were the chief warder, Warders Baird, Clarkin, and Murphy.

Before entering the cell I gave them instructions to use no more force than was absolutely necessary, and to avoid hurting Mr. O'Brien in any way.

There was no wanton violence used towards him.

I then entered his cell with the four officers named.

There was no one else present.

I was present the entire time Mr. O'Brien was being undressed and put into prison clothes.

While undressing Mr. O'Brien, his spectacles were removed, I think by warder Baird.

They were removed for the sole purpose of preventing them being broken.

I was speaking to Mr. O'Brien several times that evening, and he did not mention anything about his spectacles, or I did not remark he was without them until next morning.

Mr. O'Brien said to me next morning that he did not regard or mind the loss of his clothes so much as his glasses.

I told him it never was intended they should be taken from him.

I there and then sent the chief warder for them, and he was given them.

Mr. O'Brien was only the one afternoon without his glasses.

He did not say to me he had suffered from their loss for this time.

Mr. O'Brien was not attacked, and he was not thrown down on the cell floor.

Mr. O'Brien tried to get on the floor, and the officers tried to keep him up.

His clothes were not dragged off while he was lying on the ground.

None of his clothes were torn or damaged.

Mr. O'Brien resisted and struggled.

The struggle lasted about 15 minutes.

Mr. O'Brien did not faint while struggle was going on.

Mr. O'Brien did not faint at any time while in the prison here.

His arms were not twisted or injured in any way.

His arms were flexed to enable his coat being removed.

The officers kept him off the ground while taking off his clothes.

I never heard him say he was hurt or injured.

I swear that no more force was used than was absolutely necessary.

He was not breathing with difficulty.

He was not affected more than anyone would be after an ordinary struggle.

Every visitor to Mr. O'Brien was attended by either me or the chief warden. I or the chief warden was present and heard everything that was said.

The only exception to this was when Alderman Hackett, in his capacity of visiting justice, at Mr. O'Brien's request, saw the prisoner in private.

This occurred on more than one occasion.

Mr. O'Brien did not say to me, or to anyone in my presence, "that he lost consciousness, and when he revived, he found the prison clothes on, and his moustache, whiskers, and hair cut off."

His hair, beard, and moustache were merely trimmed.

They were not cut close off.

Mr. O'Brien was not dragged across the yard to be weighed.

The weighing-machine was placed about three yards from his cell door.

It was on the direct way from cell in reception class to the cell he occupied in probation class.

He was asked to go on the weighing-machine, and he refused.

Two of the warders lifted him on to the weighing-machine; he kicked, and I told the officers not to enforce it, seeing the difficulty of weighing an unwilling man.

Mr. O'Brien walked to weighing-machine of his own accord; he may not have known it was there, but being on the way to cell in probation class he had to pass it.

As a matter of fact, he was not weighed at all.

Mr. O'Brien did not pass through a yard at all, from the time he was dressed in prison clothes in reception class until he was brought to his cell in probation class, where he took off his clothes.

The reception and probation classes are under the same roof, but in different corridors.

Two officers remained in the cell with Mr. O'Brien after he had been dressed for about 20 minutes.

I left the two officers there because Mr. O'Brien told me after being dressed that if they were not left there for four months he would take them off.

As soon as he was removed to probation cell, the officers left the cell.

Immediately after, it was reported to me that Mr. O'Brien had taken off the clothes.

I then gave directions that good fires were to be kept up to increase the temperature.

Mr. O'Brien was at no time naked.

He always retained the prison shirt, and wore it.

He remained in his shirt from the time he undressed until bed-time at 8 o'clock.

This would be near seven hours.

Remaining in his shirt was his own doing. He was supplied with new flannels and a new suit of clothes, and these articles remained in his cell the whole time.

At 8 p.m. he was brought a plank bed and bedding, consisting of two sheets, two blankets, a rug and pillow.

The prison was unlocked the following morning at a quarter to seven, and Mr. O'Brien was called at that time.

The chief warden reported to me that Mr. O'Brien refused to make up his bed.

The bed was then taken outside the cell door to be made up by another prisoner.

The full suit of prison clothes still remained in the cell.

When I found he would not dress, I spoke to him, but he refused to put on the clothes, and I sent for the medical officer, to see what was to be done about clothes.

The medical officer arrived about 8 o'clock a.m.

Mr. O'Brien had been an hour in his shirt before the doctor came and ordered him a mattress and bedding.

Mr. O'Brien was about eight hours in his shirt altogether.

The state of Mr. O'Brien's health caused me no alarm at any time.

On the morning after Mr. O'Brien's committal, while in bed, after the doctor left, the mayor, Mr. Condon, visited.

I was present.

Mr. Condon asked Mr. O'Brien, did he feel hurt or sick after the hauling he got.

Mr. O'Brien replied, "No, strange to say, thank God I do not feel one bit the worse, and do not let it be said outside, that I am, as I am not in the least."

Mr. O'Brien was at no time in a prostrate condition.

At no time did he lie speechless in his cell.

He was in no more miserable condition than any man would be from excitement and going without clothes.

Mr. O'Brien made no complaint to me or to anyone in my hearing that every bone in his body was aching.

He made no complaint whatever, except of a slight pain in arm, which he thought might be rheumatism.

It would have been impossible for the officers to treat him more gently than they did in taking off his clothes.

He was at all times supplied with solid food.

He was unable to finish all he got.

He frequently told me the milk and potatoes were good, and that he was particularly fond of potatoes and milk.

I invited all the magistrates, including Alderman Hackett, to make an entry in visitor's book of any complaints made, or that they wished to make, in order that I might lay it before the members of the Visiting Committee.

They all declined.

One magistrate who visited here, I asked "why the truth was not published," and he replied in the office here in presence of the chief warder "that Mr. O'Brien's case "had been handed over to Mr. Condon, the mayor, and that they were not allowed to "tell the truth, or, to do it," were the exact words.

He also said he was sorry for us, meaning all the officers, and that he was nearly getting himself into serious trouble outside, by saying Mr. O'Brien was all right, and had no complaints.

It is not the practice to supply prisoners with knife and fork.

When Mr. O'Brien was ordered a chop on the morning of his transfer to Tralee, he was given a knife and fork to eat the chop.

I made a memorandum, at the time, of what the magistrate said to me in presence of the chief warder.

I received threatening letters almost daily.

They threatened me with murder and abused me.

I have not been outside the prison, except on two occasions to church and twice to the bank, which is quite close.

I was cautioned by police not to go out without protection, and I preferred to remain inside.

THOS. ANDREWS.

20.3.89.

The CHIEF WARDER sworn and examined.

I remember Mr. O'Brien being committed here.

He refused to put on the prison clothes.

I was present, and assisted in dressing Mr. O'Brien.

The governor told me, and three other officers, to use no more force than was absolutely necessary to undress and dress Mr. O'Brien.

The governor, warders Baird, Clarkin, Murphy, and myself were the only officers present while this was being done.

Mr. O'Brien was not attacked by any of us.

He was not thrown down on the floor.

I assisted in holding him up, it being the easiest way to undress and dress him. I did not hurt him in any way. I did not hear him say he was hurt.

It is untrue to say his clothes were dragged off while he was lying on the ground.

None of his clothes were torn or damaged.

Mr. O'Brien did not faint at any time while in this prison.

He was ill-used in no way, and in no way hurt.

The governor or myself was present at every visit to Mr. O'Brien.

I did not hear him make any complaint of being hurt at any visit when I was present.

I was present in the office when a magistrate stated to the governor and myself that Mr. Condon had taken charge of Mr. O'Brien's case, and that they were not allowed to publish the truth.

He said this when the governor asked him why the truth and facts were not published.

I heard him say he was sorry for us.

I heard him also say that he was nearly getting himself into serious trouble, for stating outside that Mr. O'Brien had no complaints to make, and that he was all right.

I remember handing Mr. O'Brien his glasses on the morning after his committal.

He said they were special made glasses and good for outdoor use.

I did not see him wear them at any time in his cell, they were always lying on the cell-shelf.

I never heard it stated in the prison that Mr. O'Brien at any time lost consciousness. I know he was never unconscious.

On one or two occasions I allowed Alderman Hackett to have a private interview with Mr. O'Brien at Mr. O'Brien's request.

I was present when Mr. O'Brien's hair was cut.

It was merely trimmed.

Mr. O'Brien was not dragged to weighing machine.

He walked to it.

It was on his way to probation class, and he had to pass it.

The weighing-machine was about three yards from his cell door.

He resisted being weighed.

He was lifted on the scales by myself and three officers, Clarkin, Baird and Murphy.

He put his feet against the weighing machine, and the governor directed us at once not to insist on weighing him.

He was not weighed.

There was no violence whatever used in trying to place him on the scales.

I took him as quietly as I could and the other officers did the same.

Mr. O'Brien passed through no yard when being removed from reception to probation class.

These two classes are under the same roof.

As soon as Mr. O'Brien was removed from reception to probation class, he at once threw off the prison clothes.

He remained in his shirt until bed time.

The prison clothes were lying in his cell.

The articles of clothing were quite new from store, and never worn by any other prisoner.

I never saw him naked in his cell at any time.

He always had the shirt on.

I saw him constantly.

Mr. O'Brien was about eight hours altogether in his shirt.

The medical officer ordered him a bed at 8 a.m. on the morning after he took off the clothes.

When called that morning Mr. O'Brien refused to make up his bed. I reported it to the governor.

His bed was taken out and made up by another prisoner.

He had the prison clothes in his cell all the time.

It was his own act entirely remaining in his shirt.

I received special orders from the governor to have extra heat put on.

I had this order carefully attended to.

The state of Mr. O'Brien's health never caused me the least alarm.

He was at no time in a prostrate condition.

He was at no time speechless in his cell.

The only complaint I heard Mr. O'Brien make was a few days after his committal, he then complained of a slight pain in his arm, which he said, "might be from rheumatism or might be from the struggle, but strange to say, I did not feel it at the time."

I did not see his arm swollen or strained, or hear it was so.

He was always supplied with solid food.

He had three pints of new milk daily, and potatoes in addition to his ordinary prison diet.

He used not to finish all he got.

He told me himself several times that the provisions were very good.

I am in the habit of taking my meals outside the prison in the town.

I ordered them to be sent to the prison while Mr. O'Brien was here.

I did not think it safe to go out.

I was once at police barracks, but remained altogether in the prison.

I now take my meals outside and receive no annoyance.

J. GOUGH,
Chief Warder.

Warder MURPHY sworn and examined.

I am storekeeper in this prison.

I remember when Mr. O'Brien was committed here.

I was one of the officers who assisted in undressing and dressing him.

Before going into Mr. O'Brien's cell, the governor gave us strict orders to use no more force than was absolutely necessary, and not to hurt him.

We then proceeded to undress him.
 No wanton violence whatever was used with Mr. O'Brien.
 I only used what force was necessary.
 Mr. O'Brien did not faint.
 He was not thrown down on the cell floor.
 It was our object to try and keep him up, to undress and dress him.
 He was not hurt.
 He made no complaint of being hurt whatever.
 He was perfectly conscious when his hair was trimmed.
 It was merely trimmed and very little taken off.
 He was not dragged to weighing machine.
 The weighing machine was just outside his cell door.
 He resisted being weighed.
 His resistance, while it lasted, was just as strong as against having the prison clothes put on.
 The governor ordered us not to force him to be weighed, and he was not weighed.
 He passed through no yard going to weighing machine.
 I reside in the prison, but go out to my meals.
 I was hooted at on several occasions, and on one occasion pelted with stones by a mob of at least 12.
 I happened to be near the house I take my meals in and escaped.
 This was while Mr. O'Brien was in prison here.

DENIS MURPHY.
 20th March 1889.

Warder THOMAS BAIRD sworn and examined.

I remember when Mr. O'Brien was committed here.
 I assisted undressing and dressing him.
 I was instructed by the governor to use no more force than what was necessary.
 He told me not to hurt him.
 I used no more force than was necessary.
 I swear I did not hurt him.
 No violence whatever was used towards him.
 It is untrue to say he was treated in a brutal manner.
 I assisted in lifting him on to weighing machine.
 He was not dragged to it.
 He was not weighed.
 When Mr. O'Brien resisted being weighed the governor told us not to force him.
 He fought us hard against the weighing as against the clothes for a minute.
 He kicked against the weighing machine and got off it.
 This was after Alderman Hackett's visit.
 When Mr. O'Brien was being dressed his spectacles fell off, and I put them aside so that they should not be broken.
 They were given to him next day.
 There was no order to take the spectacles from him.
 Mr. O'Brien did not faint at any time.
 He tried to get on the cell floor while he was being undressed and dressed.
 He succeeded once in getting down, but we got him up again.
 Mr. O'Brien was not naked at any time.
 He always kept his shirt on.
 I was in charge of Mr. O'Brien in hospital.
 I remember his saying to me, "Ye could have used me much rougher than what you did," and that he had nothing to say against us.
 I reside outside the prison.
 I received considerable annoyance while Mr. O'Brien was a prisoner here.
 I was hooted at in the street, and on one occasion stoned.
 I got inside my own door and saved myself being hit.
 One night a woman came to my door and said the house would be broken if we did not illuminate on account of Mr. O'Brien getting his clothes.
 The governor wrote to the county inspector, and all our houses were watched by the police for that night.

T. BAIRD,
 Warder.

Warder CLARKIN. sworn and examined.

I remember when Mr. O'Brien was committed here.
 I assisted in undressing and dressing him.
 The governor gave a strict order that no more force was to be used than was absolutely necessary with Mr. O'Brien.
 The governor said not to hurt him.
 Mr. O'Brien was not hurt in any way.
 He did not faint.
 He was not thrown down on cell floor.
 No wanton violence was used towards him.
 I only used the force which was absolutely necessary.
 Mr. O'Brien was not dragged to the weighing machine.
 The weighing machine was about three yards from his cell door.
 He did not cross any yard.
 There was no necessity to cross a yard.
 He was not weighed.
 He resisted the weighing, and kicked against the machine.
 The governor told us not to insist weighing him.
 He resisted the weighing as much as the dressing, with as much force.
 This was immediately after Alderman Hackett left him.
 I did not hear him complain of being hurt.
 I reside inside the prison.
 While Mr. O'Brien was here, I was hooted at in the street whenever I went out, or nearly at all times.
 I was not with Warders Baird and Murphy when they were stoned.
 They told me of it at the time.

J. CLARKIN,
 Warder.

The ACTING CHAPLAIN sworn and examined.

I remember the occasion on which Mr. O'Brien was committed to this prison.
 I saw him the day of his committal.
 He was in his cell.
 It was Alderman Hackett called me to attend.
 Mr. O'Brien was in his cell with only his prison shirt on, but nothing else.
 The prison clothes were lying in the cell.
 Mr. O'Brien told me that he had resisted as long as he could.
 He told me he thought the doctor was offensive in his manner.
 When I subsequently saw Mr. O'Brien on following day, he was disposed not to be so severe on the doctor.
 Mr. O'Brien said to me, as well as I remember, that he was dragged to where the scales were.
 He looked pale and I thought poorly.
 He did not complain of the food.
 I saw him I think on each day—Thursday, Friday and Saturday.
 I was really surprised to hear Mr. O'Brien complain of Dr. Hewetson.
 The effects of Mr. O'Brien's struggle were visible to me when I saw him first.
 Comparing his appearance with the first time I saw him, and subsequently, I noticed an improvement.
 I saw Mr. O'Brien once, I think, in the hospital after he was sent there.
 I remember his telling me that the milk was good, and that he liked it.
 He did not complain of the quality of the food supplied, but of the effect of the difference of diet he was in the habit of using.
 He indicated this in the course of conversation.
 I was not present when his clothes were taken from him.
 I do not know how long after it was when I saw him.
 Mr. O'Brien's complaint of Dr. Hewetson surprised me, it was so severe.
 He seemed to be fierce against Dr. Hewetson.

JOHN EVERARD,
 Acting Chaplain.

The ACTING CHAPLAIN (further examined).

I remember Mr. O'Brien telling me he was faint and prostrate.

He appeared very sore at the attempt to force on him the prison clothes.

On the day he was committed, when I went to see Mr. O'Brien, after Alderman Hackett called me, Mr. O'Brien complained of being deprived of his spectacles.

I cannot say if I mentioned this to the governor.

Mr. O'Brien told me the struggle with the warders lasted about half-an-hour.

On the first day of committal I noticed on his chest what I thought were marks of violence.

I questioned him about this next day, when he told me he was hurt or bruised in the struggle.

I did not speak to him about this the first day.

When I saw him in hospital, and that his own clothes were restored to him, I found him in good spirits, and he said he was well.

JOHN EVERARD.

Dr. HEWETSON (Medical Officer) sworn and examined.

I remember the day Mr. O'Brien, M.P., was committed here.

I saw him between 11 and 12 o'clock on that day.

It was the 31st of January last.

I saw him in the reception hall.

I found him in fair health.

I saw him again on the following day, about 8 a.m., having been sent for specially.

He was then in his cell, with nothing but his shirt on, refusing to put on the prison clothes.

I said, "Why don't you put on the prison clothes." He said, "It is a test case and I won't put them on."

I then said, "I cannot allow you to commit suicide," and I ordered him his bed, and told him to lie in bed.

I examined him at this time in his shirt, and found he had no injury or illness whatever.

Mr. O'Brien's own language to me then was, "Bodily well, but politically sick."

I felt his legs and feet, and he was quite warm.

Mr. O'Brien was not weighed to my knowledge, but I saw the scales being brought over to his cell door.

Mr. O'Brien would not answer me any questions about his health on the day he was committed.

He refused his medical history.

Mr. O'Brien's hair was very lightly trimmed.

He did not complain to me of its having been cut too short.

I was in the office of the prison writing while Mr. O'Brien was being dressed in prison clothes.

Until I saw it on a printed slip, issued that night, I knew nothing of Mr. O'Brien having fainted.

I would have been called at once if he had fainted; I was in the prison, and was speaking to the Governor after he had been dressed, and he said he was all right.

He never complained of his arm having been twisted. About three days after committal he complained of a slight pain in his left arm, which may have been rheumatism, and he said so himself, and that it was not worth applying a linament being too trivial.

From the day after his committal, Mr. O'Brien had three pints extra of new milk daily, besides extra potatoes, and white bread.

He had these in addition to his ordinary class diet.

Mr. O'Brien told me he liked the milk, and that it was excellent.

He had a fair appetite.

At about 12.30 a.m., on the morning of the first of February, my house was attacked.

Volleys of stones were thrown, and the windows smashed.

I was called names in the streets, and hooted at.

I got threatening letters.

My life was threatened in these letters.

I was under police protection night and day.

Not a single one of my former private patients have consulted me since, or entered my house.

One of my young children died lately, that is, since Mr. O'Brien was here, and the funeral was boycotted, and only one man, out of all my neighbours, attended.

I am still annoyed in the streets.

M. J. HEWETSON,
20 March 1889.

My house was attacked a second night by one individual only, who was taken by the police.

M. J. HEWETSON.

The MEDICAL OFFICER further examined.

I noticed on Mr. O'Brien's chest, on his committal, skin discolouration.

These marks are constitutional.

I distinctly remember Mr. O'Brien telling me his spectacles were of no use to him in the cell, that he used them principally out of doors.

I saw them on his table, and asked him why he did not use them.

The state of Mr. O'Brien's health never caused me the slightest alarm.

He never was in a prostrate condition.

M. J. HEWETSON,
20 March 1889.

Surgeon-Major GARDE (Army Medical Staff), sworn, examined.

I remember being called in to see Mr. O'Brien on two occasions, while he was here.

When I first saw him, he was in bed in his cell.

He was not in a prostrate condition.

He stated to me, he was in his usual health, and that he felt bodily well, but politically sick.

I subsequently saw him the morning of his removal to Tralee.

He was in his usual health, and free from any illness; quite fit for removal.

I examined him on both these occasions.

The last occasion, he was in hospital room.

W. H. GARDE,
Surgeon-Major.

Alderman HACKETT sworn, and examined.

At about half-past 12 o'clock, I saw Mr. O'Brien on the day of his committal.

He was then dressed in prison clothes.

He was seated on a stool in his cell.

There were two warders standing at either side of him.

Mr. O'Brien said to me, I am glad you are a visiting justice (after I had announced who I was), as I have a statement to make.

He then asked to have a private interview with me.

The warders and governor left.

He appeared to me in a most exhausted condition.

"He said he had been shamefully and brutally treated.

"That he had been knocked down on floor, and that his clothes were dragged off.

"I was almost in a fainting condition when the clothes were forced on, and my hair and beard cut."

He made no charge against any officer, but said he had not been properly treated by the doctor.

He did not complain of being hurt.

He said he would rather die than wear the prison garb, and that he would not wear them.

He asked me who the prison chaplain was, and I told him, and he said he would like to see him.

I left the prison then, and the chaplain being away, I called the acting chaplain, and asked him to go see Mr. O'Brien.

I did not return to the prison that afternoon.

I went there again next morning.

I then found him not in such an excited or exhausted state.

He told me he had taken off the clothes immediately after I left the day before, and that he had remained in a nude state, with the exception of his shirt, which he had worn for decency sake, until bed time.

I asked him if he had any complaint to make, and he said he had none, as the last time he complained it was perverted, and that he would make no complaint.

He made no complaint of the food.

He said the milk was good, and the bread was good.

He said he got plenty of it.

I saw him every day while in cell and in hospital.

I remember his telling me he had a pain in his arm, and that he did not know how he got it.

He told me he made all the resistance he could when the clothes were being taken off.

He told me he suffered mentally for fear of another attack being made on him to put on the clothes.

Every day I saw him I thought he was improving, and he improved every day.

He never made a complaint to me afterwards.

He said he had no fault to find with the prison officials.

I saw Mr. O'Brien afterwards in Tralee, very much improved from the first time I saw him.

I always found the conduct of the governor and chief warder always most courteous to myself.

EDWARD CHARLES HACKETT, J.P., Ald.
Clonmel and Co. Tipperary.

Warder O'KEARNEY sworn and examined.

I remember when Mr. O'Brien was committed here.

I was at no time in charge of Mr. O'Brien.

I reside outside the prison.

I received a great deal of annoyance while he was here.

The windows of my house were broken, and stones constantly thrown at the door.

I was nearly always hooted at, and called names.

The windows were first broken because I would not illuminate my house on Mr. O'Brien getting his own clothes.

They were also broken on two other occasions. My wife has been in a dreadful state since, while I am away on duty.

FRANCIS JAMES O'KEARNEY,
Warder.

EVIDENCE taken in GALWAY PRISON, 22.3.89.

Mr. Wm. O'Brien, M.P., sworn, states.

I have not the slightest objection to state to anybody what occurred at Clonmel, but if there is any conflict as to facts, I must protest against its being disposed of in any other way except by a public sworn inquiry. If there was a full public investigation, I cannot imagine that the official evidence would in any important particular, be found to controvert the statement I am about to make.

I prefer stating exactly what occurred, and I will be happy to answer any questions in elucidation after.

I reached Clonmel Prison about three o'clock in the morning. About 11 o'clock the following forenoon, the chief warder, Mr. Gough, came into the cell and said, "Come to the doctor." I left the cell with him and came out on a wide hall or corridor, which was flagged. A gentleman was standing at a desk in the middle of the hall. He said nothing, and did not in any way accost me or tell me who he was.

I had to ask him, "Are you the prison doctor;" he nodded, and he said to me, in what appeared to me then a harsh and surly tone, "Open your vest." I immediately opened my vest, and he applied the stethoscope once on each side of my chest outside my shirt. He said in the same tone as before, "Have you a cough?" I said, "You will understand I do not want to be in any way personally discourteous, but owing to the base way in which my communications with prison doctors, on a former occasion, were perverted, I must decline to make any statement whatever, as to my state of health, but I have not the slightest objection to your examining me in every possible way." At the first part of my observation the doctor said, "That does not matter," and when I had finished, he said again in the gruffest tone, "Open your shirt." We were at this time, and through the whole examination, standing in the open hall, with the chief warder present. I opened my shirt collar and shirt. He then applied another instrument, which I have since learned to be a binaural stethoscope, over my right and left lung in front. This was the work of a moment. He then put up the instrument, and I had again to ask him, "Is there nothing more?" He turned away and said either, "No" or "Nothing." I should have mentioned that he also, I think, said before applying the second instrument, "Put out your tongue," and I did so.

I was brought back to the cell, and in less than five minutes the chief warder came to the door with a number of warders behind him and said, "We will have to force you to put on the clothes." I should have mentioned that I had before that stated to the governor that I would, of course, be obliged to make the same struggle now as before in Tullamore upon the same three points, I had contended for. He said something to the effect that he hoped there would be no unpleasantness, but that the prison rules were there. When the chief warder came into the cell to strip me, I said, "I want to see the governor." The governor, who appeared to have been outside cell door, immediately made his appearance. I demanded that the doctor should be present during any attack upon me. He said, "I cannot do that; you have passed the doctor."

The chief warder said, "Come on men," and he and three other warders rushed at me.

The governor remained at the door of the cell, but inside, during the attack. I put my back to the wall, and made whatever resistance I could as long as my strength lasted. The four warders seized me, and after what seemed to me a long struggle, flung me on my back on the floor, and held me down, twisting my arms, while they tore off my clothes. I continued to struggle violently, and one man placed his knee on my chest.

It did not seem to me to be done with his whole force, but it made me almost breathless. I heard somebody, I think, the chief warder say, "Don't hurt him."

My clothes continued to be pulled off one by one. I struggled again to my feet, and another violent tussle took place, when I was flung down a second time, this time with my face to the floor.

I became very faint, and they gave me some water.

The struggle continued on the floor while they were forcing prison clothes on me. The chief warder only standing, holding one arm, while the other warders were struggling with me. I was by this time utterly exhausted. They gave me water a second time. I remember the governor giving orders to have my hair cut off. I still struggled while they were hacking at my moustache. The hacking was owing to my own resistance. I cannot remember anything more until I had the feeling of my mouth being full of hairs. I was then sitting on a stool with two warders holding me. I said something to the effect, that it was brave work, but that I warned them the moment I had strength enough I would fling those clothes off again.

About that moment Alderman Hackett entered the cell, I was still gasping horribly for breath, and had not strength to rise; I told him in a very broken way what had occurred.

Two warders remained in the cell for some time holding my hands. I told them it was perfectly useless unless they were going to remain there the whole four months.

The cell door still remained ajar; after a little time the two warders went to the door, when I immediately threw off the prison clothes again.

The two warders and the chief warder immediately rushed into the cell again, and the same miserable struggle recommenced. I was almost fainting, but continued to resist the attempt to drag the clothes on again.

They did succeed in forcing on the trousers, but after some attempt to force on the coat and vest the chief warder said, "don't mind them."

They then gave me some more water, and I continued propped up against the wall with the two warders holding my arms. The chief warder having gone out for a moment or two, said, "bring him on," and they forced me to the floor. No one in any way informed me where I was being brought. I resisted as hard as I could, but was dragged into the flagged hall in my shirt and trousers, my feet naked.

My memory of what occurred then is very confused. I should have mentioned that my spectacles were torn away from me during the struggle on the ground, and were not restored until next day.

The consequence was my sight swam in the large open space, and I really did not know where I was brought, or what was happening, until I found them trying to force me on a weighing machine. I then saw the governor and some other person standing near, and I said as long as you are treating me in this way I will do nothing except by force. A struggle took place on the weighing machine, and the governor said something to the effect, "That will do, it's no use," "take him away." I was then dragged away in the opposite direction from my former cell. I said to the warders who had hold of me, "in God's name where are you dragging me"; the chief warder said, "Only to your own cell."

I was then brought to a cell in which there was no furniture of any kind, except a stool. There was an extensive patch of damp on the floor under the window, which was open. The moment the door was closed I threw off the remaining clothes, except the shirt. No further attempt was made to force them on.

Dinner was brought in in little less than an hour, and was left without a word. Neither the governor nor the doctor returned to the cell throughout the day. The Catholic chaplain came, in a short time, after I had been put into the second cell. I was then walking up and down with only a shirt on. The day was a bitterly cold one. After some hours I noticed that the damp under the window had dried up, and that the hot air pipes had become warm. I spent the remainder of the day and evening walking up and down, or when the cold was too great, and I was tired out, I lay on the floor beside the hot air pipe.

At eight o'clock a plank bed, without any mattress, was put into the cell, two blankets, a rug, and, I dare say, sheets were put in at same time. I put one blanket under me, and another over me, and laid down with my head on the heating pipe. My bones were aching so much that I could not sleep, but my thoughts began to wander a good deal during the night. I had a strange feeling that I was lying on the lid of my coffin, and I could not understand why I was not inside. I had to get up and walk about to get rid of the idea, for I was afraid it might be the beginning of delirium.

At a quarter to seven in the morning a warder opened the door and said "Get up." I got up. He said "Will you clean out your cell?" I said "No; that I will have to refuse to do." He said to some one with him, "take away the bed." I tried to retain the quilt, and asked him could he not leave that, and he said "No, we must remove everything." The plank and bedding were then removed, and I was left again walking up and down with no other covering but the shirt. The prison clothes were in the cell. It was still dark and bitterly cold. Breakfast was put in without a word. I continued to walk up and down or lie along the heating apparatus until, as far as I can estimate, half-past nine, when the governor and chief warder came into the cell. The governor said "This is terrible; sure you know you are killing yourself." I said "I don't think you will get many to agree with you as to who is doing the killing." The chief warder said "Sure no one could stand it," or something to that effect. It seemed to be said in a not unkindly way. The governor said "You know that the doctor cannot allow you to kill yourself. I suppose you know that if a prisoner refuses to take food we have sometimes to put mechanical restraint upon him to force him." I said, so far as food is concerned, I will eat everything I possibly can. He said, "It is not that I meant. Of course, I know you would not do anything like that; but if the doctor finds that you are injuring your health by remaining without clothes he may be obliged to apply mechanical restraint to you for your own sake." I said, "I am in your power, and you can use any mechanical restraint you please, but of one thing you may be certain, you will have to use it to-day, and to-morrow, and next week, and next month, until you have me either mad, or dead, or until you restore my clothes to me."

Either the governor or chief warder said, "That is impossible; the doctor himself could not do it now." I said, "That is the doctor's affair; he can take his own course, I will take mine." The governor and chief warder withdrew, and left me as before. After a short time, perhaps a quarter of an hour, the doctor came into the cell with

the governor. From the governor's communication I was certain that imposing mechanical restraint would be the next proceeding.

I was greatly surprised when the doctor, with a wholly different manner and tone of voice, said, "I was amazed to hear last night, Mr. O'Brien, that you thought I meant to be uncivil to you yesterday. I assure you it was nothing of the kind." I said, "I certainly did believe that you were studiously offensive." He said, "I had a cold, and that might account for my manner, but I assure you you are entirely mistaken." He immediately ordered in a bed. The governor asked, "Will there be a mattress," and he said, "Oh, certainly." The bed and mattress were then brought in, and I was allowed to lie on them. For a number of days after I was in bed, until my clothes were restored to me on the day after Dr. O'Farrell's visit.

With reference to my communication with Dr. O'Farrell, I have learned that it has been stated that I told him I had no complaint against the prison doctor, and that no violence was used in depriving me of my clothes.

I was free to read the papers in Tralee Prison for some days, and I saw it in the paper.

These two statements were made in a letter of Mr. Balfour, a public letter. Both statements are absolutely untrue representations of what passed between Dr. O'Farrell and myself.*

What I stated to Dr. O'Farrell with reference to the prison doctor was, "that unquestionably I did believe he meant to be studiously offensive to me on the first day, and that I considered his gruffness of manner and the circumstances under which the examination took place, could have left no other impression, but the doctor's own assurances and his kindness of manner since, had convinced me that I must have been mistaken as to his intention."

With reference to the second point, my statement to Dr. O'Farrell was, "that very great violence had been used, and that I had suffered very cruelly, but that I admitted that no greater violence was used than was necessary if I was to be deprived of my clothes at all, because I did resist with all my might, as long as my strength lasted, and unquestionably very considerable violence was necessary to overpower me." I also added, as I add now, that so far as the officials personally were concerned, they showed no ill temper or unnecessary brutality.

The above statement I have had an opportunity of making at Tralee Prison, to Dr. O'Farrell in presence of the Prison Doctor, Dr. Falvey, and Dr. O'Farrell stated that what I repeated was exactly what I had stated to him in Clonmel.

So far as I know I was not weighed in Clonmel, upon that subject two untrue statements have been made, first, that I refused to allow myself to be weighed, and, secondly, that my not being weighed had something to do with the doctor allowing the attack upon me.

It was never for a moment intimated to me that I was being brought to be weighed. I would not have had the slightest objection to it, quite the contrary. I have since been weighed both in Tralee, and Galway Prisons. In any case, the weighing could have had nothing to do with the doctor's decision, inasmuch as there was no question whatever of weighing during his examination of me, and no attempt was made to weigh me until after I had been twice attacked and deprived of my clothes.

Examined.

I admit having carried to the furthest, defensive resistance to the prison clothes.

The term brutality applied to what I had to go through and not to the officers.

It was with the rules I was quarrelling and not with the officers.

The logical enforcement of the rules involve brutality.

The enforcement of wearing prison clothes, could not have been carried out in my case in a less violent way.

There is a lapse in my memory from the time they commenced cutting my hair off until I became conscious, when sitting on the stool. I must have been unconscious for some time. The water revived me I take it for granted.

I resisted all the time.

* The statements in the Chief Secretary's letter to which Mr. O'Brien seems to refer are the following:—
 "The facts as stated by Mr. O'Brien himself to Dr. O'Farrell, the medical member of the Prison Board, are, that Mr. O'Brien had no complaint of any kind to make regarding his prison treatment, that he had every confidence in the skill and kindness of the prison doctor, and that, if the rule depriving him of his clothing had to be insisted on, he would say, 'no excessive violence had been used in enforcing it.'"

Compare with this the words in second paragraph of Dr. O'Farrell's report on page 18.

I was not asked to be weighed.

My hair was cut in an utterly jagged disorderly way, at one place close to the scalp and at another left long. The irregularity was owing to the struggle.

I did not I believe, pass through a yard going from the first cell I was placed in to the other.

Confused and hustled as I was with my sight swimming, at the time I only knew I was being dragged through some large open space.

But having been through the prison since I have no doubt the space was the large central hall.

As soon as I mentioned in the governor's presence that I had not my glasses he ordered them to be restored to me, and they were.

I had not asked for them, because I took it for granted their being taken away was part of the deprivation of my other things.

I was without them from the time I was undressed until the following day.

It was in the wide space I missed them most. In a narrow cell I can fairly do without them.

The food was good in Clonmel.

I confined myself to bread and milk and potatoes, all of which were excellent, and I got more than I could take.

My appetite was small at the time.

I told Dr. Hewetson that I would make no statement, but I gave him every facility to examine me and distinctly intimated so to him.

I stated to him and to Dr. O'Farrell that I was under a cruel difficulty in holding communication of any kind with official doctors, inasmuch as whatever I said or did was sure to be misrepresented whether they the doctors liked or no.

In being forced to put on prison clothes I was not bodily injured in the struggle, except as to my left arm, and as to that I am uncertain whether it was the twisting of my arm or rheumatism from exposure that caused it, but as a matter of fact, the next day, and for several days after, my left arm was exceedingly painful, and I mentioned it at the time to Dr. Hewetson and Dr. O'Farrell.

I always kept on the prison shirt for decency sake.

The prison clothes were in my cell the whole time I was in my shirt.

I could of course have dressed myself at the expense of what I considered degradation just as I dare say I could have walked altogether out of prison if I had made a public recantation of my opinions.

My own clothes were not much damaged in the struggle.

I think I was ten and a half hours in my shirt.

I suffered in mind until my own clothes were restored to me.

I had given up my watch.

When I got my own clothes I was removed to a hospital room but not treated as a hospital patient.

WILLIAM O'BRIEN.

APPENDIX.

COPY of ENTRY in VISITOR'S BOOK, CLONMEL PRISON.

"Visited Mr. O'Brien this morning and found him still weak in health and on prison fare."

"Having learned that it is proposed to remove Mr. O'Brien to Kerry I am of opinion that the state of his health is such that it would be dangerous to do so."

THOMAS J. CONDON,

Mayor.

February 9th, 1889.

COPY of ENTRY in VISITOR'S BOOK, CLONMEL PRISON.

“ Visited Mr. O'Brien to-day and found him looking very much worse than on yesterday and decidedly weaker. I again reiterated my opinion that should Mr. O'Brien be removed in his present state of health and in such inclement weather, bad if not fatal results must follow.”

THOMAS J. CONDON,
Mayor.

February 10th, 1889.

COPY of ENTRY in VISITING COMMITTEE MINUTE BOOK, CLONMEL PRISON.

6th February /89.—“ Visited prison and found all clean and in good order. Provisions good. No complaints.

“ The prisoner Wm. O'Brien, M.P. was in hospital in company with the acting chaplain. He said he had no complaints to make, after a pause he said that if he had any complaint he would not make it to the Visiting Justices.

R. BAGWELL.
ROBT. COOKE.
VILLIERS MORTON.

COPY of JOINT REPORT of MEDICAL OFFICERS at CLONMEL PRISON.

11th February /89.—“ We the undersigned medical officers have this day examined Mr. Wm. O'Brien, M.P., and are of opinion that he is in his usual health, free from any illness and fit for removal to H.M. Prison, Tralee.”

M. J. HEWETSON, M. O.
W. H. GARDE,
Surgeon-Major,
Medical Staff.

COPY “ of Dr. O'FARRELL'S REPORT as to Mr. WILLIAM O'BRIEN, M.P.”

I visited Clonmel Prison yesterday, 4th February, and carefully examined Mr. William O'Brien, M.P. I found him occupying a clean boarded cell, heated, notwithstanding the cold weather, to at least 60°, with a higher night temperature.

Mr. O'Brien was lying in bed on two mattresses, with a plentiful supply of good and new bed covering. Receiving me courteously, and affording me every facility for examining him, he expressed himself as feeling well, and seemed in very good spirits. In reply to my questions, he said he had every confidence in the skill and kindness of the prison medical officer, and that the friction which occurred with him last Thursday was owing to a misunderstanding on his own part. He stated that he had no complaint of any kind to make regarding his prison treatment; and that if the rule depriving him of his clothing had to be insisted on, he would say no excessive violence had been used in enforcing it.

On my remarking that it was not easy to measure the exact degree of force necessary once a struggle was provoked, as official, like other human temper, is unfortunately an imponderable quantity, Mr. O'Brien at once candidly said that the officials had displayed *no* temper on the occasion in question.

My examination convinced me that while Mr. O'Brien is undoubtedly delicate, he has at present no active disease of any kind. His general condition would seem to me rather better now than that described in the Tullamore reports.

He is, as is well known, a tall man of slight physique, with a narrow and ill-formed chest, and his family history is extremely bad. Nevertheless he stated that he had enjoyed for a considerable time good health, and that he has had no occasion to obtain any medical advice. Doubtless his nervous energy sustains him in great exertions, and the special development of the higher nervous centres is evidenced by his extreme nervous sensibility and his fervid imagination.

Coming to the details of my examination, I observed that Mr. O'Brien is very thin, although it does not appear that there has been any recent loss of flesh. I found his skin cool, temperature normal ($98^{\circ}2$), pulse regular and slow (60 per minute) in the recumbent posture, heart sounds were normal in character and rhythm, but the cardiac impulse was somewhat weak; respiration was quiet, air entering freely all parts of both lungs, but the slightly roughened breathing and lessened expansion of the upper part of the left side would indicate the seat of the lung mischief with which Mr. O'Brien was formerly threatened.

Mr. O'Brien slept well last night, and the only ailment of which he complained was a soreness in the left arm along the course of the biceps muscle, and which he stated might be due to rheumatism or a sprain. His dietary consists at present exclusively of bread and milk, as he has refused the claret prescribed by the medical officer.

On the subject of wearing prison clothing, and associating with ordinary prisoners, Mr. O'Brien's views seem to me as fixed and determined as those of a monomaniac; and considering the subject in its bearing on the mental and bodily health of the prisoner, I concur in the recommendation of the prison medical officer, that Mr. O'Brien should be treated as a hospital patient, and that he should be allowed to supply his own clothing, as was done in the case of his Tullamore imprisonment.

G. PLUNKETT O'FARRELL.
5th February 1889.

EXTRACT FROM DR. O'FARRELL'S REPORT OF HIS EXAMINATION OF MR. O'BRIEN, M.P.,
at Tralee Prison on 19th February 1889.

"Referring back to my Memorandum on my visit to Mr. O'Brien in Clonmel on the 4th instant, I wish to add that, while Mr. O'Brien most distinctly told me that no unnecessary violence had been used by the Clonmel governor and warders in depriving him of his clothing—if the prison rule on the subject had to be carried out,—he added that, as a matter of fact, considerable force had to be employed in stripping him, inasmuch as his resistance was violent."

LETTER FROM MR. WM. O'BRIEN, M.P., TO THE CHAIRMAN OF THE GENERAL PRISONS
BOARD.

To the Chairman,
General Prisons Board,
Dublin Castle.

SIR,

Tralee Prison, March 23, 1889.

WITH reference to my evidence in Galway Prison, which was given hurriedly and without notice of any kind, I wish to make it quite clear that, in saying that the injury to my left arm was the only bodily injury I felt after the attacks upon me, I meant that that was the only injury in the nature of a *visible or sensible wound* I received in the course of the struggles, I did not, of course, for a moment mean that that was the only or the most serious *effect* of my treatment upon my general health. In the matter of weight alone I must have lost considerably more than a stone within a few days, my weight, as taken about three weeks before my committal, having been 10 stone 10 lbs., and my weight being reduced to 9 stone 11 lbs. when next taken in Tralee Prison (about a fortnight after the attacks), although I had had the advantage of greatly improved diet and treatment in Tralee Prison in the interval. It is right that I should add that I have since then recovered 7 lbs. in weight (to 10 stone 4 lbs.) in Galway Prison, but the matter of weight is by no means the only particular in which I have not yet shaken off, and do not hope to be able soon to shake off, the

effects of the occurrences in Clonmel. I have to request that this communication may be appended to my evidence in the form of a sworn declaration or otherwise.

I am, Sir,

Your obedient servant,
WILLIAM O'BRIEN.

OBSERVATIONS of MEDICAL OFFICERS on letter dated 23rd March 1889 from
Mr. William O'Brien, M.P.

(a) MEDICAL OFFICER of CLONMEL PRISON.

H.M. Prison, Clonmel,
28th March 1889.

SIR,

WITH reference to letter of W. O'Brien, M.P., from Tralee Prison, I beg to reiterate that he showed no marks of violence whatever whilst in Clonmel Prison. Neither did he suffer from any illness whilst here. The complaint he made of his arm may have been rheumatic, and presented no mark or swelling.

He styled it trifling, and declared it was unnecessary to chafe the arm with anodyne liniment, which I suggested, at the time he spoke of it.

I am not in a position to say what Mr. O'Brien's exact weight was, as he refused to be weighed here, but from the quantity of good new milk which he drank (half a gallon and over daily) and from the sleep and rest which he enjoyed, I should certainly expect that he was heavier when leaving Clonmel than on his admission.

Mr. O'Brien's own statement in "Freeman" of 27th instant, shows that he is at present "in very good health and spirits." Mr. O'Brien's increased weight could not be gained on any loss sustained in Clonmel Prison, as he was only twelve days here. The loss of weight he complains of is easily accounted for by his mode of life previous to arrest.

I have the honour to be,

Your obedient servant,

M. J. HEWETSON, M.O.

The Chairman,
Prisons Board.

(b.) MEDICAL OFFICER of TRALEE PRISON.

H.M. Prison, Tralee,
29th March 1889.

SIR,

IN reply to your letter, 27th instant, relative to prisoner Wm. O'Brien, M.P., I have the honour to say that on February 13th, the day on which I examined him, he mentioned to me incidentally that he felt slight soreness or pain in left shoulder and arm, which he believed to be the result of his struggle when being deprived of his clothes in Clonmel Prison. There were no marks of violence or evidence of injury on the shoulder or arm. He also had very slight ecchymosis on the leg above the ankle, which he told me was caused by striking his leg against the step of railway carriage when entering the train on his way from Clonmel here. The soreness or pain in shoulder or arm was so slight and the injury to leg so trivial, that they required neither observation nor treatment.

On February 20th I was present when he was weighed. His weight was 137 lbs. I do not know his weight before or since then.

Judging from his general appearance and the apparent improvement in his health, I am sure that his weight must be increased. Having no knowledge of his health previous to his coming here, I am not in a position to state that his health was impaired or otherwise. The accompanying extracts from my journal will show his dietary and treatment whilst in this prison. Judging from my knowledge of him since his first arrival here, I am clearly of opinion that no impairment of his health or injury to his constitution has been caused by his imprisonment.

I have the honour to be

Your obedient servant,

F. J. FALVEY,
Medical Officer.

The Chairman,
General Prison Board,
Dublin Castle.

EXTRACTS FROM JOURNAL of MEDICAL OFFICER of TRALEE PRISON referred to in foregoing LETTER.

H.M. Prison, Tralee,

11th February 1889.

“Visited prison a second time to see Wm. O’Brien, M.P., who arrived in this prison from Clonmel. I recommend that in addition to his class diet he get three pints of milk extra, white bread *vice* brown, one pound of potatoes *vice* suet-pudding. To get one pound of chop for supper this evening and half-a-pound of chop for breakfast to-morrow.”

F. J. F.

“Visited prison a third time to see prisoner Wm. O’Brien. To get one pint of tea for breakfast; may be supplied with some sandwiches on his journey to-morrow, if required.”

F. J. F.

H.M. Prison, Tralee,

12th February 1889.

“Prisoner Wm. O’Brien is fit to travel to Killarney; saw prisoner Wm. O’Brien on his return from Killarney. To get one pint of tea daily for breakfast *vice* cocoa, and half-pound chop daily.”

F. J. F.

H.M. Prison, Tralee,

13th February 1889.

“I have this day carefully examined prisoner Wm. O’Brien, M.P., pulse 86, temperature 97°. Heart’s action normal as to rhythm and sounds, but very weak. I agree with Dr. Hewetson as to there being relative dulness in apex of left lung. There is slight lateral curvature of spine, the result of debility in early life. In my opinion he is a delicate man, predisposed to phthisis. I recommend that he have his class diet with the following modifications and extras:—For breakfast, white bread *vice* brown; tea *vice* cocoa, daily.”

“Dinner—one pound of potatoes *vice* suet-pudding and half-pound chop, daily, extra. Supper—white bread *vice* brown; tea *vice* cocoa, also three pints of milk extra daily.”

F. J. F.

H.M. Prison, Tralee,

14th February 1889.

“Prescribed for Wm. O’Brien, M.P., the following:—Eight ounces quinine mixture, half-an-ounce three times a day.

“Six ounces cough mixture, quarter ounce when the cough is troublesome. The latter I prescribed in consequence of his mentioning to me that he had a slight cough in the morning.”

F. J. F.

H.M. Prison, Tralee,

15th February 1889.

“Visited prisoner Wm. O’Brien, M.P. He tells me that his cough and appetite are improved. I advise that he continued both mixtures ordered yesterday.”

F. J. F.

H.M. Prison, Tralee,
16th February 1889.

"Prisoner Wm. O'Brien, M.P., is somewhat improved; his appetite and cough are better. Continue medical treatment already prescribed."

F. J. F.

H.M. Prison, Tralee,
17th February 1889.

"Prisoner Wm. O'Brien, M.P., is in the same state as yesterday as to cough and appetite. Continue medicine as previously prescribed."

F. J. F.

H.M. Prison, Tralee,
19th February 1889.

"Saw prisoner Wm. O'Brien. He is fit to attend Court this day. To get four ounces butter and one egg daily. Prisoner Wm. O'Brien, M.P., to continue diet previously ordered, except the egg."

F. J. F.

H.M. Prison, Tralee,
20th February 1889.

"Visited prisoner Wm. O'Brien; in fair health."

F. J. F.

H.M. Prison, Tralee,
21st February 1889.

"Visited prisoner Wm. O'Brien at 6 a.m. He is fit for transfer to another prison. To be supplied with an additional rug, a foot-warmer, and breakfast consisting of half-pound chop, one pint tea, eight ounces bread and milk, two ounces butter; also to have half-pound of ham sandwiches and a small bottle of claret on journey."

F. J. F.

(c.) MEDICAL OFFICER of GALWAY PRISON.

H.M. Prison, Galway,
28th March 1889.

SIR,

I HAVE read communication handed me by you, viz., copy of letter of Mr. W. O'Brien, M.P., dated 23rd March 1889, No. 3605, and memo. from General Prisons Board asking for my observations thereon.

Mr. O'Brien was committed to this prison on the 21st February 1889. As he was evidently much fatigued after his journey from Tralee I postponed my examination until the 22nd.

He was weighed on 22nd February 1889, and his weight, 137 lbs., is recorded in my journal.

He was again weighed on the 15th March 1889, and his then weight, 144 lbs., is recorded in the continuous treatment book.

While in this prison his health was good, with the exception of a slight attack of diarrhoea on 24th and 25th February 1889, and headache and sleeplessness on 19th, 20th, and 21st March 1889.

At my visit on 22nd March 1889 he told me he was much better, and he left at about 6 a.m. on 23rd March 1889.

I have no knowledge of his physical condition antecedent to his admission to this prison, except the information contained in the medical reports referred to in my journal under date of 22nd February 1889.

When I examined him on 22nd February 1889 I found no evidence of any injury, and during his imprisonment here I have seen nothing to cause me to doubt the correctness of the opinion entered in my journal on that date, viz. :—

"I conclude that he is at present free from organic disease, and in a fair physical state."

The details of the dietary ordered are entered in the continuous-treatment book.

I am, Sir,

The Governor,
H.M. Prison,
Galway.

Your obedient servant,
R. J. KINKEAD, M.D., Dub., J.P.,
Medical Officer, H.M. Prison, Galway.