

The Last Woman Hanged in County Tipperary

by Daniel Grace

Between the years 1800 and 1868 at least 206 women in Great Britain and Ireland were taken to places of public execution and were there hanged by the neck, usually in front of large crowds.¹ Forty-two of those executions took place in Ireland and four in Co. Tipperary. The last woman to publicly die on the scaffold in Ireland was Honora Stackpoole, executed at Ennis on 29 April 1853 for the murder of her nephew. The last woman publicly executed in the British Isles was twenty-five-year-old Frances Kidder, hanged by William Calcraft at Maidstone in Kent on 2 April 1868 for the murder of her twelve-year-old stepdaughter. Public execution was abolished that same year, but men and women continued to be hanged in the privacy of prisons, albeit in decreasing numbers.

The four women hanged in Co. Tipperary during the period 1800-68 were Mary Costigan in 1810, Eleanor Sheil in 1811, Judith Butler in 1831 and Margaret Gunning the following year. All four women had been found guilty of involvement in murder, Eleanor Sheil of her own child. Even though the law permitted the death sentence for a wide range of offences up to the 1830s, almost all executions of women in Britain and Ireland were for murder, usually that of a near relative such as a husband or child. Judith Butler and Margaret Gunning were slightly unusual as both were charged with the murder of neighbours. As contemporaries watched Margaret Gunning's death throes on the scaffold before the gates of Clonmel Gaol, they could hardly have realised that they were witnessing the last public (or indeed, private) execution of a woman in Co. Tipperary.

Public hanging was an unpleasant reality of early nineteenth-century life and a number of executions usually followed the twice-yearly assizes held in each Irish county, particularly in Tipperary. For instance, there were eight executions – seven men and one woman – after the Spring Assizes at Clonmel in March 1832.² James Burns was hanged on 22 March for murder; Edmond Walsh and Patrick Beary on 3 April for burglary and rape; Richard Hewitt, Denis Shanahan and John Quinn on 7 April for burglary and conspiracy to murder; James Cormack on 14 April for conspiracy to murder. Margaret Gunning died on the scaffold on 1 June that year for the same offence as James Cormack. A Patrick Gleeson had been sentenced to die with Hewitt, Shanahan and Quinn, but was reprieved when the three confessed their own guilt and insisted that Gleeson 'was as innocent of the charge as the child unborn'.³ The bodies of those executed were handed over to friends and relatives for burial, except for that of James Burns. He had been charged with murder rather than conspiracy to murder and consequently suffered the final indignity prescribed by law of having 'his body delivered to the surgeon of the county infirmary for dissection and anatomy'.⁴ Judith Butler's body had also been handed over to the surgeons the previous summer.⁵

One might have expected the hanging of Margaret Gunning to arouse greater interest, prurient or otherwise, in the local press because the execution of females was not a particularly common occurrence. It has been estimated that just over 4% of those executed throughout the entire British Isles between 1800 and 1964 were women.⁶ The figure appears to have been even lower in the case of early nineteenth-century Ireland because only five or 1.5% of the 332 persons executed during the seven-year period 1822-28 were female.⁷

Perhaps the impact of the Gunning case was lessened by the fact that Judith Butler – described as a pickpocket and prostitute – had been executed at Clonmel the previous summer. Butler had been convicted with two male accomplices of the robbery and murder of ‘a castrator of cattle’ named William Phelan, by tipping him into the River Suir from the Bridge of Clonmel on the night of 6 April 1831.⁸ Some newspapers may also have been reticent about giving undue publicity to such events, conscious of the fact that some readers at least found public executions, particularly of females, objectionable.

The crime for which Margaret Gunning and James Cormack were accused first came to public attention in the pages of the *Limerick Chronicle* of Saturday 15 January 1832. (The *Clonmel Herald* copied the account verbatim in its edition of the following Wednesday). The newspaper reported the ‘cruel and diabolical’ murder that had occurred about a quarter of a mile from the town of Templemore during the early hours of Wednesday 11 January 1832. The victim was a young man of about twenty named Short, and he was described as an ‘apprentice to a brazier in that town of the name of Gunning’. (This was not entirely accurate as Short had already left Gunning’s employment before his death). Short’s lifeless body was found on the public road and had a deep wound over his temple, apparently inflicted with a heavy stick.

James Cormack and Mrs. Margaret Gunning were apprehended by police around midday on Wednesday on suspicion of being implicated in the murder. The early arrests would indicate that the bad blood between the victim and his alleged assassins was common knowledge in the town. An inquest on the Thursday heard evidence that Mrs. Gunning had requested one of her husband’s employees to fill the butt of a large stick with molten lead and that this stick was the supposed murder weapon. The inquest also heard that James Cormack had been out and about during the early hours of Wednesday and had returned to bed shortly before daylight. The jury empanelled for the inquest returned a verdict of wilful murder against Cormack and Mrs. Gunning and both were removed to Clonmel Gaol the following day under military escort.⁹ The newspaper report did not explain whether the escort was to prevent the prisoners from being rescued or to protect them from possible assault from friends of the dead man.

The trial of James Cormack and Margaret Gunning for murder and conspiracy to murder James Short opened at Clonmel Assizes in late March 1832.¹⁰ The Attorney General prosecuted the case and the very able Counsellor Hatchell defended the prisoners. There were seven witnesses for the prosecution, the most important of whom was a Michael Greytricks (or Greatrakes, press reports of the name vary). Greytricks worked for Edward Gunning as a journeyman brazier and lived in his master’s house. He was about twenty years old and had served his apprenticeship to his father in Limerick, but had apparently run away from home. However, his evidence may not have been entirely

reliable for two reasons. Firstly, he had only arrived in Templemore from Mountrath some two weeks before the murder and could hardly have been privy to the background of the dispute. Secondly, he himself had been arrested and lodged in the Bridewell on suspicion of involvement in the murder and may have been eager to throw suspicion elsewhere.

Notwithstanding the extensive evidence presented at the trial, it is not clear what led to the bad blood between the Gunnings and James Short. The victim had been an apprentice to Gunning, but had left his employment and was working for a man named Acres at the time of his death. He was living with his father in Templemore, about forty yards down the street from his former employer's residence. Perhaps the leaving of his apprenticeship had embittered Mrs. Gunning who was said in one report of the trial to have had 'a severity in her countenance which indicated a ferocity of disposition'. It was suggested at the trial that Short had been involved in a riot as a member of either one or other of the notorious Cummins or Darrigs factions, but there was no further exploration of the relevance of this to the murder.

It is not certain either why James Cormack was implicated in the murder. But it was probably owing to the fact that he was related to the Gunnings and the practice of taking up the cudgels on behalf of one's relations was a common feature of early nineteenth-century Irish crime. Cormack, who was variously described as 'a labouring boy' and 'a plain country lad', did not work for or live at Gunnings', but was apparently in and out of the house regularly. Michael Greytricks claimed in evidence that the Monday and Tuesday before the murder were the only nights Cormack slept at Gunnings' during his time in the house.

Greytricks told the court that on the Monday night before the murder Mrs. Gunning gave him materials to load a stick with lead and put a ferule of tin on it. Mrs. Gunning herself drove two nails into it. When it was finished, Cormack took it up and said 'he would give Short the benefit of it'. The following night James Cormack had the stick in his possession when he and Greytricks were drinking together at McDonnell's public house in Templemore. While on their way home to Gunnings', Cormack spied James Short standing at the corner of Gaol Street, took up two stones and pelted them at him. Greytricks claimed he did not observe Short say or do anything provocative.

About fifteen minutes after they arrived home, two stones were thrown through Gunnings' window, shattering eight panes of glass. Cormack rushed out with his loaded stick, shouting that he would have Short's life, even though Greytricks claimed that no one saw who had actually thrown the stones. Another witness named Thomas Hilliard gave evidence of hearing Cormack shouting and cursing in the street to the same effect. Cormack had gone to Short's house and had attempted to beat down the door. He returned after about ten minutes and Greytricks allegedly heard him say that 'before he went to bed, he would have Short's life'. Mrs. Gunning apparently dissuaded him, saying that if he did so he would be strongly suspected because he slept in her house. Cormack was then reported to have said: 'If I don't kill him now, I will leave him a corpse in the morning'.

Greytricks retired to bed in the loft shortly after 10 o'clock, leaving Cormack and Mrs. Gunning sitting together at the fire. He did not know what time Cormack came to bed, but claimed that he heard him dressing during the night and that he returned later to the loft, stripped off his clothes and lay down on the bed. Mrs. Gunning roused them both about 8 o'clock, calling out loudly: 'Short is killed dead, James Short is killed stone cowl'. Greytricks

claimed that when Cormack heard this he danced about the floor and shouted: 'The devil's cure to Short'.

The witness told the court that when he descended from the loft he saw the loaded stick concealed between the table and a quantity of turf, and that it had not been there the previous night, but up in the loft. Mrs. Gunning allegedly said, 'we must take care, there will be a search in the house shortly', and took the stick from its hiding place. Despite an intensive search by the police, the stick was never seen again. Mr. Hatchell minutely cross-examined Greytricks for the defence, 'but nothing material was elicited'.

James Scanlan of Templemore gave evidence of finding the body about 8 o'clock on Wednesday morning at a place called Morrison's Grove, a short distance outside the town on the Borrisoleigh road. The victim had a cut on the side of his head and another on his lip. Surgeon Bradshaw explained to the court that a fracture of the skull was the cause of death. The wound was not extensive and appeared to have had been inflicted with a stick or whip. The surgeon also told the court that a wound of that nature was not usually followed by 'immediate death'.

Sub-Constable Patrick Morgan gave evidence of searching for the loaded stick but of being unable to find it. Mrs. Gunning denied knowing anything about it. Morgan also said he began looking for Cormack shortly after 8 o'clock on Wednesday morning but was unable to locate him. However, he met him about midday at a place called 'The Wash Pan' and Cormack gave himself up voluntarily to him.

In point of fact, the evidence against Margaret Gunning was weak and circumstantial, except for that of two soldiers of the 74th Regiment of Foot quartered at Templemore Barracks. Robert Deacon told the court he was on sentry duty on Wednesday morning when a woman whom he knew as Margaret Gunning passed him by shortly before 7 o'clock. Soon afterwards he heard cries as if someone was getting a beating and that the cries then ceased abruptly. Thomas M'Lean, who was also on guard duty that morning, corroborated Deacon's testimony and also identified the woman who passed by as Mrs. Margaret Gunning.

The only witness for the defence was a Mary Carroll or Farrell (newspapers differ on the name), who in truth had very little to tell. She said in evidence that she visited the Gunning house between 6 and 7 o'clock on the Wednesday morning and found Mrs. Gunning only partially dressed, clearly implying that she could not have been out and about at the time of the murder. Mary Carroll claimed she was unaware of the murder when she was at Gunnings' and got no inkling of it from anyone there. She only learned about it from her husband on her return home and then hurried back to tell Mrs. Gunning, who appeared greatly surprised at the news.

Mary Carroll mentioned in passing that Margaret Gunning's children and her mother were in the house during her visit, and that her husband, variously named as Edward or Edmond, had gone to Nenagh to swear information about the breaking of his windows the previous night. This was the only reference at the trial to Mrs. Gunning's family. Incidentally, there was no suggestion at the trial that Edward Gunning had played any part in the murder; one gets the impression, perhaps mistakenly, that the row with Short was with Mrs. Gunning rather than with him.

The Templemore Catholic Parish Registers, which begin in the year 1807, throw some additional light on Margaret Gunning's family circumstances.¹¹ The Registers record seven children – three boys and four girls – born to an Edward Gunning and a Margaret Lyons between the years 1822 and 1831. However, there is no marriage record of the couple in the Templemore Registers, which implies that Margaret Gunning, neé Lyons, was from a different parish and had married there. The last child born to the couple was baptised on 3 October 1831 and was named James. This was the child that was brought to the condemned woman in prison some weeks before her execution.

The Templemore Registers also records a marriage of an Edward Gunning to a Julianne Campion on 29 September 1832, some four months after the execution. Edward Gunning was left with a young helpless family and, like many men in a similar predicament, probably quickly re-married to have his children cared for. The family remained on in Templemore after the execution because Edward Gunning is listed as a 'plumber and glazier' in a trade directory of 1846 and is recorded as living at No. 49 Gaol St. in a house, office and yard modestly valued at £2 7s 0d in 1850.²

The jury deliberated for half an hour and then returned a verdict of guilty on both Cormack and Gunning. As was common at the time, sentencing was deferred to the final day of the assizes when all the capital convictions were pronounced together. The *Tipperary Free Press* reported that James Cormack heard his death sentence 'with great fortitude', but that 'the unfortunate female who had been convicted as a partner in his guilt, filled the courthouse with the most heart-rending wailings'. She knelt down in the dock and exclaimed: 'I declare to God, I had neither hand, act, part or foot in the murder and I am perfectly innocent of it'.¹³ Margaret Gunning persisted in her declaration of innocence to the very scaffold.¹⁴

The prisoners were sentenced to hang on 14 April 1832, some three weeks after their trial. Unlike the other prisoners capitally convicted at the assizes, both had evidently been granted what was known as 'the long day'. This was the practice whereby the judge put off the day of execution to the longest possible date permissible by law. Condemned prisoners frequently pleaded with the presiding judge to 'give us the long day', as it not only allowed them a longer lease on life, but also more time to their friends to prepare a petition to government on their behalf.

James Cormack was hanged on 14 April 1832. The *Tipperary Free Press* reported that 'to the last moment of his existence, he persisted in the most absolute declaration of his innocence'.¹⁵ Margaret Gunning's execution was postponed 'on the supposition that she was enceinte', as the *Tipperary Free Press* delicately put it.¹⁶ Its rival *Clonmel Herald* explained more robustly that she had been temporarily reprieved 'in consequence of her pleading pregnancy'. The paper went on to explain that it was discovered afterwards that she had in fact given birth to a son (James) some three months before her apprehension for the murder. After the discovery the child was brought to her in prison and was allowed to remain with her until a few days before her execution.¹⁷

Margaret Gunning was executed outside the gates of Clonmel Gaol shortly after midday on Friday 1 June 1832. A most poignant description of the scene appeared in the *Tipperary Free Press* of the following day and is worthy of being quoted in full:¹⁸

On yesterday, about one o'clock, Margaret Gunning, who was found guilty at the last Assizes of conspiracy to murder James Short, underwent the awful sentence of the law. She was attended with the greatest assiduity and kindness by the Rev. Mr. Brennan, and her conduct to the last moment of her existence was firm and edifying. Before her appearance on the scaffold, she conversed with the High Sheriff, and took an affecting leave of her husband; to both she openly and unequivocally declared her innocence of any participation in the crime for which she was about to suffer death. When she came before the vast multitude assembled in front of the Gaol, she did not appear intimidated, but in a collected and firm tone protested her innocence. She then turned to the Rev. Mr. Brennan and requested that he would direct that she would be as gently as possible used by the executioner; and having spent some time in prayer, she was launched into eternity amid the sighs and tears of the numerous spectators who evinced much commiseration for her unhappy fate. She was rather a handsome woman, not quite middle-aged, and had been relieved on the supposition that she was enceinte. Some benevolent individuals exerted themselves, but in vain, to procure a commutation of her sentence. Her body, after hanging the usual time, was given to her friends.

The *Clonmel Advertiser* confirmed that on the scaffold Margaret Gunning 'maintained the same placid and serene countenance for which she was remarkable during her trial'.¹⁹ It also reported that she forgave her prosecutors and prayed God's protection on her disconsolate husband, her four orphaned children, her sisters and her aged mother. (The fact that she mentioned four children only, suggests that three others had died.) The newspaper added that her funeral passed through the town of Clonmel that evening on its way home to Templemore, 'attended by a considerable concourse of persons'. Presumably, she was buried at Templemore or in one of the neighbouring graveyards, although no gravestone to her memory has come to light.

References:

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1. The details in this and the following paragraph are from the very informative website, 'The female publicly hanged 1800-1868', <http://www.capitalpunishmentuk.org/fempubli.html>,
2. pp. 1-10. (Hereafter, 'The female publicly hanged 1800-1868').
Rule of Court, County Tipperary Assizes, *Clonmel Herald* 31 Mar. 1832.
3. *Tipperary Free Press* 11 April 1832.
4. *Clonmel Herald* 31 Mar. 1832.
5. *Tipperary Free Press* 6 Aug. 1831.
6. 'The female publicly hanged 1800-1868', p. 10.
7. 'Number of persons charged with criminal offences, committed to the different gaols of Ireland, for trial in each county', Parl. Papers, 1829, xxii; 'The female publicly hanged 1800-1868'.
8. The report of the trial is found in *Tipperary Free Press* 6 Aug. 1831.
9. *Clonmel Herald* 18 Jan. 1832.
10. The following account of the trial is based on the reports in *Clonmel Herald* 17 Mar. 1832, *Clonmel Advertiser* 21 Mar. 1832 and *Tipperary Free Press* 21 Mar. 1832.
11. My thanks to Nancy Murphy and Nora O'Meara for drawing my attention to the Gunning entries in the Templemore Catholic Parish Registers.
12. I. Slater's, *National Commercial Directory of Ireland* (1846), p. 315; Primary Valuation of Tenements, Barony of Eliogarty, Parish of Templemore (1850), p. 74.
13. *Tipperary Free Press* 28 Mar. 1832.
14. *Clonmel Herald* 2 June 1832.
15. *Tipperary Free Press* 18 April 1832.
16. *Tipperary Free Press* 2 June 1832.
17. *Clonmel Herald* 2 June 1832.
18. *Tipperary Free Press* 2 June 1832.
19. *Clonmel Advertiser* 2 June 1832.