



A study of the infrastructure and legislation for adoption in Ireland c.1911-1971

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Abstract

This thesis explores adoption in Ireland from 1911 through to 1971. Over this sixty year period a number of aspects to adoption in Ireland are examined. Before 1952 there was no formal legislation covering the practice of adoption in Ireland; adoptions were arranged on an informal or de facto basis. In this sense, adoption is charted throughout the thesis starting in 1911 and continuing through its legalisation in 1952 to 1971. The census of 1911 provides detailed information on the numbers of adopted children in Ireland. Up till 1922 adoption in Ireland is explored for the whole island. Before 1952 records and correspondence from organisations that arranged adoptions are used to create an understanding of informal adoption practices. The thesis also explores the demand for adoption legislation and examines in detail the activity of the groups and organisations involved, and their roles experienced in the introduction of an adoption law and their working relationships with the department of justice. The legislative position of adoption in Ireland compared to similar international legislative practice elsewhere is also addressed, as is relevant international legislation; Ireland introduced its first adoption law relatively late in comparison to other European countries. The thesis explores and compares Ireland's adoption legislation with international standards. After the introduction of the first adoption act there was government regulation of adoption practices. This regulation provided statistics on adoption and these statistics allow for an analysis of adoption trends after 1952. Throughout the thesis the political dimensions surrounding adoption are important and the relationship between church and lay authorities in the pursuance of adoption practice is explored. Within a few years of the first adoption act there was a demand for further adoption legislation, and queries in the department of justice about possible amendments. Issues associated with adoption continued to be a subject of media attention, and questions continued in Dáil Éireann over adoption procedures. A further adoption act was introduced in 1964, its introduction is also discussed in this thesis.

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List of abbreviations

A.C.H.L.C. - Archive of the Cottage Home for Little Children

B.W.A.C. - Belfast Women's Advisory Council

C.P.R.S.I. - Catholic Protection and Rescue Society of Ireland

N.A.I. - National Archives of Ireland

N.L.I.- National Library of Ireland

D.D.A. - Dublin Diocesan Archive

J.C.W.S.S.W. - Joint Committee of Women's Societies and Social Workers

S.P.D.C.C. - Society for the Protection of Destitute Catholic Children

P.R.O.N.I. - Public Record Office of Northern Ireland

B.W.A.C. - Belfast Women's Association Committee

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Introduction

Adoption is a uniquely human story. It has been an important and contested social issue in twentieth century Ireland. Despite this there has been no in-depth study of the history of adoption in Ireland, though there have been some shorter studies and a limited amount of journalistic work produced on the subject. This thesis aims to fill this gap and through this aid our understanding of the societal structures of twentieth century Ireland. This is the first systematic study of adoption and it aims to build a basis on which further analysis can be built. In Ireland, the practice of adoption developed from the ‘boarding out’ system used by poor law unions and charity organisations in the nineteenth century.¹ Boarding out was similar to fostering. Fostering and ‘boarding out’ are practices whereby an individual takes responsibility for a non-biological child. However, these practices were usually for a temporary period of time. ‘Boarding out’ became widespread as an extension of the workhouse system in Ireland. The 1862 Poor Law Amendment Act made it possible for boards of guardians to ‘board out’ orphan and deserted children under the age of five.² The ‘boarding out’ system in the workhouse was advanced by further legislation in 1869 and 1876.³ Fostering and ‘boarding out’ usually involved an exchange of regular amounts of money. There was no regular exchange of money in adoption practices though occasionally lump sum payments were in fact exchanged. Occasionally boarding and fostering arrangements led to a child remaining on in a foster home after regular payment had ceased, owing to

¹ These charities included but were not limited to the Protestant Orphan Society and the Cottage Home for Little Children

² Helen Burke, *The people and the poor law in the nineteenth century Ireland*, (West Sussex, 1987), p. 230.

³ An act to amend the laws in force for the relief of the destitute poor in Ireland and to continue the powers of the commissioners, 1862 (25 & 26 Vict, c. 83) (7 Aug. 1862); an act to amend the act of the twenty-fifth and twenty-sixth years of Victoria, chapter eighty three, section 9, by extending the age at which orphan and deserted children may be kept out at nurse 1869 (32 & 33 Vict. c. 25) (12 Jul. 1869), and an act to extend the limits of age up to which, with the assent of the board of guardians, orphan and deserted pauper children may be supported out of workhouses, 1876 (39 & 40 Vict. c.38) (11 Aug. 1876).

the emotional bonds that developed between the child and the foster family: this was a mode of informal adoption.

Adoption practice developed organically and was so widespread that by 1911 children were entered in census returns as being 'adopted'. The census of 1911 is one of the first examples of the use of the term 'adopted' to describe a non-biological familial relationship, although at that time the practice was unregulated by law.

Using the 1911 census as a starting point, this thesis examines adoption policy and practice till 1971. Two adoption acts were passed in Ireland, one in 1952 and the other in 1964, and so a particular focus of this thesis is an examination of adoption both before and after these acts. The thesis charts the development of adoption practice over a sixty year period. The thesis stops in 1971 for a number of reasons. During the 1960s, according to the Adoption Board reports, the vast majority of illegitimate children were adopted. After 1971 there was a growth in the number of births in Ireland both inside and outside of marriage. However, the number of adoptions as a percentage of unmarried births fell during the 1970s. This reflects a change in adoption practice. There was a growing acceptance of unmarried motherhood in Ireland in the 1970s and there was a fall in the number of adoptions as a percentage of unmarried births which reflected this. It was in 1973 that the unmarried mother's payment was introduced for the first time. 1973 also saw the establishment of Cherish, a group that advocated for unmarried women who had kept their children. Society's attitude to unmarried mothers and illegitimate children began to change in the 1970s and thus so did adoption practice. There are numerous sources for the study of adoption after 1971. In the 1970s alone there were two adoption acts and a referendum on adoption. Unfortunately this thesis does not have the scope to discuss the changes to adoption that occurred from the 1970s onwards.

In 1911 Ireland formed part of the United Kingdom and the census was compiled for the whole island. The thesis explores and analyses the geographical spread of the practice found in the 1911 census. However, the border established in 1922 split Northern and Southern Ireland. While this study mentions both areas, most attention is given to adoption in the Irish Free State, founded in 1922. The six counties of Northern Ireland are referred to as Northern Ireland throughout this study. The twenty-six counties that constituted the Irish Free State were reclassified as the Republic of Ireland in 1949.

In England in 1926 and in Northern Ireland in 1929 legislation was enacted to create a legal basis and framework for the practice of adoption.⁴ These adoption acts legally clarified the difference between fostering and adoption. Independent Ireland did not enact adoption legislation until 1952. The lack of a legal basis for adoption in independent Ireland meant that the two terms ‘adoption’ and ‘fostering’ were on occasion used interchangeably by contemporaries, despite having different meanings.

The first adoption act of 1952 in the Republic was a late enactment by international standards. England and Northern Ireland enacted adoption laws in 1926 and 1929 respectively. Based on their experiences both countries were in the process of introducing second adoption acts by the late 1940s and early 1950s. Adoption was practiced in independent Ireland but because there was no legal basis for these adoptions they were ‘de facto’ adoptions. This meant that these adoptions were not recognised within Irish law. These ‘de facto’ adoptions shared similarities with fostering arrangements and it is therefore necessary to distinguish and clearly define the elements of adoption.

Definition

⁴Adoption of Children Act, 1926 (16 & 17 Geo. 5 c. 29 [U.K.]) (4 Aug. 1926) and Adoption of Children Act (Northern Ireland), 1929 (20 & 21 Geo. V, c.15 [N.I.]) (19 Dec. 1929).

Adoption is defined in the *Oxford English Dictionary* as ‘The action or practice of legally or informally taking a person into any relationship; esp. the taking of a minor who is not one's offspring into the legal relationship of child.’⁵ An historian of adoption in England, Jenny Keating, describes child adoption as ‘the process of transferring a child from its natural parent or parents, on a permanent basis, to another person who then takes on the rights and responsibilities formerly held by the natural parent. The child effectively becomes the son or daughter of the adopting parent or parents.’⁶ These two definitions of adoption take parental rights away from biological parents and give them to an alternative set of parents. Within this thesis when the term ‘adoption’ is used it is describing the permanent transferral of parental rights from biological parents to alternative parents, with the consent of the biological parents. This thesis will focus on the infrastructure and legislation for adoption in Ireland from 1911 to 1971. A number of organisations that arranged adoptions will be explored to demonstrate the infrastructure for adoption in Ireland. The demand for legislation and the adoption legislation itself will also be examined in this thesis.

Literature review

Adoption has been explored very little in general studies on Ireland, often just a line or two is given to the subject. One such example is John A. Murphy’s examination of independent Ireland. This book is an excellent general study of Ireland and a good narrative guide that merely refers to the adoption act: ‘an adoption act was also passed in 1952, once it had become clear that the hierarchy would not oppose such a measure provided certain safeguards in respect of faith and morals were assured.’⁷ Even Terence

⁵ Angus Stevenson (ed.), *Oxford dictionary of English* (Oxford, 2011), available at Oxford English dictionary (<http://www.oed.com/view/Entry/2677?rskey=RrgGm9&result=8#eid216351411>) (2 Mar. 2012).

⁶ Jenny Keating, *A child for keeps: the history of adoption in England, 1918-1945* (London, 2009), p. 2.

⁷ John A. Murphy, *Independent Ireland in the twentieth century* (Dublin, 1989), p. 136.

Brown's *Ireland: a social and cultural history 1922- 2002* which is a pioneering study of the social and cultural history of Ireland fails to examine adoption.⁸

Northern Ireland was the location from which the first in-depth considerations of adoption in independent Ireland originated. It was while at Queen's University that J.H. Whyte published his book *Church and state in modern Ireland 1923- 1970*.⁹ J. H. Whyte is the first historian to have considered adoption in some depth as part of a history of independent Ireland. His book was an exploration of relations between the Catholic church and the government. Whyte's sources included interviews with Fr. Cecil Barrett, John Charles McQuaid and members of the Adoption Society. (The Adoption Society (Ireland) was also known as the Adoption Society (Éire) and less often as the Legal Adoption Society of Ireland. The society itself used all three names. From the available sources, the Adoption Society was the most frequently used term and as such will be the term used in this thesis). Whyte also used unpublished documents, newspapers and books. He appeared to rely heavily on these interviews for his facts. As the first study on church-state relations in Ireland there were limitations to this work. He argued that the introduction of legislation was the result of efforts mainly from the Adoption Society, 'the legal adoption issue was also fairly quickly settled. This was largely due to the persistence of the Adoption Society...which declined to accept, as settling the question, General MacEoin's refusal, in October 1950, to introduce legislation.'¹⁰ This thesis re-examines the arguments made by Whyte in the light of sources and historical interpretations that were not available when he published his work in 1971.

While general histories of Ireland have neglected adoption, social policy studies dealing with adoption today sometimes touch on the historical aspects to adoption.

⁸ Terence Brown, *Ireland: a social and cultural history 1922-2002* (Suffolk, 2004).

⁹ J.H. Whyte, *Church and state in modern Ireland* (London, 1971).

¹⁰ Whyte, *Church and state in modern Ireland*, p. 274.

Harold J. Abramson wrote a paper for the Economic and Social Institute of Ireland on the *Issues in adoption in Ireland*.¹¹ For this publication Abramson gave a history of adoption and charted the development of adoption in independent Ireland after the introduction of legislation in 1952. Abramson's study is the first of its kind and is very useful as a historical source. However, it does not give a detailed analysis of the historical aspects to adoption. Ruth Kelly has produced a work *Motherhood silenced: the experiences of natural mothers on adoption reunion* which focuses on the experience of biological mothers reunited with their children.¹² Kelly touches on the historical aspects to adoption when she discusses how biological mothers felt about their options, and the reasons that they gave their children up for adoption. This work is very useful when discussing the atmosphere and options available to women who became pregnant outside of marriage in the 1950s and 1960s. Caroline Skehill has written a *History of the present of child protection and welfare social work in Ireland*. This book gives an outline of the development of 'boarding out' and adoption in Ireland. Written from a social care point of view the book lacks some of the analyses necessary and systemic to an historical work.¹³

Most of the relevant historiographical work on adoption in Ireland can be found in journal articles. Moira Maguire has produced an excellent article entitled 'Foreign adoptions and the evolution of Irish adoption policy, 1945-52'. This article challenges J.H. Whyte's claims that it was the Adoption Society that was mainly responsible for adoption legislation. Instead Maguire claims 'that while the Legal Adoption Society did have a role to play, political expediencies and not public pressure and opinion were

¹¹ Harold J. Abramson, *Issues in adoption in Ireland* (Dublin, 1984).

¹² Ruth Kelly, *Motherhood silenced: the experiences of natural mothers on adoption reunion* (Dublin, 2005).

¹³ Caroline Skehill, *History of the present of child protection and welfare social work in Ireland* (Lewiston, 2004).

primarily responsible for forcing the government's hand on the issues.'¹⁴ Maguire also examines the government's response to overseas adoption of Irish infants. This was definitely a factor in the development of adoption legislation in Ireland. Maguire perhaps underestimates the role that the Adoption Society (Ireland) had in the development of adoption legislation.

Other works that focus specifically on adoption include 'The legalisation of adoption in Ireland' by Anthony Keating and *Banished babies* by Mike Milotte.¹⁵ Anthony Keating's article is an exploration of adoption legislation that emphasises the role of the Adoption Society. The article is based around files from the Department of the Taoiseach and the Department of Justice. It gives an outline of the process that led to legislation but differs little from Whyte's conclusions. *Banished babies* by Mike Milotte is a text written for a popular audience. This work is based on files in the department of foreign affairs. Moira Maguire's critique of the book that 'Milotte does not conform to scholarly standards and conventions in substantiating arguments and citing evidence' is probably the most accurate assessment of the text as a scholarly historical source.¹⁶

The other Irish historical work to be noted is *Occasions of sin* by Diarmaid Ferriter.¹⁷ This is a scholarly book that investigates the history of sex and society in modern Ireland. Ferriter refers to adoption a number of times. His conclusions are that 'The decision to cover up the scandal of foreign adoptions was taken for the same reasons for which other issues had been repressed. Adoption legislation was eventually introduced in 1952, but only after foreign newspapers drew attention to what some

¹⁴ Moira Maguire, 'Foreign adoptions and the evolution of Irish adoption policy, 1945-52' in *Journal of Social History*, xxxvi (2002), pp 387-484 p.388.

¹⁵ Anthony Keating, 'The legalisation of adoption in Ireland' in *Studies: An Irish Quarterly Review*, xciii (2003), pp 172-82 and Mike Milotte, *Banished babies* (Dublin, 1997).

¹⁶ Maguire, 'Foreign adoptions and the evolution of Irish adoption policy, 1945-52', p. 388.

¹⁷ Diarmaid Ferriter, *Occasions of sin* (London, 2009).

termed the “black market” in Irish babies.’¹⁸ These are essentially the same conclusions as Moira Maguire.

International adoptions from Ireland lead to the question: what were the adoption practices in the countries receiving Irish children for adoption? Historical works on adoption have been produced in England and the United States of America. Jenny Keating has written *A child for keeps: the history of adoption in England, 1918-45*. Keating examines the official responses to adoption, but she did not have access to adoption case files. Jenny Keating’s work on adoption in England is the most relevant to Ireland.

There have also been a number of books written on adoption in the United States of America. One example is *Adoption in America: historical perspectives* edited by Wayne Carp.¹⁹ This book contains essays on the history of adoption in both England and America. This is an excellent secondary work with which to compare adoption developments in independent Ireland. It consists of contributions by various authors and highlights the level of interest histories about adoption have received in the United States. Other American works on adoption include *Kinship by design: a history of adoption in the modern United States* by Ellen Herman.²⁰ This book is a survey study of American adoption, and charts the development of adoption through nineteenth century America and into the twentieth century. These books on adoption in the United States, while very interesting, investigate a legislative system different from that in independent Ireland. Adoption law in the United States is not federal. It differs in each separate state.

In the absence of a detailed study of the history of adoption in Ireland, this thesis will expand on the research conducted to date. One aspect to this thesis is the role of the

¹⁸ Ferriter, *Occasions of sin*, p. 330.

¹⁹ Wayne Carp (ed.), *Adoption in America: historical perspectives* (Michigan, 2004).

²⁰ Ellen Herman, *Kinship by design: a history of adoption in the modern United States* (Chicago, 2008).

various religious organisations involved in adoption. These groups essentially controlled adoption practice and an understanding of how they functioned and achieved their aims will lead to a greater understanding of the historical practice of adoption in independent Ireland. The Adoption Society (Ireland) has never been explored through its own papers despite being mentioned by some of the historians already discussed. Dáil and Séanad debates and newspaper representations of adoption will be discussed in the thesis. There is also an international context to which this study of adoption will contribute. While historical studies have been produced on adoption in the United States and England nothing has been produced in Ireland. Within an international context this oversight needs to be addressed.

Primary sources

The 1911 census of Ireland provides information about de facto adoptions in the earlier part of the twentieth century. In the census returns there was a section identifying the relationship of an individual to the head of the family. In some cases this relationship was stated as being an ‘adopted’ child, son or daughter. Using the information provided in the census a database has been compiled.²¹ The families recorded are those that stated the child was adopted. In the census, many adopted children would not have been identified as adopted in fact and the children identified as adopted in the census may represent only a small selection of the overall number of adopted children.

These children in the census may have been adopted from religious-run organisations. Catholic-run organisations in the Dublin diocese communicated regularly

²¹Database compiled from entries to census of Ire., 1911 available at National Archives of Ireland (<http://www.census.nationalarchives.ie/>) (09 Mar. 2011) see Appendix 1: Children recorded as adopted in the 1911 census of Ireland.

with the archbishop of Dublin. The Dublin Diocesan Archives contain the correspondence from various charitable agencies working in Dublin and elsewhere in Ireland. It is not possible to examine adoption case files from the different agencies involved. These files are private records that are unavailable to researchers. However, correspondence in the Dublin Diocesan Archives provides information on the daily operations of these organisations. Occasionally they provide information on individual adoption cases that were of interest to the archbishop of Dublin. The archive also contains a variety of annual reports from the various agencies involved in adoption. The archive files are arranged according to the archbishopric of the day. This study covers the periods of office of Archbishop Walsh (1885-1921), Archbishop Byrne (1921-1940) and Archbishop McQuaid (1940-1971).

These files give information on adoption practice within the archdiocese. They also provide an insight into the qualities that were valued in prospective adoptive parents. The files are incomplete and the information provided about adoption cases can at times be poorly documented. The various organisations involved had different aims. This affected the work they did and the enthusiasm with which they approached adoption.

The Catholic Protection and Rescue Society of Ireland (C.P.R.S.I.) was established in 1913 by a 'committee of Catholic clergymen' aiming 'to protect our Catholic poor against the evils of proselytism'.²² Proselytism is defined as 'the practice of proselytizing; the making or seeking of converts.'²³ This will be discussed in more detail in chapter one. The C.P.R.S.I. was established to counteract the converting of Catholics to Protestantism. Its office was located at 30 South Anne Street, Dublin. The first report of the society was published in 1914.²⁴ It did not begin to arrange adoptions

²² Catholic Protection and Rescue Society of Ireland, *First annual report for the year 1914* (Dublin, 1914), p. 7.

²³ Stevenson, *Oxford dictionary of English*.

²⁴ C.P.R.S.I., *First annual report for the year 1914*.

immediately. There was, however, from the very beginning a concern over the children of ‘unmarried’ mothers: ‘sum [sic] hundreds of Catholic expectant unmarried mothers drift annually into Dublin’.²⁵ This concern was linked to the fear of proselytism and the lack of a Catholic organisation to offer assistance to Catholic women. The C.P.R.S.I. claimed there was ‘no large Catholic organisation that would be able to help them and counter the work of Protestant agencies.’²⁶ The organisation arranged adoptions for Catholic babies whose faith was perceived as being in danger from proselytisers. It was set up to ‘save’ the souls of Catholics rather than as a child welfare agency.

Fr. Cecil Barrett was an advisor to John Charles McQuaid, archbishop of Dublin. Fr. Barrett was heavily involved in the C.P.R.S.I., occupying a role on its committee in 1950.²⁷ The C.P.R.S.I. was just one of a number of similar organisations in operation in Dublin city.²⁸ Other organisations including the Rotunda Girls Aid Society, Saint Patrick’s Home, the Society for the Protection of Destitute Catholic children and Saint Patrick’s Guild.

Saint Patrick’s Guild was located at 50 Middle Abbey Street, Dublin. In 1910, Mary Cruice had published a letter in the press regarding the inadequate provisions made by Catholics for ‘indigent’ children, and especially those who were ‘unwanted’.²⁹ Following this letter a single mother and her child were sent to seek assistance from Miss Cruice. This was the beginning of Saint Patrick’s Guild. Permission was received from the archbishop of Dublin, Dr. Walsh, for Miss Cruice to set up a guild. The building in Middle Abbey Street was purchased in 1915.³⁰ The motto of the guild was

²⁵ C.P.R.S.I., *First annual report for the year 1914*, p.7.

²⁶ C.P.R.S.I., *First annual report for the year 1914*, p.8.

²⁷ Catholic Protection and Rescue Society of Ireland, *Annual report for the year 1950* (Dublin, 1951), (inside cover).

²⁸ The C.P.R.S.I. was renamed Cúnamh in 1992 and currently offers a pregnancy advice service for those contemplating adoption.

²⁹ J.J. MacSheahan, ‘St. Patrick’s Guild’ in *Irish Monthly*, lxxi (1943), p. 357.

³⁰ MacSheahan, ‘St. Patrick’s Guild’, p. 358.

‘chun saoradh an leinbh’ (for the saving of the child).³¹ The guild mainly arranged for fostering and adoption placements. It also established a children’s hospital at Temple Hill, Blackrock, County Dublin.³² The guild was taken over by the Irish Sisters of Charity on 7 May 1943.³³ The motto of the guild remained the same, ‘to save the child’, especially the ‘unwanted’ child of the ‘unmarried’ mother.³⁴ The guild is still in existence today, but no longer arranges adoptions.

The Society for the Protection of Destitute Catholic Children (S.P.D.C.C.) operated a small scale adoption agency during the 1940s. It arranged adoptions for children born in the National Maternity Hospital, Holles Street. This hospital opened its doors in 1894 for a specific religious denomination. ‘The founding members of the new hospital were determined to create a Catholic maternity facility for a largely Catholic population.’³⁵ The S.P.D.C.C. was located on 39a Merrion Square. Holles Street too is located off Merrion Square. The Society did not have full time administrative staff or the resources available to the C.P.R.S.I. and Saint Patrick’s Guild.

The Catholic church was not the only religious denomination arranging adoptions. One such Protestant organisation was the Cottage Home for Little Children. This home was founded in 1879 by Rosa Barrett. She lived in Kingstown (Dún Laoghaire) County Dublin, where she established the Cottage Home for Little Children. She was extremely interested in child care and contributed papers to the *Journal of the Statistical and Social Inquiry Society of Ireland* on the subject.³⁶ The home was originally a crèche. ‘Catering initially for working mothers on low incomes (it cost a penny a day), the home subsequently expanded into an orphanage which by 1900

³¹Ibid.

³² Ibid, p. 359.

³³ Ibid, p. 357.

³⁴ MacSheahan, ‘St. Patrick’s Guild’, p. 364.

³⁵ Tony Farmer, *Holles street: the national maternity hospital – a centenary history* (Dublin, 1994), p. 9.

³⁶ Rosa Barrett ‘Foreign legislation on behalf of destitute and neglected children’ in *Journal of the Statistical and Social Inquiry Society of Ireland*, x (1895/1896), pp143-215 and Rosa Barrett, ‘Legislation on behalf of neglected children in America and elsewhere’ in *Journal of the Statistical and Social Inquiry Society of Ireland*, ix (1891/1892), pp 616-631.

provided care for up to forty-five children under the age of 6.³⁷ By 1950, according to *Thom's official directory Ireland 1950* the home was caring 'for little Protestant children under the age of eight years. It is, we believe the only one in Éire which receives infants of only a few months old.'³⁸ The home took in Protestant children of all denominations. It was located from 1887 on the Tivoli Road, Kingstown (later Dún Laoghaire), County Dublin. 'The building has been sanctioned by the department of public health to hold thirty-three children and there are usually some twenty children being cared for in the home.'³⁹

The Cottage Home for Little Children still exists today. It now offers a range of social services, including residential care and family assistance. Its records are available to the public, but they are not maintained by professional archivists or filed in a systematic way. The full adoption case files were removed from the records of the home at some stage in the twentieth century. What remains are letters from prospective parents who wished to adopt, and correspondence from biological parents in relation to their adopted children. There are also a number of notebooks that contain information on children adopted. Information is given on the family situation of these children, the intelligence tests carried out on the adopted children and the identity of the adoptive parents. There are also the admission books for the organisation which give the case number and names of children admitted to the home, the reasons for admission and the reason and date of discharge. While the home did on occasion discharge children for adoption in the nineteenth century, and early twentieth century, it was involved in more adoption placements during the 1940s and up to the 1960s.

The home does provide a good example of how a Protestant organisation arranged adoption and so makes comparison with the Catholic organisations possible.

³⁷ Frances Clarke and Patricia M. Byrne, 'Barrett, Rosa (Mary)' in James McGuire and James Quinn (eds) *Dictionary of Irish biography*, (Cambridge, 2009), available at Dictionary of Irish biography online (<http://dib.cambridge.org/quicksearch.do>) (5 Mar. 2012).

³⁸ *Thom's directory, Thom's official directory Ireland 1950* (Dublin, 1950), pp 834-5.

³⁹ *Ibid.*

The files are not the full adoption files, so as in the case of the Catholic sources there are gaps in the available documentation. The home was not established as an agency for the assistance of the 'unmarried mother' and this may have affected how the home arranged its adoptions.

The Cottage Home, like its Catholic counterparts, arranged for the de facto adoption of Irish children both domestically and internationally. Records of children sent to America are kept in the Department of Foreign Affairs. Children sent for adoption to America needed passports to travel. These passport applications went through the department of external affairs, which was the original name of the department of foreign affairs. Access to these files is closed to the public due to data protection laws, but access can be gained by application to the Department of Foreign Affairs archives unit. Information is given in some of the application files on the background of the adopted children and the adopting families. Some files contain surrender forms from biological mothers, as well as correspondence from those involved in arranging the adoption. These files complement the sources available in the Dublin Diocesan Archives and the Cottage Home for Little Children.

Another government department that maintained files on adoption was the Department of the Taoiseach. There is a file on the campaign for legal adoption. Within this file, there are records of the opinions of various public figures in the legal adoption debate. They also record the government response to the adoption issue. The files provide an excellent context with the documentation held in the D.D.A. They also provide context for the files of the Adoption Society.

The Adoption Society was formed in 1948 with the intention of introducing adoption legislation in Ireland. The papers of the society are currently in the National Library of Ireland. They include the registers of member of the society, minute books and the correspondence. These sources provide information on how the organisation

operated and the manner in which it was treated by officials and institutions. They also provide information on the public campaign to enact adoption legislation. The campaign mounted by this group provides information on adoption practices. E.W. McCabe was its vice president in 1949 when he contributed a paper to the *Journal of the Statistical and Social Inquiry Society of Ireland*. This was the same organisation to which Rosa Barrett had made a presentation. E.W. McCabe described the purpose of the Adoption Society as to 'arouse and encourage public interest in the promotion of the necessary legislation for adoption of children, and to effect a change in the form of the present birth certificate.'⁴⁰

The society was eventually successful in its campaign. An adoption act was passed in 1952. An organisation created in the 1952 act was the Adoption Board which was occasionally referred to by the Irish name An Bord Uchtála. The Adoption Board was a semi-judicial body.⁴¹ It implemented the law in regard to adoption but was not a legal court so could not interpret that law. It granted adoption orders and produced annual reports on its work. The first report of the board was published in 1953. In the 2010 adoption act the board was renamed the Adoption Authority of Ireland.⁴² After the enactment of the 1952 act, all adoptions had to be approved by the Adoption Board. These records are sealed. They cannot be accessed by adopted children or biological parents. Reports produced by the board provide statistical information on adoption in Ireland after 1952.

Attitudes and responses to adoption can be found in dáil and séanad debates about the 1952 adoption legislation. These debates give a clear historical insight into the social attitudes to adoption as well as providing an assessment of the political value of adoption.

⁴⁰ E.W. McCabe, 'The need for a law of adoption' in *Journal of the Statistical and Social Inquiry Society of Ireland*, xxviii (1948/9), pp 178-91 p. 178.

⁴¹ Adoption Act, 1952 (1952/25 [R.I.]) (13 Dec. 1952).

⁴² Adoption Act, 2010 (2010/21 [R.I.]) (1 Nov. 2010).

Several studies published between 1911 and 1971 are valuable source material for this study of adoption. The most prominent of these was a work written by Fr. Cecil Barrett, *Adoption: the parent, the child, the home*, which was a guide for Catholic social workers. The book also served another purpose, to inform adoptive parents.

‘Prospective adoptive parents and those who have already adopted a child, will also, it is hoped, find within these pages the answers to many of their problems.’⁴³ This book is an excellent source on the attitudes towards adoption from those involved in social work, but must be analysed with the other sources available.

Some of the other published writings that will be used as primary source material for this work include Arensberg and Kimball’s study of community life in County Clare, *Family and community in Ireland*, and *The sociology of the family* by Bernhard Häring.⁴⁴ These two studies constitute very good sources in their own right and also provide an insight into the views and structure of society.

Newspapers are another published primary source that will be used. The choice of news reported, the language used and the treatment given to adopted children provide an insight similar to that of the other published works discussed. Newspapers offer insights into the public attitude to adoption. They also offered a forum where issues and problems with adoptions were discussed publically. Owing to the informal nature of adoption before 1952 these sources are among the few that offer such insights. These sources are not without limitations. There are gaps in what they choose to report and there is an obvious bias in some of the reporting. In spite of these drawbacks these sources are still provide valuable information on the adoption process in independent Ireland. They can be used in conjunction with the dáil and séanad debates to highlight the issues that were viewed as important.

⁴³ Cecil Barrett, *Adoption: the parent, the child, the home* (Dublin, 1952), p. 7.

⁴⁴ Bernhard Häring, *The sociology of the family* (Cork, 1959) and Conrad Arensberg and Solon Kimball, *Family and community in Ireland* (Harvard, 1940).

Adoption in independent Ireland can be contextualised by examining adoption in Northern Ireland. The Public Record Office of Northern Ireland (P.R.O.N.I.) holds official files on the introduction of adoption legislation in 1929. These files contain a number of letters from a pressure group similar to the Adoption Society. This group was the Belfast Women's Association Committee (B.W.A.C.). This organisation was concerned with what were deemed to be women's issues. It lobbied the Northern Irish prime minister for adoption legislation. The files in P.R.O.N.I. are incomplete but they do provide a source for a comparative analysis of adoption in independent Ireland.

This thesis begins by giving a history of adoption in the United States of America and the United Kingdom. The law and practice of adoption in Ireland between 1911 and 1929 is then examined and compared with the adoption histories of the United States and the United Kingdom. Political responses to adoption are also examined. Significant factors that made adoption in Ireland unique are established in the opening to this thesis.

Adoption legislation in independent Ireland remained unrealised in the 1930s and 1940s. After the legalisation of adoption in Northern Ireland in 1929, adoption patterns in independent Ireland become more distinct. The second chapter in this thesis will focus on these patterns. Attention is given to how organisations that arranged adoption functioned and an assessment of the religious influence on adoption is conducted.

The third chapter discusses the campaign for legal adoption in independent Ireland. The development and role of the Adoption Society will be explored. There is also an exploration of other groups that pressed for adoption and the media treatment adoption received. Church and party political responses to legal adoption are explored in this chapter.

The first adoption law in 1952 is the subject of analysis in the fourth chapter. This law is assessed in comparison with adoption laws introduced in the United Kingdom around the same time. The content of the Irish law is assessed and the influence of the various pressure groups on the 1952 legislation is investigated.

The fifth and final chapter in this thesis addresses adoption in the Irish Republic after 1952. Sources utilised for this section are the Adoption Board annual reports. These give an indication of adoption practice after legislation. The adoption act of 1964 is examined in this section.⁴⁵

The main research questions that will be tackled in this thesis are: how did Ireland's adoption practices compare to international standards? What was the role of the various lobbying groups, including Protestants, in securing the introduction of adoption legislation in 1952? How did the acts of 1952 and 1964 affect adoption practices in Ireland? By exploring these issues and addressing these questions this thesis sheds new light on aspects of the social history of twentieth century Ireland.

⁴⁵ Adoption Act, 1964 (1964/2 [R.I.]) (5 Feb. 1964).

Chapter one: Adoption: the historical background. c. 1911 - 1929

The history of adoption in Ireland belongs in a wider historical context. In this chapter the history of adoption in the United States will be examined, as will the legislation enacted in Britain in 1926 and in Northern Ireland in 1929. Ireland did not have an adoption act at this time but by assessing the English and Northern Irish legislation it is possible to gain an understanding of international adoption standards. An examination of the 1911 census provides a greater understanding of adoption practice in Ireland. It is also necessary to understand the role that women and children played within society in order to understand how adoption functioned in that society.

The nineteenth century saw a societal change in attitude towards children. Children were not always valued for their own existence but were, on occasion, valued because they offered an economic service, particularly in agricultural and industrial settings. With the industrial revolution and the introduction of labour-saving devices, however, children became less valued for their economic contributions. This was especially true of middle-class children. When the value of children changed, the way in which they were being treated was reassessed: ‘the emergence of legislation and protective organisations would suggest that a premium was placed on the life of children that had not existed previously.’¹ In the late nineteenth century legislation was introduced to protect children.² This value was reassessed further in the 1920s, when women’s place within the home was strongly commended by the state. ‘The government and its supporters authoritatively asserted that the primary role of women was marriage and motherhood, that woman’s place was in the home, tending to the needs of their husbands, raising their children.’³ Women were expected to have children

¹ Diarmaid Ferriter, *Occasions of sin: sex and society in modern Ireland* (London, 2012), p. 45.

² Joseph Robbins, *A study of charity children in Ireland 1700-1900* (Dublin, 1980), p. 307-8

³ Maryann Gialanella Valiulus, ‘Power gender and identity in the Irish Free State’ in *The Journal of Women’s History*, xi (1995) pp 117-36 p. 122.

and, in general, their value as members of society was associated with their ability to produce them.

While it was important for women across all sections of society to produce children within marriage, women who had children outside of marriage were stigmatised. A woman who had had a child out of wedlock had difficulty in finding a husband.⁴ It is also interesting to note that the legal responsibility of sexual behaviour fell unjustly on the female: ‘in sex related offences such as adultery, prostitution and illegitimate birth, the law treated women as the more guilty and punishable party’.⁵ The unmarried mother was not an acceptable individual in Irish society. Similar stigmas were faced by women in the United States.

Compared with Ireland, the history of adoption in the United States of America has attracted greater scholarly interest, although the most prominent historian on adoption in the United States, Wayne Carp, has claimed that scholarship on adoption is limited: ‘in light of the potential richness of the topic, it is surprising that there have been no comprehensive histories of adoption in the United States and that scholars generally have neglected the topic.’⁶ While the full potential for adoption histories has not been realised in the United States, it is a growing field of research. Adoption as an academic subject of study is reflected by the establishment of *Adoption & Culture, The Interdisciplinary Journal of the Alliance for the Study of Adoption and Culture*. This journal is published by the Alliance for the Study of Adoption and Culture which was formed in 1998.⁷ The alliance aims to promote studies of adoption in the humanities and also aims to promote creative contributions to adoption, including poetry and written

⁴ Conrad M. Arensberg and Solon Kimball, *Family and community in Ireland*, (2nd ed., Harvard, 1968), p. 208.

⁵ Mary Cullen, ‘History women and history men: The politics of women's history’ in *History Ireland*, ii, no.2, pp 31-6 p. 2.

⁶ E. Wayne Carp, ‘Introduction’ in E. Wayne Carp (ed.), *Adoption in America: historical perspectives* (Michigan, 2002), pp 1-27 p.2.

⁷ *The Interdisciplinary Journal of the Alliance for the Study of Adoption and Culture* ‘Home page’ (www.pitt.edu/~asac/adoption&culture/Home.html) (29 June 2012).

work. The majority of the executive of the organisation are university-based and the association's website is hosted by the University of Pittsburgh. The organisation has also organised a number of conferences. In spite of Carp's reservations about the level of research conducted in the United States, compared to Ireland it is a burgeoning academic field. Further comparison shows that adoption studies in the United States and Ireland face similar problems.

A possible reason for scholarly reluctance to engage with adoption in the United States and Ireland is the scarcity of sources. In discussing the difficulty of finding information on biological mothers, Carp identifies similar problems to those which an Irish study of adoption encounters: 'poorly kept records during the early twentieth century, the social stigma surrounding illegitimacy, and the inability of researchers to access adoption case records have drawn a veil over the social characteristics of this category of adoption agency clients.'⁸ This assessment of the difficulty American researchers have in identifying sources could very easily apply to Ireland. Despite these difficulties adoption is beginning to be studied in America and it is possible to use this history to highlight the uniqueness of Irish adoption practices and legislation.

The first adoption law in the United States of America was passed in Massachusetts in 1851. This adoption act is believed to be the first modern adoption law.⁹ The act had eight sections. The first section gave any inhabitant of the commonwealth of Massachusetts the right to adopt any child. They were required to apply to the judge of probate in the county where they resided.¹⁰ No definition of adoption was given in the act. The second section of the act required, if they were still

⁸ E. Wayne Carp and Anna Leon-Guerrero, 'When in doubt, count: World War II as a watershed in the history of adoption' in E. Wayne Carp (ed.), *Adoption in America: historical perspectives* (Michigan, 2002), pp 181-218 p.183.

⁹ E. Wayne Carp, 'Adoption and the family in early-twentieth-century America' p. 66.

¹⁰ An act to provide for the adoption of children, 1851 c. 324 (24 May 1851) in Secretary of the Commonwealth of Massachusetts, *Acts and resolves passed by the general court of Massachusetts in the years 1849, 1850, 1851: together with the messages* (Boston, 1851), pp 815-6 available at the Internet Archive, (http://archive.org/stream/actsresolvespass184951mass/actsresolvespass184951mass_djvu.txt) (3 Oct. 2013)

living, the consent for an adoption by either or both biological parents. In the place of parents a legal guardian could give consent but if a child did not have a legal guardian, and their parents were dead, the next of kin living in Massachusetts was required to give their consent. If there was no next of kin a judge could appoint someone to act in that role and to give or withhold consent accordingly.¹¹ If the child was fourteen or older the adoption order could not be made without the child's consent.¹² Section four of the act stated that a husband could not make a petition for adoption without the consent of his wife. A wife also could not make a petition for adoption without the consent of her husband.¹³ In section five if a judge was

Satisfied [that]... the petitioners, are of sufficient ability to bring up the child, and furnish suitable nurture and education, having reference to the degree and condition of its parents... such child should be deemed and taken, to all legal intents and purposes, the child of the petitioner or petitioners.¹⁴

According to section six, any child that was adopted was the child of the adopters as though the child had been born to them lawful wedlock. The law, however, was restricted: 'saving only that such child shall not be deemed capable of taking property expressly limited to the heirs of the body or bodies of such petitioner or petitioners.'¹⁵ Section seven removed the parental rights of biological parents and the adopted child was 'freed from all legal obligations of maintenance and obedience, as respects such natural parents or parents'.¹⁶ The final section of the act allowed petitioners, children and any next friend¹⁷ to appeal the ruling of a judge of probate to the supreme judicial court.¹⁸ The Massachusetts act did not define adoption, or place any limitations on those who could adopt. It did allow for the permanent transferral of

¹¹ An act to provide for the adoption of children, 1851 c. 324 (24 May 1851) § 2.

¹² Ibid, § 3.

¹³ Ibid, § 4.

¹⁴ Ibid, § 5.

¹⁵ An act to provide for the adoption of children, 1851 c. 324 (24 May 1851) § 6.

¹⁶ Ibid § 7.

¹⁷ This was 'closest friend or relative; (later, *Law*) a person acting for an infant, for someone lacking the mental capability to act for themselves, or for a married woman.' in Angus Stevenson (ed.), *Oxford dictionary of English* (Oxford, 2011), available at Oxford English dictionary (<http://www.oed.com/view/Entry/2677?rskey=RrgGm9&result=8#eid216351411>) (2 Mar. 2012).

¹⁸ An act to provide for the adoption of children, 1851 c. 324 (24 May 1851) § 8.

parental rights. While adoption in Massachusetts was legislated for at an early stage, adoption developed across the United States in different ways.

Informal adoption was practiced in the United States for much of the nineteenth century and had a similar development to its European counterparts. The historian Susan L. Porter has noted that ‘unrelated children could commonly be found as apprentices or indentured servants in nineteenth-century households’.¹⁹ It is from these practices that Porter believes that adoption began: ‘more as an offshoot of indenture (an economic and conditional contract based on the exchange of labour) rather than as a legal arrangement based on mutual sentiment.’²⁰ Porter’s analysis places the origins of adoption on the economic value of children. The changing economic value of children then in turn changed attitudes towards adopted children. Ellen Herman places the changing attitude to adoption in the United States in the context of industrial development. She argues that adoption laws were ‘formal codes distinguishing the United States from preindustrial societies in which adoption was one of many possible transactions between natal and non-natal kinship that satisfied needs for labour, religious practice and heirship.’²¹ The state of Pennsylvania enacted the second United States adoption law in 1853. This act required the courts to be satisfied that the adoption was for the welfare of the adopted child. This act ‘came to be regarded as a model, and twenty-four states enacted similar laws.’²² A further piece of significant legislation in American adoption was the 1917 children’s code of Minnesota. ‘Minnesota became the first state to require an investigation to determine whether a proposed adoptive home was suitable for a child.’²³ Adoption law in the United States developed organically;

¹⁹ Susan L. Porter, ‘A good home: indenture and adoption in nineteenth century orphanages’ in E. Wayne Carp (ed.), *Adoption in America: historical perspectives* (Michigan, 2002), pp 27-51 p.27.

²⁰ Porter, ‘A good home’ pp 27-8.

²¹ Ellen Herman, *Kinship by design: A history of adoption in the modern United States* (Chicago, 2008), p. 21.

²² E. Wayne Carp, ‘Introduction’ in E. Wayne Carp (ed.), *Adoption in America: historical perspectives* (Michigan, 2002), pp 1-27 p.6.

²³ *Ibid*, p.8.

laws were enacted when the need for legislation was evident and they evolved based on need and experience.

Adoption practice developed further in the 1940s and 1950s:

the baby boom era's dramatic rise in marriages and births was largely responsible for the increase demand for children to adopt and resulted in adoption agencies being inundated with requests for children. Parenthood became a patriotic necessity. The media romanticised babies, glorified motherhood, and identified fatherhood with masculinity and good citizenship.²⁴

This does not mean that adoption was an accepted aspect in American life, however, 'during the late nineteenth and early twentieth centuries, a broad segment of the American public believed that adoption was an unnatural action that created ersatz or second rate families. The language used underscored the inferior nature of adoption: in popular discourse, adoptive parents were always juxtaposed with "natural" or "normal" ones'.²⁵ While adoption was legislated for in the United States, it does not appear that the practice was treated as a choice but rather as an alternative to the formation of a biological family. This was not entirely different from the adoption situation in the Irish Free State.

Adoption in the United States was not as advanced as the legislation provided suggests and not all adoption practices were beneficial to the children involved. 'Orphan trains', for example, operated from eastern cities to the mid-western region of the United States. These trains transported children for relocation with new families. Those who arranged the trains 'aimed to permanently separate children, geographically and culturally, from their Catholic parents and communities by placing them in worthy Anglo-Protestant families that would Americanise and salvage their civic potential while simultaneously reducing urban poverty and crime.'²⁶ Creating a geographical difference between parents and their children was not unique; in England children were

²⁴ Ibid, p.13.

²⁵ Ibid, p.9.

²⁶ Ellen Herman, *Kinship by design: A history of adoption in the modern United States* (Chicago, 2008), p. 24.

sent to Canada. They were sent to rural areas of Canada as farm hands, these arrangements were occasionally referred to as adoptions but were more likely apprenticeships.²⁷

There was also a religious element to adoption in America and adoptions were occasionally arranged based on segregated religious grounds. There has been a brief comparative study conducted of Catholic and Jewish adoption practice in Chicago over the hundred year period from 1833 to 1933.²⁸ The study identified that ‘Catholics supported institutional settings where they could be assured of the children’s religious training to a far greater extent than Jews or Protestants.’²⁹ This would suggest that there was a hesitation among American Catholics to place children for adoption. There was also a hesitation on the part of some Jewish groups: ‘because legal adoption does not exist in Jewish law, reformed German Jewish women were more concerned than were the Orthodox with the plight of poor mothers and dependent children. Many ultra-orthodox still, to this day, do not believe in adoption.’³⁰ It is clear from this examination of the religious aspect to adoption that the religion of the child was important. The use of ‘orphan trains’ suggests a lack of respect for immigrants and scepticism about the possible contribution that they could make to American society because of their poverty. The desire for immigrant groups to maintain their individual religious identity can be seen in the decision of Catholic Americans to raise destitute children in their own institutions instead of placing them in homes where it may not have been possible to monitor their religious development. The rejection of adoption by ultra-orthodox Jews suggests that to some religious groups adoption was an unacceptable child welfare measure.

²⁷ Joy Parr, *Labouring children, British immigrant apprentices to Canada, 1869–1924* (Toronto, 1994) pp 82-96

²⁸ Paula F. Pfeffer, ‘A historical comparison of Catholic and Jewish adoption practices in Chicago, 1833-1933’ in Wayne Carp (ed.), *Adoption in America: historical perspectives* (Michigan, 2002), pp 101-104.

²⁹ Pfeffer, ‘A historical comparison’ p.109.

³⁰ Pfeffer, ‘A historical comparison’ p.107.

Adoption in America was also heavily affected by popular social movements: ‘adoption suffered the association of the eugenic movements. The post-1910 rise of the eugenics movement and psychometric testing led adopted children to be linked to inherited mental defects.’³¹ Eugenics was a pseudo science that created a hierarchy based on genetics and heredity, it allowed for discrimination based on birth. The effects that the eugenics movement had on adoptions were immense: ‘even popular magazines warned adoptive parents against the risk of “bad heredity”.’³² Nearly every character trait was associated with a hereditary connection: race, physical health, mental health, criminality, as well as, educability, sexual morality, intelligence, and temperament.³³ Even though a child could be raised by a family that was in a loose sense of the word ‘respectable’, if they came from ‘bad stock’ nothing could be done for them. Hereditary defects were seen as influential to the character of a child and the influence of ‘blood’ was never underestimated. This affected the view that many Americans had of adoption.

As noted, adoption in America was first legislated for in 1851, there were many flaws with the legislation and the adoption practices that developed in the United States, including the fact that there was no federal law on adoption. However, although these laws are still one of the first examples of the emergence of adoption in its modern form, and the example of American adoption is useful, adoption in Ireland is better understood through examining child welfare in the United Kingdom and Ireland during the nineteenth century and into the early twentieth century.

Adoption within the United Kingdom and Ireland emerged in the nineteenth century through the process of putting children ‘out to nurse’. The Poor Law Relief Act (Ireland) 1862 introduced this practice of ‘nursing out’.³⁴ ‘Out to nurse’ meant children were placed with non- biological families for their care and nurture and, in return, the

³¹ Wayne Carp, ‘Introduction’ in E. Wayne Carp (ed.), *Adoption in America: historical perspectives* p.9.

³² Ibid, p.2.

³³ Herman, *Kinship by design* p. 30.

³⁴ An act to amend the laws in force for the relief of the destitute poor in Ireland and to continue the powers of the commissioners, 1862 25 & 26 Vict, c. 83 (7 Aug. 1862).

family received a small sum of money; this developed as an alternative to children being raised in the workhouse. The benefits of raising children in families instead of in an institution were identified in the 1862 legislation itself: ‘whereas it has been found that the mortality among infant children admitted into the workhouse without their mothers is very large, and that in other respects the workhouses are not well suited in all cases for the care and nurture of such children during infancy’.³⁵ In 1869 the age at which children were permitted to remain ‘out to nurse’ rose to ten; this was now the maximum age at which a child could remain at nurse. It was also stipulated that a child was not to be placed out to nurse with people who were not of the same religion as the child.³⁶ In 1876 the age limit was again raised, this time to thirteen years.³⁷ This meant that a child could be boarded out till they were at an age where they could earn a living.

In 1889 an act was introduced to give boards of guardians the same rights as parents.³⁸ In this act, the board of guardians took parental responsibility away from some parents and assumed parental responsibilities themselves. The removal of parental rights was not permanent and could be reinstated if it was deemed to be in the child’s best interests. The first legal mention of the term ‘adoption’ was in the Poor Law Act of 1899. This act gave permission for a child to be adopted by any person that the local poor law union saw fit.³⁹ This act governed the adoption of children by families to which they were not biologically related.

³⁵ Ibid, section 9.

³⁶ An act to amend the act of the twenty-fifth and twenty-sixth years of Victoria, chapter eighty three, section 9, by extending the age at which orphan and deserted children may be kept out at nurse 1869 32 & 33 Vict. c. 25 (12 Jul. 1869).

³⁷ An act to extend the limits of age up to which, with the assent of the board of guardians, orphan and deserted pauper children may be supported out of workhouses, 1876 39 & 40 Vict. c. 38 (11 Aug. 1876).

³⁸ An act to amend the law respecting children in workhouses, and respecting the borrowing of money by guardians and managers in district schools, and respecting the managers of the metropolitan district 1889, 52 & 53 Vict. c. 56 (30 Aug. 1889).

³⁹ An act to amend section one of the poor law at, 1889, and section four of the pauper inmate discharge and regulation at 1871 62 & 63 Vict. c.37 (9 Aug. 1899).

Certain difficulties with adoption were identified in a circular letter from the Local Government Board of Ireland in 1903. The letter addressed fears about child labour associated with adoption:

Adoption in many cases is merely a pretext under the cover of which a child of less than 12 years of age is hired out in violation of section 4 of the pauper children (Ireland) Act 1898; and when the child passes from the guardians' control, it becomes little more than an unpaid servant, with the result that its physical and mental well-being alike suffer.⁴⁰

Adoption became a financial arrangement that could endanger the life of the adopted child. These children were viewed as free or cheap labour and were often mistreated in the families where they were placed. They 'lived in' as servants earning their board and keep. These children were not always assimilated into an existing family unit. The circular letter and later reports from the 'Inspector of boarded out children' suggest that this was a significant danger associated with adoption: 'It is to be feared that in some cases adoption is looked upon by guardians too much as an economical method of getting rid of their own responsibility towards the children, and that the real interests of the latter are not sufficiently considered.'⁴¹ Adoption in the nineteenth century was not always the safest form of child care, but was actually a convenient way for the boards of guardians to remove children from their registers and relieve them of the financial responsibility of these children.

The Children's Act of 1908 furthered child welfare legislation introduced in the late nineteenth century. The act rescinded all previous poor law legislation. There was no mention of adoption in this act.⁴² If a child was to be fostered, notice needed to be given to the local authorities, but only if there was an exchange of money for the placement. Where no money changed hands, there was no reason to make any

⁴⁰ *Thirty-first annual report of the Local Government Board for Ireland, for the year ending 31st March 1903*, xxvii, 1 [Cd. 2012], H.C. 1904, 114.

⁴¹ *Ibid.*

⁴² An act to consolidate and amend the law relating to the protection of children and young persons, reformatory and industrial schools and juvenile offenders, and otherwise to amend the law with respect to children and young persons 8 Edw. VII c.67 (21 Dec. 1908).

identifying declarations. This act represents a regression in adoption practice and left Ireland without a legal basis for adoption.

The poor law unions were not the only bodies sending children ‘out to nurse’ or placing children in adoption arrangements. Philanthropic organisations also had fostering and ‘nursing’ practices that resulted in de facto adoptions in the nineteenth century in Ireland and England. The language used by these organisations towards the children in their care shaped the perception of adoption that developed. Such charitable organisations were run by middle class men and women and, while offering assistance to the poor, acted in a manner that was controlling of those who were receiving aid.⁴³ Margaret Preston has conducted a study into philanthropy in nineteenth century Dublin and found that ‘through the language of charity, Ireland’s Protestant and Catholic philanthropists reinforced their authority over the poor’.⁴⁴

In England, Murdoch claims that ‘in order to gain public support for their much needed services, philanthropists used melodramatic elements to construct a world clearly divided between good and evil forces, victims and villains, in which any surviving parent played the role of unloving and abusive enemies of their children.’⁴⁵ One of the main organisations that Murdoch looked at was Barnardos. This presentation of parents as villains allowed for charitable organisations to undermine and ignore parental contributions when considering the children in their care. The image presented to the public of children requiring care was that of neglected or abandoned children or orphans whose parents had no interest in them. Murdoch argues that this was not the reality but rather the desired projection from welfare organisations in order to elicit funds. However, it is important to note that the public perception of such charitable organisations was that they cared for the deserted or orphaned child. ‘Boarding- out’,

⁴³ Margaret Preston, “‘The unobtrusive classes of the meritorious poor’” *Gentlewomen, social control and the language of charity in nineteenth-century Dublin* (PhD thesis, Boston College, Boston, 1999), p.88

⁴⁴Ibid.

⁴⁵ Lydia Murdoch, *Imagined orphans: poor families, child welfare, and contested citizenship in London* (New Brunswick, 2006), p.24.

which developed into adoption, was perceived as being for the benefit of abandoned or orphaned children. The birth parents (if known) of these children were rarely given a public voice in nineteenth century discussions of charity.

Another aspect to these philanthropic organisations was their religious affiliations. Most of these organisations were associated with a religious denomination and this often led to accusations of proselytism. As noted above, proselytism is defined as ‘the practice of proselytizing; the making or seeking of converts.’⁴⁶ Adoption was regularly discussed within the context of proselytism. This became an issue of popular concern in Ireland during the nineteenth century: ‘societies to convert Irish Catholics were formed in the years following the Act of Union in 1800, as many Protestants of both England and Ireland came to view the Roman Catholic religion of Ireland as the root of all her backwardness and her rebelliousness.’⁴⁷

Desmond Bowen conducted a study on proselytism in the west of Ireland. He discusses whether there was proselytism to the level described in folklore. While he focuses on the west of Ireland during the famine, his study does allow for some comparisons. Bowen makes the point that it is impossible to assess how genuine some accusations of proselytism were. If aid was offered to a member of another religious denomination was it then an act of proselytism? It was on many occasions simply an act of human kindness. However, the second reformation in the early Victorian era brought a revived evangelicalism and some ultra Protestants saw it as their mission to convert as many Catholics as possible into the Protestant faith. Accusations of proselytism relating to children arose in the context of the poor law system in Ireland. As Bowen argues, ‘Catholics also bridled when foundlings were sometimes baptized Protestant, although their parents had most probably been Catholic. The result of such

⁴⁶ Angus Stevenson (ed.), *Oxford dictionary of English* (Oxford, 2011), available at Oxford English dictionary (<http://www.oed.com/view/Entry/2677?rkey=RrgGm9&result=8#eid216351411>) (2 Mar. 2012).

⁴⁷ Miriam Moffitt, *Soupers and jumpers: the Protestant missions in Connemara 1848-1937* (Dublin, 2008), p.13.

widespread suspicion and resentment was an unseemly struggle over which religious body baptised the children brought into the workhouse.’⁴⁸ Catholics were also guilty of attempting to proselytise. Desmond Bowen raises the point that within the workhouse there was a Catholic majority and that ‘Catholic bigotry could well force a weak-willed person to convert to the majority faith.’ He found that evidence for this claim was also to be found from reports in the *Derry Sentinel* in August 1847.⁴⁹

Beginning in the nineteenth century, there was a constant debate and fear about proselytism being carried out in both Catholic and Protestant organisations operating in Ireland. While fears of proselytising were particularly evident during the Famine period and especially in the west of Ireland, that fear was also present in the twentieth century when assistance was offered to pregnant unmarried women by various religious organisations. These organisations were mainly based in Dublin. The logic behind this was that women from the country could go to Dublin and hide their pregnancy from the local community and therefore maintain their good name.

In 1913 a Catholic chose to write a pamphlet anonymously, condemning those of the Protestant faith believed responsible for proselytism: ‘the Irish Protestant approves of proselytism and no arguments for justice or fair play will have any weight with him against it’.⁵⁰ The author signed him/herself a member of the tolerant majority; however, this pamphlet clearly shows that the author was suspicious of Irish Protestantism and believed that the ‘Irish Protestant’ did not listen to arguments of a reasonable nature. This suspicion and fear was present in services provided to ‘unmarried mothers’. ‘One of the tolerant majority’ believed ‘the infant is taken from the poor unmarried mother and she is constrained to allow it to be brought up in a religion that she disapproves of’.⁵¹ This assertion implied that the unmarried mother

⁴⁸ Desmond Bowen, *Souperism: myth or reality, a study in souperism* (Cork, 1970), p.44.

⁴⁹ Ibid.

⁵⁰ One of the tolerant majority, *Grievances in Ireland* (Dublin, 1913), p.14.

⁵¹ One of the tolerant majority, p.16.

had no control over her personal situation and that there was a fear that children would be taken away from their mothers and placed in the care of an individual from a religion that differed from that of the biological parents.

It was not just pamphlets that were produced but talks and papers were also delivered on the work of proselytisers and ‘unmarried mothers’. ‘The proselytiser is the product of a shameful defect in the Protestant system of religious teaching, and we shall never be able to do much more than indirectly influence him.’⁵² This was the sentiment expressed to the Maynooth Union by Fr. M. Creedon in 1926. In his assessment of the dangers of proselytism, Fr. Creedon made no mention of the prospect of improved laws that could help ‘unmarried mothers’. Instead, he argued that ‘unmarried mothers’ were an obstacle in the ‘fight’ against proselytisers: ‘there is a particular organisation constituted for this purpose, with a comprehensive charter, national in its scope; yet, from a variety of causes it is unable to play the part, and its energies are mainly given up to a single aspect of the unmarried mother problem.’⁵³ This organisation is never identified but it is important to note that it was not just Protestant organisations that were suspected of proselytism: ‘all philanthropists, whether Catholic or Protestant, were intent on imparting their own religious views to their charges, and amassing souls for God was seen as part of their duty.’⁵⁴ In the twentieth century proselytism was often a competition for the souls of ‘fallen’ women and their children.

There are no official government records on de facto adoptions arranged in the early twentieth century to confirm or undermine claims about proselytism. It is possible, however, to use existing sources to assess adoption practices in the island of Ireland in 1911. The census of Ireland taken in 1911 can provide much information about life in Ireland.

⁵² Fr. M. Creedon, *Proselytism: its operation in Ireland, a paper read at the annual meeting of the Maynooth Union*, June, 1926 (Dublin, 1926), p. 5.

⁵³ One of the tolerant majority, p.14.

⁵⁴ Maria Luddy, *Women and philanthropy in nineteenth-century Ireland* (Cambridge. 1995), p.83.

The 1911 census provides information on a number of children adopted informally and provides an insight into family practices at the time. A database has been compiled using information from this source.⁵⁵ In the census returns there was a section identifying the relationship of an individual to the head of the family. In some cases this relationship was established as being that of an ‘adopted’ child or an ‘adopted son’ or ‘daughter’.

Fig. 1.1 Sample return identifying a child as adopted.

RELATION to Head of Family.	RELIGIOUS PROFESSION.	EDUCATION.	AGE (last Birthday) and SEX.	
			Ages of Males.	Ages of Females.
State whether "Head of Family," or "Wife," "Son," "Daughter," or other Relative; "Visitor," "Boarder," "Servant," &c.	State here the particular Religion, or Religious Denomination, to which each person belongs. [Members of Protestant Denominations are requested not to describe themselves by the vague term "Protestant," but to enter the name of the Particular Church, Denomination, or Body to which they belong.]	State here whether he or she can "Read and Write," can "Read" only, or "Cannot Read."	Insert Age opposite each name:—the Ages of Males in column 6, and the Ages of Females in column 7. For Infants under one year state the age in months, as "under 1 month," "1 month," "2 months," &c.	
3.	4.	5.	6.	7.
Head of Family	Presbyterian	Read & write	71	
Wife	Presbyterian	Read & write	42	
Daughter	Presbyterian	Read & write	—	41
Adopted son	Presbyterian	—	1	—

(Source: Sample taken from County Antrim, in database of adopted children compiled from the census of 1911, appendix 1).⁵⁶

The child was identified as not biologically connected to the head of household, but as an adopted child. The families recorded in the database are only those where the term ‘adopted’ was used. In the census, many adopted children would not have been

⁵⁵ Appendix 1, Children recorded as ‘adopted’ in the 1911 census of Ireland available at <http://www.census.nationalarchives.ie/> (09 March 2011).

⁵⁶ Entry three in the database of adopted children, appendix 1, Children recorded as ‘adopted’ in the 1911 census of Ireland available at <http://www.census.nationalarchives.ie/> (09 March 2011)

identified as such. They may simply have been listed as the children of the head of household. Therefore, the children identified in this study may only represent a small number of the total adopted children.

The database was used to analyse all families that identified the presence of an adopted child. There is no facility to search for an adopted child as such, so the most convenient way to identify adopted children was to search under the heading of 'other'. Owing to the volume of cases an age limit of one year was applied. This meant that all of the results returned were for individuals between the ages of one and six (there is a five year margin of error within the census itself). This limited the possible number of results and allowed for a more detailed and comprehensive analysis of the census. Each county was examined on an individual basis. The database created had sixteen fields. These fields included the sex of the adopted child, other adopted children within the family, and the religion of the parties involved in the adoption. The number of biological children within the home was also examined. The way the census was phrased leads to ambiguity in assessing the number of biological children in a family. On the census form there is a question that asks about the number of 'children born alive to present marriage'.⁵⁷ Any number given in this section was taken to be the correct number of biological children regardless of how many children were present in the house on census night or the marital status of the parent.

⁵⁷ Census of Ire., 1911 available at <http://www.census.nationalarchives.ie/> (09 March 2011)

Fig. 1. 2 Sample form identifying the number of children born into a marriage.

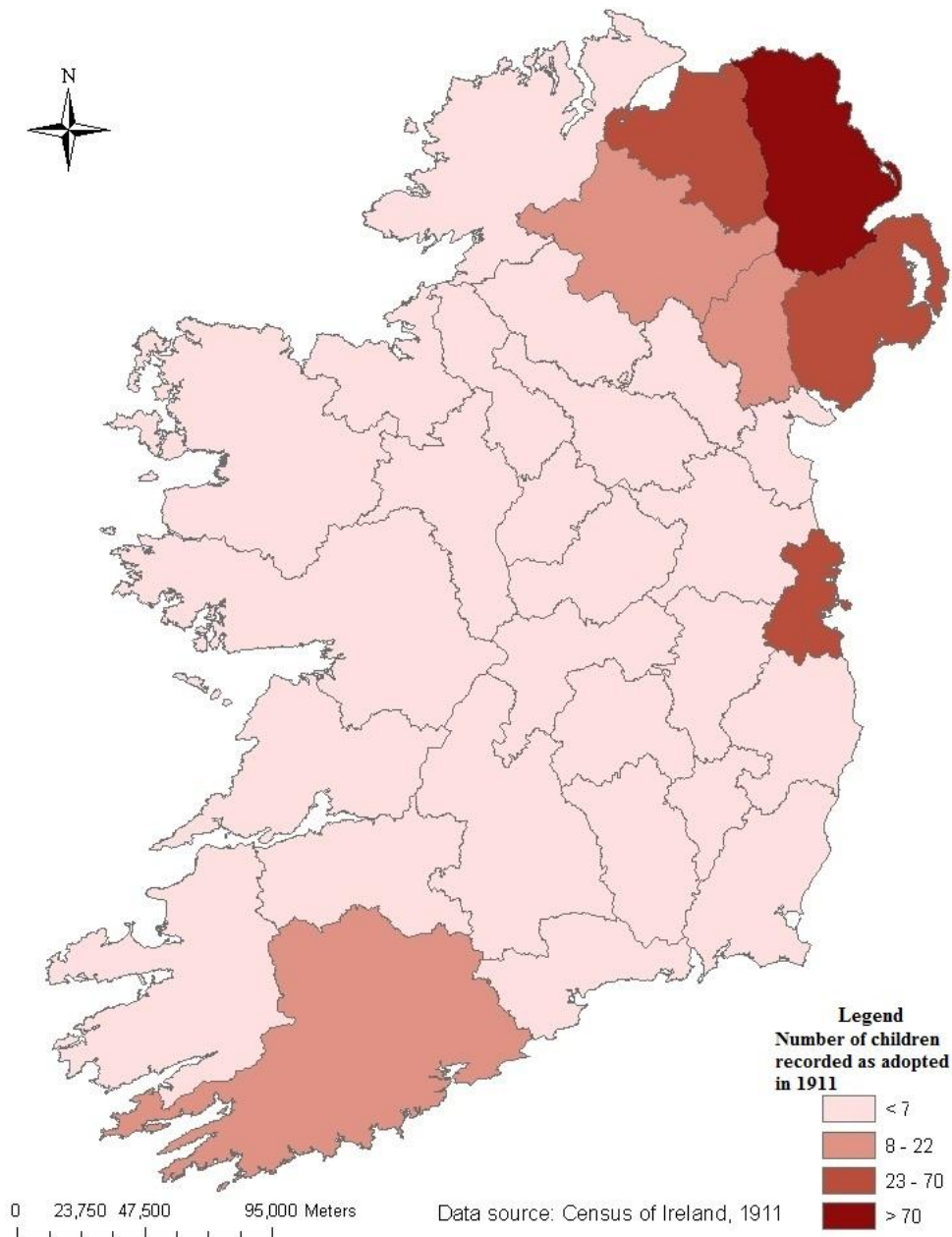
Children born alive to present Marriage. If no children born alive, write "None" in column 11.	
Total Children born alive.	Children still living.

(Source: Sample taken from County Antrim, in database of adopted children in the census of 1911.)⁵⁸

The other field that requires some explanation is the religion of the head of household and the religion of the child. The religion of the head of household in the census was taken as that of the adoptive parents. In some instances, there was a difference in religion between the religion of the head of household and the religion of the adopted child. This was sometimes explained by the religion of the adoptive mother and the adoptive child being the same. Although this method does not demonstrate the subtleties and nuances involved in the religious diversity of some families, it allows for analysis of the religious affiliation of adoptive families.

⁵⁸ Entry three in the database of 'adopted' children in the census of 1911, Appendix 1, Children recorded as 'adopted' in the 1911 census of Ireland available at <http://www.census.nationalarchives.ie/> (09 March 2011)

Fig. 1.3 Map demonstrating the numbers of adopted children by county.



(Source: appendix 1: Children recorded as adopted in the 1911 census of Ireland.)⁵⁹

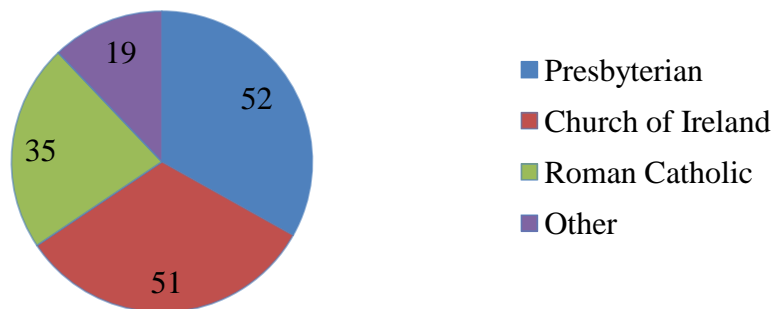
The breakdown of adoption figures from the census shows a disparity between five counties that would become part of Northern Ireland and the rest of the country, except for counties Cork and Dublin. The county with the most adoptions was Antrim

⁵⁹ Appendix 1, Children recorded as adopted in the 1911 census of Ireland available at <http://www.census.nationalarchives.ie/> (09 March 2011). Map created by Claire McGing in the department of Geography, NUI Maynooth.

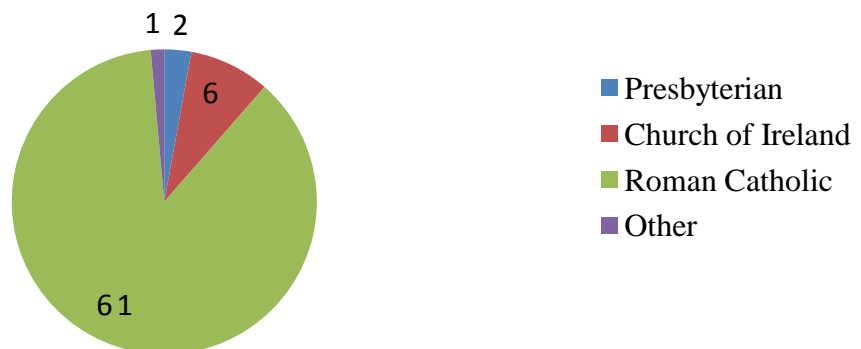
followed by Dublin with only half as many. Of 438 adoptions in Ireland, 157 were in Antrim. The reason for such a large number of adoptions in one location is difficult to identify. It is possible that Belfast, as a prosperous large industrial and urban centre, had better established religious and social networks that aided the process of adoption.

Fig. 1.4: Adoptions in Co. Antrim and Co. Dublin by religion, 1911 census

Adoptions in County Antrim by religion (157 cases)



Adoptions in County Dublin by religion (70 cases)



(Source: Appendix 1, Children recorded as adopted in the 1911 census of Ireland.)⁶⁰

⁶⁰ Appendix 1, Children recorded as adopted in the 1911 census of Ireland available at <http://www.census.nationalarchives.ie/> (09 March 2011).

Another factor could be religion. Of the 157 adopted families in Antrim, there were only thirty five Roman Catholic adoptions. The majority of adopters were from various Protestant denominations. In Dublin, out of seventy adoptions, sixty-one were identified as being within families that had a Catholic as the head of household. County Dublin had a population of 185,090 and County Antrim had a population of 190,659.⁶¹ In Antrim, there were equal numbers of Church of Ireland and Presbyterians adopting: fifty-one and fifty-two respectively. In Dublin there were only two Presbyterian adoptions and six Church of Ireland adoptions. This shows that the religious persuasion of adopters differed in different regions. It would suggest that it was more acceptable to adopt a child, or to publicise that one had adopted a child, if one was/were a Protestant from the Antrim region.

County Down shows the same pattern as County Antrim. The counties are located close together and had similar religious profiles which could account for their similar statistics. County Down had the third highest adoption figures. It is noticeable that in rural counties there were few if any adoptions listed. Cavan, Clare, Carlow, Galway, Longford and King's County returned no adoptions. With the exception of Galway none of these counties had a large urban district. A number of counties returned adoption numbers as low as between one and six. There may have been a stigma attached to adoption in rural areas with few people identifying their children as adopted.

To understand some of these adoption patterns, the present study identified and examined those who were adopting. Of 438 adoptions, 335 married couples had adopted children. In addition there were fifty-eight adoptions by widows, eleven by widowers, and thirty two adopters were single. The possible importance of forming a family unit is clear from the number of married couples adopting. The more surprising finding is the number of single people adopting; thirty-two adopters were single and six of these

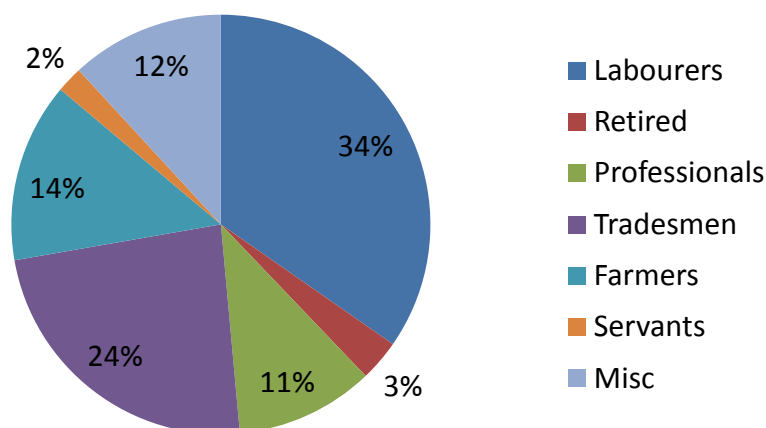
⁶¹ Census of Ireland for the year 1911, pp8-9 [Cd. 5691], H.C. 1911, lxxi, 648-649.

single people were men. It is possible that some adopted children were relatives who came to stay on a more permanent basis or possibly children that were taken in as unpaid workers.

In the research undertaken into the twenty-six female adopters, five single adoptive mothers were found to be under thirty years of age. The rest were over thirty with the oldest being sixty-nine. As the twentieth century advanced, restrictions were placed on the type of people who were allowed to adopt. By 1952 the legislation enacted made it impossible for single women to adopt a child not biologically linked to them. It would appear that the more frequently the term adoption was used the more it came to be associated with the formation of a non-biological family unit.

The financial and economic background of adoptive families is one way of demonstrating how the social status of adopting parents changed in the twentieth century. In the chart below, it is possible to see the economic background of adoptive parents in the 1911 census:

Fig.1.5 Occupational background of heads of households with adopted children 1911 census.



(Source: appendix 1: Children recorded as adopted in the 1911 census of Ireland.)⁶²

⁶² Appendix 1, Children recorded as adopted in the 1911 census of Ireland available at <http://www.census.nationalarchives.ie/> (09 March 2011).

The majority of adopters were labourers. This category can be broken down further into a variety of labourers, including agricultural labourers, general labourers, and dock labourers. This would imply that initially working class families were the main social group to practice adoption. Tradesmen also made up a large proportion of adoptive fathers. They accounted for twenty-four percent, nearly a quarter of all adoptions. As discussed previously in this chapter, there was a disparity between counties that had large urban areas and counties that did not. Yet, farmers accounted for fourteen percent of adoptive fathers. This suggests that, although tradesmen may have been the primary adopters in urban areas, farmers in rural locations were adopting. There is no easy way of determining the social status of these farmers. Adopting children, much like biological children, may have been viewed as gaining an extra hand or body to help on the land. They may have been taken in more for their economic value than as a consequence of the desire to have children. They may also have been the children of relatives who were no longer able to care for them.

The age of adopted children was taken into account when examining adopted families. The census automatically applies a five year margin of error for all age searches. For this research children from birth to six years of age were identified. The majority of adopted children were between the ages of one and five, a percentage of sixty-nine. Only ten percent of those who were adopted were under one year of age. The search also identified children over six years of age who were adopted. These were siblings of younger adopted children that were within the age range of the search. These older children were included in the database and made up twenty-one percent of the overall number of adopted children. Of 438 children, there were 147 children who lived

with families with other adopted children. These figures confirm that adopting a number of children was not uncommon.⁶³

As adoption evolved from fostering and apprenticeships, it is worth exploring the link between adopted children and foster children. Ten families were recorded as having both adopted and foster children. This is a particularly low figure when the link between adoption and fostering is considered. The number of biological children in these families was also assessed. The average number of biological children in families that had adopted children was two. In 1900 the average family had seven children and that by 1911 over one third of families had seven or more children.⁶⁴

In order to support themselves, and the biological and adoptive children within the family, many adoptive mothers worked outside the home. This was a practice that would later be frowned upon by adoption agencies in the later twentieth century. Sixty-four of the adoptive mothers in the 1911 census held employment positions outside the home, including positions as factory workers and domestic servants. These women worked in order to provide for themselves and their families and were in contrast to the image of the family that saw the ideal mother staying at home to raise her children. None of the positions listed were particularly well paid. There was one interesting career listed by a single adoptive mother. She was a fifty-eight year old widow from County Down and her adopted daughter was listed as age four. The woman's occupation was given as 'baby farmer'. According to one American study, 'the term "baby farming," common in late nineteenth- and early twentieth- century cities, referred to boarding infants for money and their transfer and sale for profit.'⁶⁵ Baby farming has been researched in England and the United States and it usually occurred in urban areas.

⁶³In the 2008 report by the Adoption Board (the semi-judicial body established by the 1952 act), families adopting a second child stood at three percent of the total number of non-family adoptions, Adoption Board, *The Adoption Board annual report*, 2008 (Dublin, 2010) available at http://www.aai.gov.ie/attachments/article/32/Annual_Report_2008.pdf (09 March 2011).

⁶⁴ Myrtle Hill, *Women in Ireland, A century of change* (Belfast, 2003), p.3 and p.22.

⁶⁵ Ellen Herman, *Kinship by design: A history of adoption in the modern United States* (Chicago, 2008), p. 31.

The term, while referring to a woman who could arrange the placement of a child for money, could also refer to 'women who neglected or abused the infants that they were paid to rear.'⁶⁶ The woman in question was a widow, most likely in need of an income and, in this case, the income may have come from placing children for adoption or fostering. She most likely kept one child with her as she did not appear to have any other children.

The issue of proselytism can also be considered in the light of the census of 1911. The fear that Catholic and Protestant children would be lost to the faith and that vulnerable women were being taken advantage of was a consistent theme in the rhetoric surrounding adoption in independent Ireland. When the census data is compiled for all of Ireland there are some interesting results with regard to religion. Roman Catholic children accounted for forty-three percent of the total number of adopted children. The rest of the children adopted were members of different Protestant denominations. These statistics lead to the conclusion that the majority of adoptions taking place were not of Catholic children. They were mainly Protestants. There were three Catholic children adopted by members of the Church of Ireland and Church of England. There was one Catholic child adopted by Presbyterians. There were two Presbyterian and two Church of England members adopted by Catholics. There was no overwhelming evidence of proselytism. The statistics suggests that it was just as likely for a Catholic couple to adopt a child of another religion as it was for a Protestant couple, but that it was in any case very rare.

The 1911 census was conducted before the establishment of the Irish Free State. When adoption legislation was introduced in England in 1926 it was not applied to Northern Ireland. Adoption legislation was enacted in 1929 in Northern Ireland and it

⁶⁶ Sarah Ann Buckley, 'Found in a dying condition: nurse children in Ireland, 1872-1952' in Elaine Farrell (ed.) *She said she was in the family way': Pregnancy and infancy in modern Ireland* (London, 2012) pp145-162 p148.

was not until 1952 that legislation was enacted in the South. It is worth examining the development of legislation in both England and Wales and Northern Ireland in order to provide further context for the development of legislation in Ireland,

George Behlmer has claimed that it was the ‘anxiety- ridden experience of pre-war “adoption” that first created a demand for legislation’ in England.⁶⁷ Jenny Keating notes that ‘the campaign for legalised adoption after the first world war and during the 1920s emerged against a background of considerable change to the shape of the family and in public and private attitudes towards children and their upbringing and protection.’⁶⁸ The First World War can be seen as the catalyst for adoption in England and Wales.

English common law did not recognise adoption. English legal opposition to adoption stemmed from a desire to protect the property rights of blood relatives in cases of inheritance, a moral dislike of illegitimacy, and the availability of other quasi-adoptive devices such as apprenticeship and voluntary transfers.⁶⁹

The 1926 adoption act was a relatively non-controversial act that met with little resistance when it went through the British houses of parliament. The act only applied to England and to Wales and did not apply to Scotland or Northern Ireland, both of which enacted legislation at a later date. The case of Northern Ireland will be discussed further on in this chapter. The first section of the 1926 act dealt with the power to make an adoption order, which was given to the court.⁷⁰ An adoption order could be made for one person or between spouses. The second section of the act dealt with the reasons why an adoption order could not be granted. There was an age limited applied to adopters meaning that an adoption order would not be made unless the adopter was at

⁶⁷George K. Behlmer, ‘What’s love got to do with it? “adoption” in Victorian and Edwardian England’ in E. Wayne Carp (ed.), *Adoption in America: historical perspectives* (Michigan, 2002), pp 82-101 p.82.

⁶⁸ Jenny Keating, *A child for keeps: the history of adoption in England, 1918-45* (Basingstoke, 2009), p.11.

⁶⁹ Wayne Carp, ‘Introduction’ in E. Wayne Carp (ed.), *Adoption in America: historical perspectives* p.3.

⁷⁰ Adoption of Children Act, 1926 (16 & 17 Geo. 5 c. 29 [U.K.]) (4 Aug. 1926) § 1 and the ‘court’ referred to throughout the Adoption of Children Act, 1926 was the court to which an application for an adoption order was made. This could be the high court, or any court in a jurisdiction where the infant or adopter was resident.

least twenty-five years of age or was at least twenty-one years older than the infant, thus implying that adoptive parents were to be of a certain level of maturity. However, the act also stated that ‘where the applicant and the infant are within the prohibited degrees of consanguinity, it shall be lawful for the court, if it thinks fit, to make the order notwithstanding that the applicant is less than twenty-one years older than the infant.’⁷¹ This referred to cases where the adopter was connected to the adoptee by a significant blood tie. Adoption was then possible for those who were biologically connected to a child in a way that was not possible for those who were not biologically connected. This suggests that, even in the adoption act, biology was favoured above the creation of a non- biological adoptive family.

The second restriction that applied to an adoption order was that no male could adopt a female child:

an adoption order shall not be made in any case where the sole applicant is a male and the infant in respect of whom the applicant is a male and the infant in respect of whom the application is made is a female unless the court is satisfied that there are special circumstances which justify as an exceptional measure the making of an adoption order.⁷²

This could have been for a number of reasons but the most likely one was a Victorian anxiety about the sexual behaviour of men and the exploitation of vulnerable of young girls by men. It is interesting to note that there were no restrictions on a male adopting a young male child, such restrictions applied solely to the adoption of female children.

The third restriction placed on the adoption of a child was based on the consent of the parents or guardians of children placed for adoption. Those who had custody of the child were required to consent to the adoption. However, the act also declared that ‘the court may dispense with any consent required by this subsection if satisfied that the person whose consent is to be dispensed with has abandoned or deserted the infant or

⁷¹Adoption of Children Act, 1926 § 2.

⁷² Ibid.

cannot be found or is incapable of giving such consent.’⁷³ This meant that if a parent or guardian had abandoned a child, or if they could not be found, their objections to an adoption order could be set aside by a court. The lack of consent by a parent or both parents continued to be an issue surrounding adoption throughout the twentieth century.

The penultimate restriction on adoption related to the relationship between spouses who were applying for an adoption order, both had to consent to the adoption. The subsequent clause in the adoption act made it possible for consent to be dispensed with on the condition that the spouses were separated and the adoption order would not apply to both parties: ‘Provided that the court may dispense with any consent required by this subsection if satisfied that the person whose consent is to be dispensed with cannot be found or is incapable of giving such consent or that the spouses have separated and are living apart and that the separation is likely to be permanent.’⁷⁴

The final restriction on granting an adoption order related to the residence of an adopter and adoptee. The law stated that an order could not be granted unless the adopters were domiciled in England or Wales, and the same condition was applied to the child being adopted: they had to be resident in England or Wales and also a British citizen.

These restrictions on the making of adoption orders dictated the age of adoptive parents; however, this was one of the only stringent restrictions on an adoption. The marital status of the adopters was not an impediment to the granting of an adoption order. It was therefore possible for an adopted child to be adopted by divorcees (although there were few of these in England during the 1920s) and single people. Adoption was more or less available for everyone who wished to adopt except for single men who wished to adopt a female child. Biological parents were required to give

⁷³ Ibid.

⁷⁴ Ibid.

consent to the adoption but this consent could be dispensed with if the parents could not be located or had no active role with their children.

The third section of the act dealt with conditions with which the court had to be satisfied. The first condition was that consent was obtained and that the biological parents were aware of the consequences of granting consent to an adoption order, which was the permanent removal of their parental rights. The court had to be satisfied that the adoption was made in the best interests and welfare of the child. This included the wishes of the child 'having regard to the age and understanding of the infant'.⁷⁵ The final condition to be satisfied was the 'that the applicant has not received or agreed to receive, and that no person has made or given, or agreed to make or give to the applicant, any payment or other reward in consideration of the adoption except such as the court may sanction.'⁷⁶

These conditions recognised some of the practices that were associated with de facto adoption. The need to receive the consent of the biological parents, and a responsibility to ensure that they were aware of the consequences of the order that was being granted, acknowledged the dangers of children being taken against the will of their parents. The court was required to be satisfied that an adoption order was in the child's best interest and to assess whether making an adoption order was the right thing for the child. The clause that ensured no money was exchanged was an attempt to combat the hiring or selling of children. The baby farming scandals of the nineteenth century were probably the motivation behind this clause. This was an important aspect as it allowed courts to rule against adoption orders if they doubted that it was what the child wanted or needed.

The fourth section of the adoption act allowed the court to apply any conditions that it saw fit on an adoption. The fifth section dealt with the effect of an adoption order.

⁷⁵ Adoption of Children Act, 1926 § 3

⁷⁶ Ibid

Section five part one removed any parental rights from the parent(s) or guardian(s) of an adopted child. These rights were transferred to the adoptive parents as though the adopted child was born to the adopter or adopters in ‘lawful wedlock’. Part two of section five dealt with inheritance. The adopted child was not to be deprived of any inheritance that would be due him or her before or after the issue of an adoption order. For inheritance purposes, the adopted child was not assumed to be the child of their adopted parents unless this was explicitly expressed. In other words, for the purposes of inheritance, rights were not transferred with adoption.

Section six of the adoption act related to the power of the courts. When an adoption order was applied for, the court could grant a temporary interim order. The interim order could last for a maximum of two years, during which the court could supervise the welfare of the child. In order to make an interim order all of the conditions required for an adoption order had to be met subject to the same dispensations. This section may have been viewed as a requirement in order to allow a court time to decide whether an adoption was actually in the best interests of the child.

If a child was already the subject of an adoption or interim order section seven made it possible for the child to be adopted again. If the adoptive parents were still alive all of their parental rights would be transferred to the new adoptive parents. The high court, or any court in a jurisdiction where the infant or adopter was resident, could grant an adoption order. In section eight of the act the role of a *guardian ad litem* was created.⁷⁷ This person was appointed by the court to safeguard the interests of the child.

Section nine dealt with the issue of payment: it was now against the law for any person to receive payment or any other reward for the adoption of an infant. However, it

⁷⁷ ‘A *guardian ad litem* is, effectively, an independent representative appointed by the court to represent the child’s personal and legal interests in legal proceedings’ in Law Reform Committee, *Rights-based child law: The case for reform* (Dublin, 2006) p. 73.

was possible for a payment to occur with the approval of the court; if the court received and approved an application for payment then a financial exchange could take place.

The new English law also dealt with de facto adoptions that had already taken place. Section ten of the act did not require the de facto adoptive parents to have the consent of the biological parents. If the child had been in their care for more than two years then they simply had to show that in these circumstances ‘it was just and equitable and for the welfare of the infant that no such consent should be required and that an adoption order should be made’.⁷⁸ However, regardless of a de-facto adoption arrangement a man could not adopt a female child.

The law also introduced an adopted child register. This was to be maintained by the registrar general. The register was to include the date of birth of an infant and the adopted child’s entry on the register of birth was to have the word ‘adoption’ marked beside it. Every child on the adoption register was entitled to have a certificate with their date of birth and entry on the adoption register. Adoption and birth indexes were not open to public perusal and no information would be given unless under court instruction.

This adoption act appears to have been very pragmatic in its approach to adoption. No special provision was made in the act in respect of religion or the status of the children being placed for adoption, whether they were ‘legitimate’, ‘illegitimate’ or orphans. In spite of the fact that ‘the majority of children on offer were illegitimate’ the law did not appear to single out the needs of ‘illegitimate’ children and their mothers for special consideration.⁷⁹

It is interesting to look at the response that the English legislation elicited in independent Ireland. The most remarkable element was the lack of reaction the

⁷⁸ Adoption of Children Act, 1926 § 8.

⁷⁹ Jenny Keating, *A child for keeps: the history of adoption in England, 1918-45* (Basingstoke, 2009) p. 47.

legislation received in the media and in the houses of the oireachtas. While there was no debate in the Northern Ireland parliament, there were communications between government departments on adoption. There was no reaction in the houses of the oireachtas in the Irish Free State or, in 1929, in Northern Ireland. In 1929 the Irish Free State amended the 1908 act,⁸⁰ which dealt with admission into industrial schools and yet, during the passing of this amendment, there was no discussion of the adoption act recently implemented in England.

There was, however, one newspaper report on the subject. This article appeared in the Protestant orientated *Irish Times*⁸¹ in June 1926 and was not an editorial but a report on the activities of the Westminster parliament. There was no interpretation of the law or any suggestion that such a law should be introduced in the Irish Free State. The article merely reported that the bill was on its third reading in the house of parliament and that there was little resistance to it.

There is an article from 1926 that reported on the events at a meeting of the Irish Women's Citizens Association⁸² that addressed the dangers faced by children at the time.⁸³ The need to change the law in order to protect children was discussed and the suggestion was made at the meeting that local county councils should have the power to sanction adoptions. But, despite the stated desire for adoption powers, there was no discussion on the law of adoption in England.

Prior to the introduction of adoption law in England there was an article of note in the *Irish Times*, in January 1926, referring to the 'problem' of the 'unmarried

⁸⁰ Children Act, 1929 1929/24 [I.F.S.] (24 Jul. 1929).

⁸¹ *Irish Times*, 19 Jun. 1926.

⁸² This organisation was originally founded in 1876 as the Dublin Women's Suffrage Association. The group became the Irish Women's Suffrage and Local Government Association and then the Irish Women's Citizens and Local Government Association, and around 1919 the Irish Women's Citizens Association. Its aim was to promote women's franchise and later to promote women's citizenship. The group became part of the Joint Committee of Women's Societies and Social Workers in 1935 and was amalgamated into the Irish Housewives association in 1947. See: Mary Cullen, 'Women, emancipation, and politics, 1860 -1984' in J.R. Hill (ed.) *A new history of Ireland vii: Ireland 1921-1984* (Oxford, 2003), pp 826-892 pp840-1, 845, 849, 860, 872, 879 and Hilda Tweedy *A link in the chain: the story of the Irish housewives association 1942-1992* (Dublin, 1992) p. 22

⁸³ *Irish Times*, 9 Dec. 1926

mother'.⁸⁴ The article reported a memorandum from two poor law guardians. One was a previous member of the Dublin poor law union, a Mrs. Noel McGuinness, and the other was the Hon. Ethel MacNaghten. They held the view that adoption should not be permitted unless under careful scrutiny and that children should not be claimed by blood relatives once adopted. There was no reference to the impending adoption law in England.

On the Catholic side, *the Irish Catholic* carried no discussions on the adoption law in England. In the *Church of Ireland Gazette* there was an appeal for god parents in 1926 which read: 'A god parent can either keep the child clothed for five pounds a year, or maintain the child for twenty pounds a year, or adopt the child.'⁸⁵ This appeal was placed on the front page in an article entitled 'Child rescue work'. The article reported on the work of the Children's Fold Branch of the Irish Church Missions. It gave a specific example of a child that was rescued from an unregistered nurse who looked after him as his mother was away working. According to the article the child had been rescued from neglect at the hands of the unregistered nurse. After the story the appeal quoted above appeared. It is unlikely that the 'god-parents' discussed here observed any specific religious role. It is more likely that the term 'god-parent' was instead another term for a financial sponsor. However, there was no report in the *Gazette* on the adoption bill that was coming before the Westminster parliament.

In the main newspapers of the state, such as the *Irish Independent*, there was no reaction to the introduction of adoption law in England. The only conclusion that can be drawn from the lack of reaction is that adoption was not high on the agenda in the Irish Free State.

⁸⁴ *Irish Times*, 22 Jan. 1926.

⁸⁵ *Church of Ireland Gazette*, 22 Oct. 1926.

An adoption law was enacted in Northern Ireland in 1929,⁸⁶ three years after the adoption law was enacted in England.⁸⁷ Scotland introduced its own adoption law in 1930.⁸⁸ While comparison with Northern Ireland will help to place the adoption practices in the Irish Free State within an international framework, there are a number of things that must be remembered. Firstly, Northern Ireland had a different system of government from that of the Irish Free State. The parliament of Northern Ireland was ultimately subordinate to the British government in London. Secondly, there was a different demographic pattern in Northern Ireland. While independent Ireland had a Catholic majority, Northern Ireland had a Catholic minority. The different religious composition of the two regions provide for an interesting comparison. While in some ways it is not expedient to compare the two regions as their differences were considerable, they still enjoyed similar histories on the same island. The contrast between pressure groups in the two regions provides the best light in which the situation in Irish Free State can be examined.

In Northern Ireland in the 1920s there was a women's organisation called the Belfast Women's Advisory Council (B.W.A.C. hereafter), that acted as a lobby group. It lobbied the Northern Irish prime minister for adoption legislation.⁸⁹ This organisation represented various other organisations including the Belfast Women Citizens Union, the Irish Co-Operative Women's Guild, the Belfast Women's Temperance Association, the Girls Friendly Society, the Adult Schools, the Church of Ireland Women Workers Settlement, the Salvation Army and the Textile Operatives of Ireland. From the list it is evident that the group encompassed a wide variety of organisations from professional groups to religious organisations. The smaller groups represented by the B.W.A.C. were from a specific denominational background and consisted mainly of Protestant members.

⁸⁶ Adoption of Children Act, (Northern Ireland), 1929 (20 & 21 Geo. V, c.15 [N.I.]) (19 Dec. 1929).

⁸⁷ Adoption of Children Act, 1926 (16 & 17 Geo. 5 c. 29 [U.K.]) (4 Aug. 1926).

⁸⁸ Adoption of children Act, 1930 (20 & 21 Geo. 5 c. 5 [Scot.]) (1 Aug. 1930).

⁸⁹ E.S. Montgomery (Hon. Secretary B.W.A.C.) to Lord Craigavon (prime minister of Northern Ireland), 6 Oct. 1926 (P.R.O.N.I., Cabinet files, CAB 9b/53/3).

By 1927 the B.W.A.C. was in correspondence with the government in Northern Ireland requesting that an adoption bill be enacted.⁹⁰ The letter was addressed to Lord Craigavon, prime minister of Northern Ireland. The sentiment expressed in the letter was not just one of concern for the welfare of vulnerable children. The letter identified the benefits of social legislation and also highlighted the fact that the council was not overly concerned with the independence or autonomy of Northern Ireland: ‘The council trusts that it will be possible to draft legislation similar to that in the Westminster parliament’.⁹¹ This letter demonstrates that the pressure group assessed the progress of adoption in Northern Ireland in direct relation to the laws enacted in England.

The B.W.A.C. was successful. A cabinet meeting on 22 March 1927 discussed a memorandum on adoption. The memorandum was dated 21 March 1927 and it was produced by the ministry of home affairs for Northern Ireland.⁹² The memorandum was an assessment of the 1926 adoption act enacted in the Westminster parliament and, at the end of the memorandum, there was an option for recommendations. These recommendations stated that representations from the B.W.A.C. had been received. The council was pressing for similar legislation to be introduced in Northern Ireland and described the act as non-controversial. The interesting aspect to this memorandum is, firstly, that it was seen by the entire cabinet and, secondly, that there was no mention of religion. Both the Northern Parliament and the B.W.A.C. were dominated by members of the various Protestant denominations and this may have contributed to the fact that there was no discussion of the religious consequences of such an act. The issue that was so important in the south, the religion of the child, was not significant to the Northern government. The issue of religion also does not seem to have been of major concern to the B.W.A.C. Given the time it took for a memorandum to be drawn up it is likely that

⁹⁰ E. S. Montgomery to Lord Craigavon, 16 Mar. 1927 (P.R.O.N.I., Cabinet files, CAB 9b/53/3).

⁹¹ E. S. Montgomery to Lord Craigavon, 16 Mar. 1927.

⁹² Ministry of home affairs Northern Ireland to members of the Northern Ireland cabinet, 21 Mar. 1927 (P.R.O.N.I., Cabinet files, CAB 9b/53/3).

the government was already examining the possibility of introducing such legislation. While the memorandum does indicate that the B.W.A.C. had an influence, and a deputation of its members was received by the government, the comment on the non-controversial nature of the act implies that the government had no objections to the contents of the proposed adoption measure and would bring forward a bill.

In March 1928 an adoption bill was brought before the Northern Irish cabinet.⁹³ This was nearly a full year after the previous memorandum was presented to the cabinet. It was also presented with a legitimacy bill, which became law in June 1928.⁹⁴ This bill was introduced to 'legitimise' children whose parents married after their birth. The Northern Irish parliament considered the two measures to be linked. These measures addressed and provided options for women who had borne children outside of marriage. Again, there did not appear to be any consideration of any religious aspects to these pieces of legislation.

The final draft of an adoption bill for Northern Ireland was ready by 15 June 1928,⁹⁵ having taken only three months to be approved by cabinet. Yet, the bill was not introduced to parliament. The reason for this is unclear but it may be that the bill was not introduced because it was not seen as urgent. It was the B.W.A.C. that subsequently forced the issue of adoption to be addressed. In 1929 there was a general election in Northern Ireland. The B.W.A.C. sent a letter to Craigavon and attached a questionnaire that the council planned to send to those who were running for election. The questionnaire included questions on legislation passed in the Westminster parliament but not extended to Northern Ireland. It also asked about equal pay and opportunities for

⁹³Ministry of home affairs Northern Ireland to members of the Northern Ireland cabinet, 5 Mar. 1928 (P.R.O.N.I., Cabinet files, CAB 9b/53/3).

⁹⁴ Legitimacy Act (Northern Ireland), 1928 (19 & 20 Geo. V, c.5 [N.I.]) (4 Jun. 1928).

⁹⁵Charles Markbreiter (assistant secretary at the home office with responsibility for Northern Ireland) to Charles Blackmore (cabinet secretary Northern Ireland), 15 Jun. 1928 (P.R.O.N.I., Cabinet files, CAB 9b/53/3).

women. The group had a number of points on which to lobby; adoption was not the sole objective.

There was a query about adoption legislation in the Northern Ireland parliament on 27 February 1929.⁹⁶ This was from George Henderson, an M.P. for the County Antrim constituency.⁹⁷ He stated that a bill had been prepared and then dropped: 'I understand from people interested in the welfare of women and children that this act was promised by the Minister of Home Affairs two years ago along with another act that is the registration of nursing and maternity homes act.'⁹⁸ George Henderson was most likely referring to the B.W.A.C. when he was discussing those involved with the welfare of women and children. By highlighting the delay in legislation it is possible to gain an insight into how urgent the legislation was considered to be. The introduction of the measure from its original inception was slow and this lack of impetus suggests that the act was not of the utmost importance to those in power. However, a large public campaign was not needed to force the government to introduce legislation and the bill was finally placed before the Northern Ireland Parliament in June 1929.⁹⁹ The parliamentary debates on the bill identified a concern that biological parents would return when an adopted child was old enough to work, perhaps with a financial interest in the child. Some anecdotal evidence suggested that biological parents occasionally reclaimed the child, with this in mind.¹⁰⁰ In the debates in Northern Ireland, this possibility was raised by the Attorney General on the second reading of the bill. The concern was later raised in the Irish Free State suggesting that there may have been some substance to the allegations. In Northern Ireland, however, a debate took place

⁹⁶*The parliamentary debates, official report, first series, vol. x: Fifth Session of the second parliament of Northern Ireland, 19 George V, House of Commons, session 1929, pp129-30.*

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ *The parliamentary debates, official report, first series, vol. xi: First Session of the third parliament of Northern Ireland, 20 George V, House of Commons, session 1929, p. 904.*

¹⁰⁰ *The parliamentary debates, official report, first series, vol. xi: First Session of the third parliament of Northern Ireland, 20 George V, House of Commons, session 1929-1930, pp 941-2.*

over the right of biological parents to retrieve adopted children at the age of fourteen.¹⁰¹ Although the debate ended with the government refusing to make any such concessions, the debate shows that the permanency of adoption was not necessarily as secure as those supporting the legislation may have hoped it to be. The influence and power of parental rights were also highlighted in this discussion and some M.P.s found it difficult to imagine that it was possible for a parent to give up their parental rights completely as the adoption bill demanded.¹⁰²

The debate in the Northern Irish parliament thus demonstrates the perceived permanency of parental rights. It was assumed that the biological parents would like to have contact with their children after the age of fourteen, implying that they may, in fact, have had a right to such contact. While the attorney general quashed any notion of this, it is also important to note the age for which he had first intended an adoption order to take effect. Under the act a child could be adopted up to the age of twenty-one. The age limit in the Northern Irish act meant that older children could be placed for adoption, reflecting a broader understanding of the adoption process.

This broader scope also included a definition of those who were eligible to adopt. The attorney general stated: 'As the house well knows benevolent people, both married and single, adopt children under the law as it stands at present, but, unfortunately, there is no law recognising the relationship.'¹⁰³ This understanding of adoption included single people. While adoption later in the twentieth century focused on the fact that the adoptive parents were creating a new family, the attorney general was addressing the fact that the version of adoption he was enshrining into law was not as definitive. The adoption act in Northern Ireland provided for the recognition of an individual or couple as a parent or parents to an adopted child, similar to the English act.

¹⁰¹ *The parliamentary debates*, first series, vol. xi, pp 1079-80.

¹⁰² *The parliamentary debates*, first series, vol. xi, pp 1077-78.

¹⁰³ *The parliamentary debates*, first series, vol. xi, pp 941-2.

When the attorney general introduced the second reading he discussed the English adoption act of 1926:¹⁰⁴ ‘It follows the English measure that was passed in 1926, with certain adaptations and with a few amendments which have been inserted as a result of the working of the corresponding measure in Great Britain.’¹⁰⁵ From this introduction the influence of the Westminster parliament on the Northern Irish bill is evident. The 1929 act in Northern Ireland was similar to the English 1926 act. Section one of the act stipulated that both single people and married couples could adopt. Section two dealt with the limitations that could be applied to an adoption order. The applicant had to be twenty-one years older than the infant. If the applicant was less than twenty-one years older than the infant, but the court was satisfied that there were special circumstances, an adoption order could be made. There was no mention of any consanguine preference as there was in the English act. No adoption order would be made if the applicant was a single male and the adoptee was a female unless there was a special circumstance, exactly as in the English act. An adoption order would not be made unless the consent of parents, guardians, or those liable to support the child was received. This consent could be dispensed with if the parent or guardian had abandoned or deserted the infant, could not be found, or was incapable of giving consent or had refused to financially support the infant. An adoption application by one spouse needed the consent of the other unless that other spouse could not be found or if ‘the spouses have separated and are living apart and that the separation is likely to be permanent.’¹⁰⁶ An adoption order would only be made in favour of an applicant who was resident and domiciled in Northern Ireland and only if the infant was a British citizen. All of these conditions on adoption were very similar to the English act.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid

¹⁰⁶ Adoption of Children Act, (Northern Ireland), 1929 (20 & 21 Geo. V, c.15 [N.I.]) (19 Dec. 1929) § 1.

The Northern Irish act of 1929 also had a section on the courts' requirements.¹⁰⁷ Every person whose consent was not dispensed with had to be aware of the effects of the adoption order. If the infant was of the appropriate age and understanding then his or her wishes were to be considered. No payment for an adoption was to be given or received. Section four allowed the courts to impose any restriction they felt appropriate on an adoption.

Section five dealt with the effect of an adoption order. When the order was made it amounted to the complete transferral of parental rights to the adoptive parents. Part two of section five stipulated that 'an adoption order shall not deprive the adopted child of any right to or interest in property or inheritance to which but for the order the child would have been entitled to.'¹⁰⁸ Also, if insurance was taken out on a child before an adoption order was made then the adopted parents were to benefit from any such policy.

Section six also made it possible for a court to impose an interim order. This order could last for a period of no more than two years. All consents required for an adoption order were also required for an interim order. An adoption order could be made in respect of a child who was already adopted and would transfer all parental rights to the adoptive parents. Section eight of the act allowed for the Supreme Court, or any court within the jurisdiction of either the adopter's or the adoptee's residence, to make an adoption order.¹⁰⁹ Section nine of the adoption act reiterated that payment was not to take place unless with the sanction of the court. De-facto adoptions were dealt with in section ten of the act. There was the same limitation applied to the age and the sex of the adopter but, again, consent could be dispensed with if the child had been in

¹⁰⁷ 'The court having jurisdiction to make adoption orders under this act shall be the Supreme Court or, at the option of the applicant, any court within the jurisdiction of which either the applicant or the infant resides at the date of the application for the adoption order.' in the Adoption of Children Act, (Northern Ireland), 1929 § 8.

¹⁰⁸ Adoption of Children Act, (Northern Ireland), 1929 § 5.

¹⁰⁹ The supreme court of Northern Ireland was established in 1921 by The supreme court of judicature (Northern Ireland) order, 1921 (1921 no. 1802)(21 November 1921).

the care of the adoptive parents for two years and the court was satisfied that it was in the interests of the child for consent to be dispensed with.

The registrar general for Northern Ireland was to create an adoption register and every adoption order was to direct the registrar general to create an entry in the register. Thus a record was to be kept in the register of births of adopted children; 'adopted' was to be written beside their entry. If the child was not born in Northern Ireland the register was to have their date of birth written in the adoption register. An adoption certificate was to have the same legal status as a birth certificate. It would be possible to search the adoption register index and request a certificate of any entry in the index. Only a court could grant access to an index or book of children that had 'adopted' written beside their name.

There was very little official reaction in the Irish Free State to the adoption act of 1929 in Northern Ireland. South of the border, however, there was an article in the *Irish Times* reporting that the bill was before parliament in October 1929.¹¹⁰ There was no analysis of the implications of this act for the Irish Free State or child welfare laws. A more detailed report on the act appeared in the *Irish Independent*.¹¹¹ It discussed the response of members of parliament to the introduction of the bill. There was no discussion of any prospect of introducing an adoption bill in independent Ireland.

To sum up attitudes toward women and children frame an understanding of adoption in Ireland from 1911 to 1971. While motherhood was idolised within marriage, it was stigmatised when it occurred outside of marriage. Both poor married women and 'unmarried women' used the services provided by the poor law unions and philanthropic organisations in nineteenth century Ireland. Adoption developed out of the practices of fostering and boarding out that were employed within these systems. The philanthropic organisations were, in general, linked to particular religious

¹¹⁰ *Irish Times*, 19 Oct. 1929.

¹¹¹ *Irish Independent*, 6 Nov. 1929.

denominations. Proselytism became a particular issue in the nineteenth century partly as a result of the work of welfare organisations. In the twentieth century proselytism continued and was associated with the services offered to ‘unmarried mothers’.

While it is impossible to tell how many adoptions were arranged for the children of married or unmarried women, some aspects of adoptions can be uncovered in the 1911 census. The majority of adoptions were among Protestants in the north of Ireland. Religion was an important factor in adoption and those of Protestant denominations adopted more frequently than Catholics. In the United Kingdom, the first adoption law was introduced in England in 1926 and in Northern Ireland in 1929. These two acts were very similar but neither act addressed what in Ireland was a contentious issue: religion.

Neither act was the subject of significant public discussion in the Irish Free State. Although adoption had begun to be practiced by the early twentieth century, it was not a common enough occurrence for public figures to debate the issue when legislation was enacted in England and Northern Ireland. Owing to the lack of adoption legislation, adoption practices in independent Ireland were unregulated during the 1930s and 1940s. These unregulated practices are the focus of the next chapter.

Chapter two: Adoption in the 1930s and 1940s

While adoption had been legislated for in Britain and Northern Ireland by 1929, adoption practice remained unregulated in the Irish Free State. This chapter will focus on these unregulated practices. As noted in chapter one, the lack of official regulation meant that, while the term ‘adoption’ was used, actual adoption arrangements varied considerably, and ‘de facto adoption’ is a more accurate term for these arrangements. This chapter will focus on the 1930s and 1940s. The sources relate to children adopted during the 1930s and 1940s or cases arranged earlier than that but which came to the attention of adoption organisations during this period.¹

One of the main catalysts that led to arranged ‘adoptions’ in Ireland was the societal attitude to single mothers. The attitude to single mothers in the Irish Free State was hostile. There was a belief that a single mother was unfit to raise her child, because she gave birth outside of marriage.² There were few options available for single women with children. They could attempt to keep their child, they could place their child with a foster mother, they could also place the child for ‘adoption’ or the child could be amalgamated into their existing family structure as the child of their own parents or extended family. Very few organisations allowed single mothers and their children to stay together. One exception to this was the Regina Coeli hostel run by the Legion of Mary. This hostel allowed single women to keep their children and permitted them to seek employment. The historian Lindsay Earner-Byrne describes the situation, ‘while the unmarried mother was held legally responsible for the welfare of her child there

¹ Throughout this chapter there will be references made to individuals dealt with by the adoption organisation. Any individual that was involved in an adoption has been anonymised. In the case of the Cottage Home for Little Children all of the individuals have been anonymised by this author. In the case of St. Patrick’s Guild the correspondence relating to the individual known as ‘J’ has been anonymised by this author, further files from St. Patrick’s Guild were anonymised by the organisation itself. All individuals who were the subject of files from the National Archives have been anonymised by this author.

² Clíona Rattigan, *What else could I do?’ single mothers and infanticide, Ireland 1900-1950* (Dublin, 2012), p. 9.

were very few attempts made either officially or socially to keep mother and child together'.³ Although there were limited occupations open to women, in this chapter it will be demonstrated that many of the women who placed their children for adoption were in employment. Despite this the financial and social strain on most single women may have forced them to give up their children.

Adoptions that were arranged during the 1930s and 1940s were not legally binding. It was not legally possible to transfer parental rights before the 1952 adoption legislation. Most women who placed their child for adoption would have sought assistance from available welfare agencies. These agencies were run along religious lines. The organisations examined in this chapter are the Catholic Protection and Rescue Society (C.P.R.S.I), St. Patrick's Guild, and the Society for the Protection of Destitute Catholic Children. These organisations were all Catholic.

The first organisation to be examined is the Protestant Cottage Home for Little Children. Established in 1879, the Cottage Home arranged adoptions in the late nineteenth century for the children of married parents. It was established first as a crèche and then began catering for children who had to be absent from their homes for a period of time. This could have been due to parental illness or a change in family circumstance. When using institutional records there are some dilemmas which have been raised by other historians: 'welfare workers created these documents for institutional purposes and the records therefore reflect the values and practical workings of the institutions'.⁴ Documents available from the Cottage Home include application books, admission books and correspondence. The application books recorded those who applied to enter the home. They had space for information on the child, the biological parents, further comments and a section on when the child left the institution. It was in

³ Lindsey Earner-Byrne, 'Reinforcing the family: The role of gender, morality and sexuality in Irish welfare policy, 1922–1944' in *History of the Family*, xiii (2008) pp 360-9 p. 363.

⁴ Lydia Murdoch, *Imagined orphans: Poor families, child welfare, and contested citizenship in London* (New Jersey, 2006), p.70.

the final section that information on adoption was generally provided. Not all of these sections were filled in for every case and it is possible that some adopted children were never recorded as such. The admission books had similar information. These records provide general information on adoption; however, in some cases, there are gaps in the information given. These records exist for the late nineteenth and the twentieth centuries. The records of the Cottage Home are detailed.

In the late nineteenth century and early twentieth century a number of adoptions arranged by the institution were recorded. Of children admitted to the Cottage Home between 1886 and 1906 there were just six adoptions identified; one of the entrants in the admission book appears twice with the same age, address and adoptive parents.⁵ This entrant is numbered 196 and 215. The children adopted from the home over the twenty-year period varied in age. They were between three months and two and a half years old when they entered the home. They all appear to have been the children of married parents. They had spent between one and six years in the home before they were adopted. Most applications for admissions were accompanied by a reference. There is little information on who adopted them. The next adoptions to take place were from admissions in 1913.

The cases before 1916 dealt mainly with children whose parents had died. In 1913 there were four children admitted who were subsequently adopted. All of these children had suffered the loss of a parent. The death of a parent and the presence of other dependent children in a family appear to have been factors that sometimes led to an adoption. In these four cases, three mothers and one father had died. There were between five and seven children in each family.⁶ Three were adopted by strangers and

⁵ Entrant numbers 196 and 215, Admission books for the Cottage Home for Little Children pre 1911 (Archive of the Cottage Home for Little Children (A.C.H.L.C), 59 Mulgrave Street, Dun Laoghaire, Co. Dublin).

⁶ Entrant numbers 664, 669, 685 and 687 in the admission book for the Cottage Home for Little Children from Jan. 1912 to Jul. 1956 and Entrant numbers 77, 66, 68 and 73 in the application book for the Cottage Home from the 30 Jun. 1911 (A.C.H.L.C).

one by an uncle. They ranged in ages, when admitted, from two and a half years old to three years and ten months. In the case of one child, admission number 664, the application for admittance to the home was accompanied with an application for two siblings. The eldest of these siblings was taken by an uncle, the child who was admitted to the home was also taken by an uncle about a year later, and the last child was sent to the Bird's Nest home⁷ in 1915.⁸ There was no specific information given in the records and the exact Bird's Nest was not identified. These children were not illegitimate nor were they full orphans, although one child had lost a father and the mother was seriously ill. No children admitted in 1914 were recorded as being adopted. Children admitted from 1915 were the next children recorded as adopted.

Two children admitted to the home in 1915 were later adopted.⁹ These two children were sisters, admitted to the home at the ages of five and three. Their father was paying for their care in the home. The girls' mother was deceased and they had four older siblings. The two sisters were adopted by an uncle.

Between 1916 and 1939 six adoptions were arranged.¹⁰ Three of these six children were recorded in the Cottage Home as being 'illegitimate'. The mother of one child was dying of consumption and another mother had creeping paralysis¹¹ and could not look after the child. In one case the father had abandoned the family. Of the three 'illegitimate' children, two were placed in the Home because their mothers had to work.

⁷ The Birds Nest was an orphanage organised and established by Mrs. Ellen Smyly and Mrs Whatley in Kingstown (Dun Laoghaire) County Dublin, in 1859. The Bird's Nest was one of the best known Protestant children's homes, it was sometimes used as a generic term to describe any Protestant children's home. See J.H. Whyte, *Church and state in modern Ireland* (London, 1971) p.191 and Miriam Moffitt, *Soupers and jumpers: the Protestant missions in Connemara 1848-1937* (Dublin, 2008), p. 26.

⁸ Entrant numbers 76, 77 and 77 (2 applicants were given the same application number) in the application book for the Cottage Home from the 30 Jun. 1911 (A.C.H.L.C).

⁹ Entrant numbers 717 and 718 in the admission book from Jan. 1912 to Jul. 1956 (A.C.H.L.C).

¹⁰ Entrant numbers 740, 806, 1025, 1056, 1081 and 1085 in the admission book from Jan. 1912 to Jul. 1956 (A.C.H.L.C).

¹¹ This was the less technical term for locomotor ataxia: 'loss of coordination of movement, especially as a result of syphilitic infection of the spinal cord.' see Angus Stevenson (ed.), *Oxford dictionary of English* (Oxford, 2011), available at Oxford English dictionary (<http://www.oed.com/view/Entry/2677?rkey=RrgGm9&result=8#eid216351411>) (23 Sept. 2013).

One was placed there because the ‘mother [is] unmarried and as she is slightly imbecile, she cannot look after [the] baby’.¹² It is worth noting that negative poorly defined terms were used throughout the period,¹³ It is impossible to know what the term ‘slightly imbecile’ meant except that it was a negative phrase that undermines the abilities of the mother. Of these six adoptions two children were taken by aunts in London. One was taken by his father to be adopted. No further information was given in this case and the term ‘adopted’ is very unclear in this instance. One child was adopted in Galway, one was sent to the Victoria homes¹⁴ in Belfast for adoption and one was adopted care of a clergyman in Cork. These children entered the home between the ages of six and a half months and three years and seven months old. They stayed in the home for between four months and six years.

More adoptions took place during in the 1940s in the Cottage Home. The records for the 1940s give less information on the biological parent’s situation. Between 1940 and 1946 five children were admitted and were subsequently adopted. One mother was identified as being unmarried. Little information is given on the other parents. Two children were sent to Northern Ireland for adoption, one to Belfast and one to Fermanagh. Another child was sent to England for adoption. One was adopted in Cork and one was adopted in Dublin. In these six years, three children were sent outside the state for adoption, none to America. These children spent between one month and six years in the home and were aged between two weeks and seven weeks when they entered there.

Some information is available for adoptees admitted to the home in 1947. From 1947 onwards the numbers of adoptions within the home increased. In 1947 there were

¹² Entrant number 1081 in the admission book from Jan. 1912 to Jul. 1956 (A.C.H.L.C)

¹³ Clíona Rattigan, *What else could I do?’ single mothers and infanticide, Ireland 1900-1950* (Dublin, 2012), p. 49.

¹⁴ These were homes established in Belfast by the Belfast Women’s Temperance Association. The first home was opened in 1882 and were for destitute girls. The homes still exist and are now run by the Victoria Homes Trust, for further information see (<http://www.victoriahomestrust.org.uk/2.html>) (19 Feb. 2013)

four adoptions. The trend away from providing information on biological children continued in this period. No information was given in two of the cases; in the other two cases one mother was identified as a 'mental' nurse and the other as a clerk. It was possible to identify the location of adopters in two cases. One child was adopted in Dublin and one was adopted in Wales. These four children were in the home for between two weeks and four years. Two of these cases were the subject of further correspondence with the home.

The first case was 'W'.¹⁵ While 'W's entry in the admission book does not identify him as adopted, correspondence relating to his situation does. From 'W's application form it emerges that he was born in 1945 and was a member of the Church of Ireland. His mother was a domestic servant from County Cavan. He was born in the Bethany home, in Rathgar, County Dublin. He was placed in the Cottage Home for Little Children around 1947. This was at the request of the Bethany home.¹⁶ There was 'no place to put the new babies our cots are all full, we have forty at present and four expectant mothers due any day. I would be ever so thankful if you could see your way to take little 'W' as soon as possible.'¹⁷ He remained in the home until 12 May 1950. In 1950 he was placed with a Mr and Mrs 'P'.¹⁸ They were a married couple who had their local clergyman write their reference for the home,

I have known Mrs 'P' and her husband for the past fifteen years and have formed a very high opinion of their characters and consider them eminently suitable for adopting two children. They are between forty and fifty years old and have no children of their own. They are willing to provide for the future welfare of these children as they would for their own. I believe the children would be well cared for and happy. For the 'P' are loyal members of the Church of Ireland and are most regular in attending the church services.¹⁹

¹⁵ In the case of the records from the Cottage Home of the records were anonymised by this author.

¹⁶ The Bethany home was a mother and baby home run by the Irish Church Missions to the Roman Catholics of Ireland, for further information on the Bethany Home see Niall Meehan, 'Church and State Bear Responsibility for the Bethany Home' in *History Ireland* xviii no. 5 (2010) pp.10-11.

¹⁷ K.F. Glover (Bethany Homes) to Mrs Moran (Cottage Homes), 5 Feb. 1947 (A.C.H.L.C, General correspondence of the Cottage Home in archive box 6).

¹⁸ Undated, unpublished report on children adopted since the reopening of the Cottage Home for little children in August 1948 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

¹⁹ C. Clarke to unspecified, letter of reference for Mr and Mrs. 'P', 15 Nov. 1949 (A.C.H.L.C, General correspondence of the Cottage Home in archive box 6)

It is clear from the above excerpt that the adopters were an older couple whose suitability to adopt was based on religious grounds. The couple initially requested two children: 'just a line to say myself and my husband was thinking of adopting a baby boy. So Canon C. Clarke our clergy [sic] told us [you] had a very nice little boy. We would like to adoped[sic] him and also a baby girl as the[y] would be great company for each other'.²⁰ They were given 'W'. They wrote regularly to the home to inform them of how 'W' was getting on. The letters give an impression of how 'W' was adjusting to his life. He got along with the animals on the farm but he was at times lonely. It is possible that the child was adopted to assist in the running of a family farm. Initially the 'Ps' had requested a girl from the home with 'W',

the 'Ps' are very pleased with 'W' and as far as I can judge he seems quite happy there. They seem to be very fond of each other. Mrs 'P' is wondering if she could get the little girl as well. The two children would be great company for each other. The present trouble about 'W' is that he has no other children to play with.²¹

This request for a baby girl was retracted in 1950, 'Mrs 'P' now says that she thinks she could not manage to have a little girl at present as her husband has not been well. She thinks the girl is ... too young [and] would take a good deal of looking after.'²² Despite this letter of hesitation, 'A' was placed with the 'Ps' on 30 March 1951.²³ This was the second case of adoption from a child admitted to the home in 1947. 'A' was placed in the Cottage Home at the age of one year and remained there for four years. She had spent time with the 'Ps' before she was adopted by them and had stayed with them in March 1950, 'I would love 'A' would come for April. I am sure we will like her

²⁰ Mrs. P. to Mrs. Howden, 19 Nov. 1949 (A.C.H.L.C, General correspondence of the Cottage Home in archive box 6)

²¹ C. Clarke to Mrs. Hume, 1 Sept. 1950. (A.C.H.L.C, General correspondence of the Cottage Home in archive box 6).

²² C. Clarke to Mrs. Hume, 10 Oct. 1950 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

²³ Undated, unpublished report on children adopted since the reopening of the Cottage Home for little children in August 1948 (A.C.H.L.C, General correspondence of the Cottage Home in archive box 6).

we love ‘W’ don’t forget to tell me ‘A’s age as we like to know their ages’.²⁴ It appears that the children adjusted to life with the ‘Ps’ quite well. In 1954 the ‘Ps’ pursued legal adoption. This was not available when the children first entered their care.

Legal adoption raised some important questions in regard to inheritance and consent. ‘W’s biological mother was ‘M’. In 1950 ‘M’ wrote to the home giving permission for adoption: ‘in reply to your letter today about ‘W’ I am willing to have him adopted as I think it would be better for him. I would give up all claim of [sic] him, I would not think of wanting him back. I would be quite happy to have him adopted as I could never have him so I hope he will be happy. Let me know what happens.’²⁵ This would appear to be consent to an adoption. However, in 1954 when the ‘Ps’ wished to legally adopt ‘W’ there was hesitation on the biological mother’s part: ‘The natural mother of this boy is hesitating to sign the consent form as she wonders if this is best for the boy. And I am wondering if you could give me some details of ‘W’s home and parents so that we can reassure her that he is very happy and that if he were uprooted now he would only fret for the parents and home that he knows and loves.’²⁶ ‘W’s mother clearly struggled with the permanent separation from her child that legal adoption would bring.

This was not the only concern about consent raised. In the case of ‘A’ above, her father was a Roman Catholic.²⁷ ‘A’s biological mother gave her consent in 1951 for A’s initial adoption. ‘I ‘MJ’ mother of ‘A’ born on 1st November 1945 give my full and free consent to the adoption of ‘A’ now by people approved of by the committee of the

²⁴ Mrs. P. to Mrs. Howden, 28 Mar. 1950 (A.C.H.L.C, General correspondence of the Cottage Home in archive box 6).

²⁵ Mrs. W. to the Matron of the Cottage Home, 1950 (A.C.H.L.C, General correspondence of the Cottage Home in archive box 6).

²⁶ Joan Buckley (Protestant Adoption Society) to Mrs. Goodbody (Cottage Home), 10 Dec. 1954 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

²⁷ Application form for the admission to the Cottage Home for A. 11 Nov. 1945 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

Cottage Home and promise never to interfere in any way with her upbringing.²⁸ In 1954 'MJ' gave her consent to a legal adoption. She did not write to the home directly but applied through the matron of Glenowen orphanage, Clifden, County Galway. In the letter accompanying her legal consent there was a request for a snap shot or photo of 'A' as she was then.²⁹

'A' was also the recipient of an inheritance through her biological mother:

We understand that you had an 'A', daughter of the above in your care, and that she has been adopted through your home. A trust fund has been bequeathed to the above by an aunt and some of the fund on her death will go to 'A'. Please, therefore let us know the present name and address of A, so that same will be on our file for future reference.³⁰

The other case of note from the 1947 admissions was 'V'. She was born in March 1947 and entered the Cottage Home at fourteen weeks of age. She stayed in the home for about three months. She was adopted from the Cottage Home by the 'Cs' a couple in Wales, on 4 November 1947. She left the 'Cs' care almost immediately and was subsequently adopted by the 'Ss'. The reason she left the 'Cs' was later disputed. In 1947 the reason 'V' left the 'C's was given as

the sad fact that illness has upset all our hopes and plans in regard to the adoption of 'V'. Mrs 'C' has been twice in hospital recently, and according to the doctor, is in grave danger of becoming a confirmed invalid. I have had a long discussion with the doctor on this matter, and at last reluctantly accepted the enclosed letter, in which he suggests that the baby should if possible be returned to the Home, at least for the time being.³¹

The doctor's letter stated that due to illness 'I do really believe that Mrs 'C' is physically incapable of bringing up this child.'³² While it appears that 'V' left the 'Cs' care due to the illness of the adoptive mother, the second adoptive family appear to have

²⁸ Informal consent form signed by 'MJ' the biological mother of 'A', 15 Jun. 1951 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

²⁹ Lilian Cross to Mrs. Goodbody (Cottage Home), 27 Sept. 1954 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

³⁰ M.J. Duigan to the Matron of the Cottage Home, 28 Apr. 1955 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

³¹ Mr C. to Mrs Howden, 29 Apr. 1948 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

³² Dr. John Stuppel to Mrs. Howden (Cottage Home) 18 May 1948 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

been under a different impression, 'with the approval of your committee and the mother of this child I collected 'V' at Dr. Barnardo's Homes Cardiff and brought her to Ireland. She was meant for adoption by a person in Cardiff but was taken from them because of ill treatment.'³³ This was also the impression that the Children's Visitor³⁴ had when 'V' came to their attention in 1957, 'I wonder whether perhaps you had confused the 'Ss' with the people that 'V' went to in the very first instance for adoption. Because of their indifferent care, 'V' was put in a children's home in Cardiff.'³⁵ It is plausible that there was confusion over the reason that 'V' was leaving her first adoptive family. Mr 'S' and the Children's Visitor may have been mistaken in their assumption that she was placed in the care of the 'Ss' due to neglect.

While there is no evidence that 'V' had continued contact with the 'Cs' there is some indication that there was a level of contact between Mr and Mrs 'S' and the biological family of 'V': 'S' who adopted my daughter 'V' over ten years ago (the adoption was not legal) has been in touch with me at intervals during that time.'³⁶ It does not appear that there was contact between 'V' and her mother.³⁷

'V' became the subject of attention from the home when her biological mother wrote to the home in 1957. This was after receiving what must have been a distressing letter from Mr. 'S'. Her daughter's behaviour was of concern to Mr. and Mrs. 'S':

he has inferred she is a juvenile delinquent - stealing from shops and other children - of 'dirty' habits - [and] lying. He also says she thinks of nobody but herself - [and] has had to have her taken away from Mrs 'S' on occasion - to whom she has been the cause of a nervous breakdown. I cannot - of course - but take 'Ss' word that this is true - but find it so hard to believe - as to my knowledge there never has been any 'taint' of mental illness in either family.³⁸

³³ Mr. S. to illegible possible madam or matron (Cottage Home), 25 May 1957 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

³⁴ The Children's Visitor was a type of social care worker in the United Kingdom that dealt specifically with children.

³⁵ P. N. Watson to Mrs. Goodbody, 12 Jun. 1957 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

³⁶ A.N to the Cottage Home, 01 Jun. 1957 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

³⁷ P. N. Watson to Mrs. Goodbody, 12 Jun. 1957.

³⁸ A.N to the Cottage Home, 01 Jun. 1957.

It is possible that the 'Ss' had pathologised 'Vs' behaviour and from the above quote it is evident that hereditary traits were still an important aspect to adoption. The 'Ss' were looking for support from 'V's biological family, ' 'S' has also asked us for financial help towards 'V's education - with which request we found it impossible to comply as my father has only a small pension and I have no private means.' Whether or not the 'Ss' wanted 'V' was the subject of speculation by 'V's biological mother, 'he has also asked me to take back the child - which is quite out of the question. From 'S's letters - he quite obviously does not want to keep her and I would be so grateful for your help.'³⁹ It was the opinion of 'V's biological mother that she should not remain with the 'Ss'.⁴⁰

During the exchange of correspondence copies of letters that were sent between 'V's biological mother and the 'Ss' were handed over to the Cottage Home. 'V's biological mother did refuse to take her home, but it appeared that she had given the matter some thought, 'I received your letter a few days ago and have given the matter considerable thought. There has been absolutely no change in my circumstance and therefore it is quite impossible for me to take 'V'.⁴¹ There was some medical correspondence showing that 'V' had attended specialists, but none of the conclusions were submitted to the Cottage Home.⁴²

The correspondence from Mr 'S' is also available: 'My wife did everything for this child to get her through her fears and troubles. In 1948 August we took her into our family but in 1952 I was transferred in my work to England.'⁴³ 'V' was taken from Wales back to Ireland and then to England: 'She was ten last March and attends a paid first class preparatory school here but - we have had to take her from 3 schools because of

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Copy of a letter from A.N. to Mr. S., 12 Feb. 1957(A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

⁴² General correspondence of the Cottage Home (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

⁴³ Mr. S. to the Cottage Home, 25 May 1957 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

stealing from children money and sweets. It brought about the illness in my wife.’⁴⁴ In this instance it appears that the adoptive mother was not emotionally equipped to deal with ‘V’s disruptive behaviour. Mr. ‘S’ decided that the most appropriate course of action was to contact ‘V’s biological mother. ‘I approached ‘V’s mother in Limerick asking if she could take her over.’⁴⁵ The prospect of having ‘V’ adopted by another family was not considered an appropriate course of action by Mr. ‘S’: ‘For the child’s own sake it is no use to send her into another family she wants something away from temptation.’⁴⁶

Mr and Mrs ‘S’s letter to the Home gives the same information as ‘V’s biological mother’s letter. It appears that Mr ‘S’ came into contact with his local Children’s Visitor (possibly through the Cottage Home)⁴⁷ and was able to come to the conclusion that ‘V’ should stay with the ‘S’s, although there seems to have been some confusion over the intentions of Mr. and Mrs. ‘S’, ‘Mr and Mrs ‘S’ do not wish on any account to part with her and ‘V’ seems to wish to remain with them.’⁴⁸ It is plausible that Mr and Mrs ‘S’ did not want to part with ‘V’ and were simply looking for a support system to help them cope with a difficult situation. The conclusion of the Children’s Visitor was that they were ‘sure we can help, so perhaps you will be kind enough to leave the case for us to deal with in England’.⁴⁹

This case demonstrates that adoptions arranged on an informal basis did occasionally face difficulty. ‘V’ was in the care of Mr and Mrs ‘S’ for around ten years. She had been taken by Mr and Mrs ‘C’ in November 1947 when aged under one year. Mr. ‘S’ started writing to the home in 1957. She was most likely in the care of Mr and Mrs ‘S’ from the age of one. It is impossible to know if most adoptive parents and

⁴⁴ Ibid

⁴⁵ Ibid

⁴⁶ Ibid

⁴⁷ P.N. Watson to Mrs. Goodbody, 6 Jun. 1957(A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

⁴⁸ P. N. Watson to Mrs. Goodbody, 12 Jun. 1957.

⁴⁹ Ibid

biological parents stayed in contact, or had any contact. In this case, however, it is known that they did. The adoptive parents when faced with a difficult situation appealed to the biological parent for both financial and emotional support. The biological mother then sought the assistance of the Cottage Home. Nothing more is known about the case of 'V'.

The home continued to arrange adoptions in 1948. There were five admissions from 1948 that resulted in adoption. These were all boys. One of these boys was adopted in Ireland and the rest were adopted outside of the state. Three were adopted in America.⁵⁰ One was adopted in England.⁵¹ Again, information on biological parents was scarce. One mother was a children's nurse; one was a cashier and one was a clerk. The children spent between one and four years in the home. They were aged between one month and ten months old when they entered the home.

From 1949 to 1951 there were eight children admitted, two girls and six boys, who were subsequently adopted. They ranged from ten days to fifteen months old when they entered the home. The length of stay in the in the home was for between one month and five years. Two were adopted in America, two in Ireland. Two were adopted care of individuals in Ireland, no further information is given in these cases. One was adopted care of the Protestant Adoption Society and one was simply identified as adopted.

The available records show that biological parents sometimes had contact with adoptive families. From the correspondence available, some biological mothers and families did not forget about adopted children and were anxious about their happiness and care. The Cottage Home records also highlight the numbers of children sent out of the country for adoption. In the Cottage Home, adoptions to America were not the only

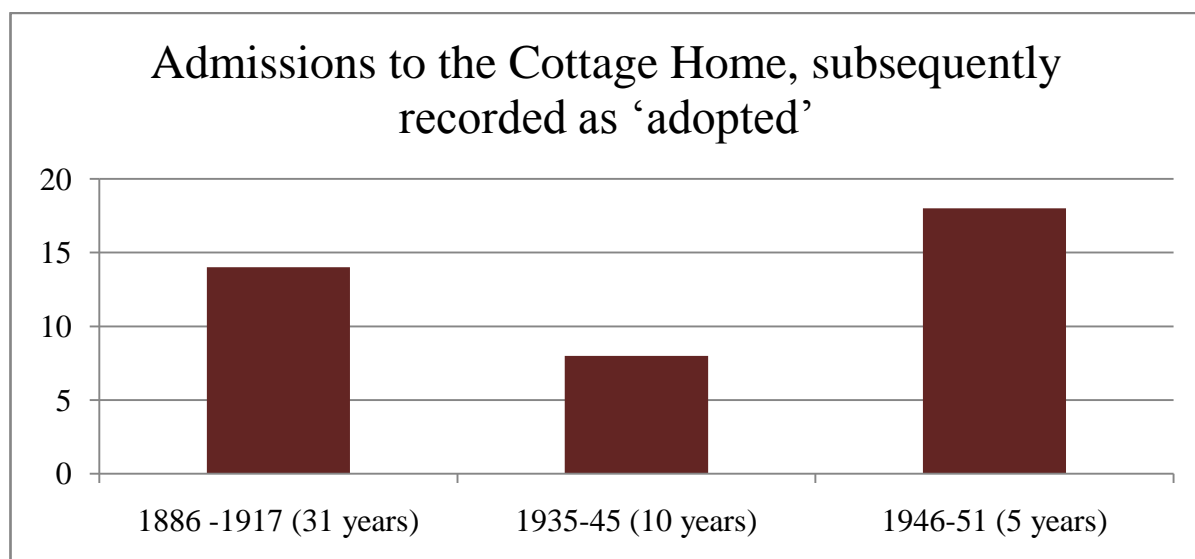
⁵⁰ Entrant number. 1804, 1805, 1806, 1808 and 1809 in the admission book from Jan. 1912 to Jul. 1956 and undated, unpublished report on children adopted since the reopening of the Cottage Home for little children in August 1948 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

⁵¹ Undated, unpublished report on children adopted since the reopening of the Cottage Home for little children in August 1948 (A.C.H.L.C., General correspondence of the Cottage Home in archive box 6).

international adoptions. In a history of the home published in 1979, Canadian adoptions were mentioned, although there is little evidence for this in the admission books during this period: ‘one interesting feature of the 1880s and 1890s was the number of children who were sent to Canada to live with families and generally adopted.’⁵² There is no explanation of the term ‘generally adopted’ and this could have included apprenticeships. The graphs below demonstrate the numbers adopted and the destinations of those adopted. They show that adoptions in the home increased during the 1930s and 1940s. They also demonstrate that, although we do not know where most of the children adopted were sent, we do have locations for a number of adoptive parents. We know that thirteen of the adopted children stayed in the Irish Free State and twelve were sent abroad. One of these twelve children left the state before 1922, and the child’s destination was an aunt in London.

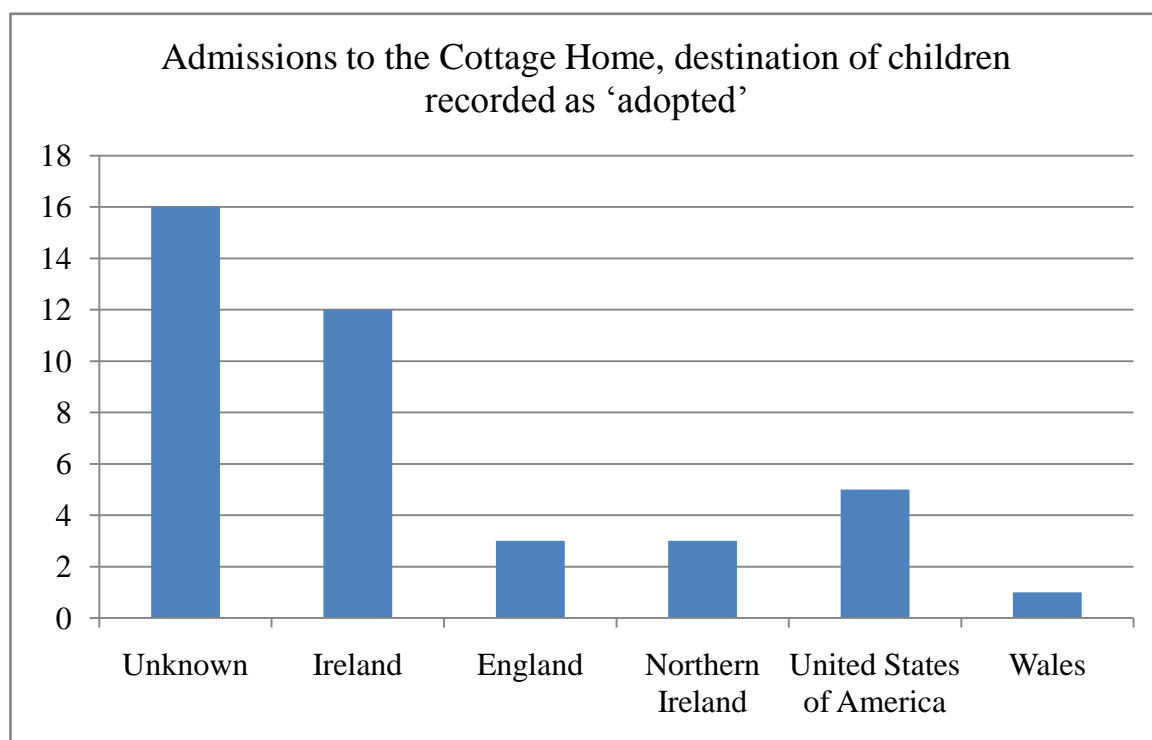
⁵²Olive C Goodbody, *One hundred years a growing: a memorial to Denis Goodbody trustee of the Cottage Home from 1939 to 1971* (Dublin, 1979) p. 12.

Fig. 2.1 Admissions to the Cottage Home, subsequently recorded as 'adopted'



(Source: information compiled from the admission books of the Cottage Home for Little children between 1886 and 1951.)⁵³

Fig. 2.2 Admissions to the Cottage Home, destination of children recorded as 'adopted'



(Source: Information compiled from the archive of the Cottage Home for Little children)⁵⁴

⁵³ Admission books for the Cottage Home for Little Children from 1886 to 1951 (A.C.H.L.C)

⁵⁴ Admission books for the Cottage Home for Little Children from 1886 to 1951 (A.C.H.L.C.)

The Cottage Home was not the only organisation arranging adoptions in Ireland. It is also important to examine the Catholic organisations that arranged adoptions during the same time period. Saint Patrick's Guild was one such organisation. It was established in 1910 by Mary Cruice. The organisation cared for Catholic children and occasionally arranged for their adoptions. Those working in the guild communicated regularly with the archbishop of Dublin; in the records of the diocesan archive there are a number of letters that relate to the running of the organisation. Among these records there are a number of revealing letters relating to an individual referred to as 'J'.⁵⁵ These letters were sent between Saint Patrick's Guild, the archdiocese and 'J'. In 1938, in a letter to the archdiocese, Cruice identified how 'J' came into the care of the society.⁵⁶ The child was handed into the society by a Miss 'K', an employed single woman who had been a collector for the guild in 1916. The case came apparently 'under her notice'.⁵⁷ Mary Cruice stated in her letter that she had no history of the boy except his date of birth 6 February 1916. Cruice also stated that even if the guild had knowledge of the mother's name and address it would not be given to the child for 'obvious reasons'.⁵⁸ The name of a married woman was given as a reference when the guild took on the case. Miss 'K' took on the maintenance of the child for a fee, until he was adopted in 1918 by another married woman named Mrs 'O'. Miss 'K' may have always intended when taking the child to foster him herself.

When the child came in search of his baptismal records none could be found. This was possibly due to a fire.⁵⁹ Miss 'K' was contacted again and informed Mary Cruice that she believed the child had been baptised in St. Andrew's, Westland Row under a different name than the one he had been given. Miss 'K' believed the mother

⁵⁵ In the correspondence relating to 'J', the individuals involved were anonymised by this author.

⁵⁶ Mary Cruice to R.J. Glennon, 29 Jul. 1938 (D.D.A., Saint Patrick's Guild files for the Archbishop Byrne era c. 1921 -1940).

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ 'J' to Mary Cruice, 30 Apr. 1938 (D.D.A., Saint Patrick's Guild files for the Archbishop Byrne era c. 1921 -1940).

and grandmother to be dead and was of the opinion that the child had no living relative.⁶⁰ Miss 'K' also identified the last name of the child's grandmother. 'J' wrote to the guild himself in 1938 looking for a copy of his baptismal certificate so that he could be married. In his correspondence with Mary Cruice, he became very frustrated at the manner in which he was being treated. 'J' had maintained contact with the guild throughout his life. He was informed that there were no records of his birth or adoption.⁶¹ He was eventually forced to write to the archbishop in order to receive information on his baptismal records.⁶² In his letter to the archbishop, he identified the age at which he was given to the guild as being eight days old.

This case can be examined as a specific study. The child was adopted not from birth but from the age of two years. Some babies were not adopted from birth as evidenced from the Cottage Home. In 'J's case, there was no evidence of any form of consent from the biological mother. Her full name is never identified and it does not appear that any great effort was made to contact her in regard to the child. Miss 'K's role was crucial. The woman took the child to the guild and then received a payment for the maintenance of the child. There does not appear to have been any investigation of her relationship to the child nor how the child came into her care. The child stayed with her for two years, yet no attempt was made at an adoption. The reference to the married woman, Mrs 'O', suggests that she either knew the biological mother or was aware of the fact that Miss 'K' was responsible for the child.

The information in regard to Mrs 'O' was not given to 'J'. It appears that none of the information surrounding his birth was given to him except the fact that he was eight days old when he was entrusted into the guild's care. His mother was never identified and the identification of the grandmother's name was never specified as

⁶⁰ Mary Cruice to R.J. Glennon, 29 Jul. 1938.

⁶¹ 'J' to the archbishop of Dublin, 15 Jul. 1938 (D.D.A., Saint Patrick's Guild files for the Archbishop Byrne era c. 1921 -1940).

⁶² Ibid.

maternal or paternal. There was an implication that this was the maternal grandmother because she was mentioned after the biological mother. There was no mention of the biological father. The mother and grandmother were dead, according to Miss 'K'; this is plausible as the correspondence occurred twenty years after the child was given into the guild.

'J's decision to go the archbishop highlights the uncertainty surrounding adoption cases. Although Saint Patrick's Guild was a Catholic organisation, it was not under the control of the Catholic church until it was taken over by a religious order in the 1940s. At the time that 'J' went in search of his identity, the church did not have administrative control of adoption practices in this organisation. Given the dubious legal nature of the adoption of 'J', seeking legal advice might have been a more appropriate course of action. From the records available in the Dublin Diocesan Archives it appears that no legal action was taken. There is no other correspondence in this case and it is unclear how the situation was resolved. Despite the frustration expressed by 'J' in his letters, it does not appear that he considered consulting the law, or any other secular authority regulating the behaviour of organisations and individuals arranging adoptions. Legally there was no ground for any of the actions that were taken. 'J' was deprived of his identity and in his letters to the guild he identified this lack of knowledge of his origins as a gross injustice.⁶³

Other correspondence to the archdiocese from Mary Cruice gives insight into how adoptions were arranged. In an undated memo she states:

After a period generally about three years, sometimes very much longer, a more permanent provision is made for the child. Very often its adoption is arranged for by means of money received from its mother, father or other relatives, or when such resources fail by means of the Guild funds. Often the foster parents having grown fond of the child offer to adopt it graciously. Where adoption is not possible the child is placed in an industrial school or orphanage.⁶⁴

⁶³ Ibid.

⁶⁴ Mary Cruice undated memo (D.D.A., Saint Patrick's Guild files for the Archbishop Byrne era c. 1921 - 1940).

The arranging of adoption for new born children was not a priority, children were fostered first. The payment system for adoption was abolished in the legislation of the 1950s, but appeared to be a cornerstone of adoption in the time of Mary Cruice. It is important to note that the Sisters of Charity took over the guild in the 1940s.⁶⁵ This may have led to a different attitude to adoption practices.

Further correspondence between the archbishop and Saint Patrick's Guild gave details of the cases dealt with by the guild from within the Dublin area in 1938.⁶⁶ The guild itself initialled the names of those mentioned in these cases. However, in this chapter, the cases have been anonymised further and just one initial is given, and it should be noted that the initials apply not to the child but to the mother. There were a number of fields of information completed by the guild. These included the initials of the biological mother, the parish the mother was from, the mother's occupation, the putative father and, also, a section for general remarks and the decision of Saint Patrick's Guild. The case studies give an insight into what was considered valuable when deciding on suitable cases, the cases here are those that resulted in an adoption or may have resulted in an adoption. There were other cases mentioned involving assistance given to married parents but these are not discussed here. The number of 'adoption' cases discussed by the guild is very limited and they only give a small amount of information. It is also impossible to know exactly what is meant by certain phrases and there is no way of knowing if the information given is correct. The reports were written for the archbishop of Dublin and were intended to supply him with information on the work being carried out by the guild. The archbishop was an important figure in terms of financial and public support and the guild needed his

⁶⁵ Unpublished report for Saint Patrick's Guild May and June 1943 (D.D.A., box 687, folder Saint Patrick's guild and Saint Gerard's 1941-1944).

⁶⁶ Mary Cruice to the archbishop of Dublin, 6 Apr. 1938 (D.D.A., Saint Patrick's Guild files for the Archbishop Byrne era c. 1921 -1940).

approval to function. The information given to him could have been skewed to justify the money and support that the guild received from him. For the first three months of the year 1938 there were three cases. The cases discussed here are the children admitted to the guild and most likely adopted or fostered.

‘C’ was a waitress; she was twenty years of age and came from a ‘respectable family’.⁶⁷ The father of her child was unidentified. The decision of the guild was to admit her child into its care. The term ‘respectable family’ implied that the situation of a single woman’s family was influential in determining whether the woman was given assistance.⁶⁸ Respectability involved living by certain moral standards. It was about how often the family went to mass and that they adhered to the social and moral instruction given them. This young woman was employed as a waitress, suggesting that she may not have come from a wealthy background. The financial and emotional support system needed to raise a child was not available to this woman. She would receive no assistance from the government and would most likely be stigmatised by her ‘respectable family’.

The second case from the first three months of 1938 was that of ‘A’. She was twenty-three and employed as a domestic servant. Her child’s father was identified and it was stated that he was non-Catholic. They appeared to be in a relationship. Her mother was aware of her condition and she was to return to her employment after the birth. She was also recommended by a priest. Again this young woman was in paid employment. She was older than ‘C’. Her job was secure and the knowledge her mother had of the pregnancy indicates that there was possibly a substantial amount known about the relationship the woman had with the putative father. There was no indication that the religion of the child was ambiguous. The ‘non-Catholic’ status of the father was not commented upon, it was merely stated.

⁶⁷ Ibid.

⁶⁸ Ibid.

The third case involved a Miss 'N'.⁶⁹ This woman was also a domestic servant. She was twenty-two years of age. Her mother was aware of her situation and she was to return to her employer after the pregnancy. The woman was admitted into 39 Mountjoy Square. This was a home established by the organisation as a place for single women and their babies.⁷⁰ There appeared to be no investigation of the putative father in this case. There was no suggestion of financial support being offered or any support being sought. This was another case involving a domestic servant. In both cases their employers were willing to rehire them, suggesting that some employers may have been sympathetic to women who fell pregnant while in their employment. There was a possibility that these employers were responsible for the pregnancy, the putative fathers being the employers or the employer's sons. In Diarmaid Ferriter's work on the sexual history of Ireland, he raises the issue of the dangers faced by domestic servants.⁷¹ Domestic service was one of the few jobs available to women. As Ireland never industrialised in the same way as other European countries, factory work was not readily available for women. As one study of domestic servants identifies, 'The majority of them were young single women working in houses where only one servant was employed'.⁷² Many young women were isolated and could easily be taken advantage of. Domestic servants were also very young, 'In 1911, 47 percent of indoor female servants in Ireland were under 25'.⁷³ These women were young, isolated and vulnerable.

The second set of cases relating to the guild and the archbishop of Dublin dated from April 1938 to 31 March 1939.⁷⁴ This list is far more extensive and allows for a

⁶⁹ Ibid.

⁷⁰ Lindsey Earner-Byrne, *Mother and child: Maternity and child welfare in Dublin 1922-1960* (Manchester, 2007) p. 88.

⁷¹ Diarmaid Ferriter, *Occasions of sin* (London, 2009) p. 81.

⁷² Mona Hearn, *Below stairs: Service remembered in Dublin and beyond 1880-1920* (Dublin, 1993), p. 9.

⁷³ Ibid p.13.

⁷⁴ Mary Cruice to Archbishop Byrne, 2 Dec. 1938 and Mary Cruice to Archbishop Byrne, 9 Jun. 1939 (D.D.A., Saint Patrick's Guild files for the Archbishop Byrne era c. 1921 -1940).

more detailed analysis of the position of biological mothers. In this set of reports to the archbishop, there is no field for the name of the putative father. The exclusion of the putative father's details reinforces the idea that the pregnancy was seen as purely the responsibility of the biological mother.

'M' lived at home; she was 'mentally defective'. No explanation of this term was given by the guild, and as has been mentioned earlier it was common to use vague terms during the period under consideration.⁷⁵ Her occupation was identified as 'home duties'. Her family came highly recommended by the church curate. This young woman was obviously vulnerable. There was no information given as to how this woman became pregnant. The recommendation by the local curate may have secured her the support of the guild. The woman was admitted to a mother and baby home. There was no age given in this particular case. The woman may have been older than her early twenties or it could be the case that her 'mental difficulties' negated the importance of her age. There was no assessment given of the extent of the 'mental difficulties'. There was also no assessment of the best level of care that she should receive. Whether she should be placed in an environment that would provide a higher level of care for her was never addressed.

The first domestic servant for the 1938-9 period was 'P'.⁷⁶ She was recommended for assistance from the guild by the church curate. The father was a married man. He had accepted financial responsibility for the child. The child was then taken into the care of the guild. When the child entered the care of the guild it was not stated whether the financial responsibility of the child was taken over completely by the guild, or if the putative father continued to support the child financially. The admittance of paternity of the child and the financial contribution was not sufficient for the mother and child to remain together. This case demonstrates that there were more difficulties

⁷⁵ See chapter 2 p. 64

⁷⁶ Ibid.

facing biological mothers than just financial problems. In this case, the mother was employed as a domestic servant. This may have made it difficult for her to keep her baby with her. In spite of the situation being more financially promising than for some single women, she was still unable to keep her child. She could not have the child with her when she worked so she would need to have child-care arrangements. This would have cost money and, although she had the independence of an income, it was probably too small to enable her to keep her child.

‘U’ was identified as being seventeen years of age.⁷⁷ Her occupation was home duties. The putative father was the girl’s uncle. Proceedings were pending and the girl was to return to her family after confinement. The guild accepted custody of the child. In this case there is no evidence that a priest vouched for the girl. The girl spent her confinement in a mother and baby home. There were court proceedings against her uncle but the nature of these proceedings was not identified. There could have been a criminal prosecution or the mother could have been looking for an affiliation order. An affiliation order was a legal order that required the fathers of children born outside of marriage to pay support for their children. The reaction of the family to the pregnancy was not noted.

‘L’ was a machinist.⁷⁸ She was twenty-four years of age. The putative father was contributing to the maintenance of the child and the mother had resumed work. The guild accepted responsibility for the child. Within a week of the guild accepting responsibility for the child, the mother arranged to have the child adopted elsewhere. This suggests that there were many ways of arranging for the adoption of children. This biological mother had very little difficulty in finding an adoptive family. This was in 1939, thirteen years before, legislation was introduced, demonstrating that there was an

⁷⁷ Ibid.

⁷⁸ Ibid.

active demand for adoption. It also demonstrates the desire of some biological mothers to have their children adopted.

‘CT’ was a stenographer.⁷⁹ She went to England for her confinement and the putative father was paying for the maintenance of the child. The guild accepted custody of the child. There was no recommendation from a parish priest and there was no comment on the employment situation of the mother. This was the first example in these files of emigration associated with pregnancy. The mother brought her child back from England to have it cared for by the guild. Emigration helped to keep the pregnancy a secret. Studies conducted into the reasons for the emigration of pregnant women have identified the institutions in Ireland as one of the factors. ‘The threat of a type of incarceration in semi- penal institutions was, therefore, likely to be one of the main reasons why so many pregnant unmarried mothers were intent on fleeing to England to give birth and have children adopted’.⁸⁰

‘TG’ was a dressmaker.⁸¹ She was recommended to the guild on the advice of the Legion of Mary. Her child was taken into the care of Saint Patrick’s Guild. The Legion of Mary had facilities to look after single women and their babies. It had a hostel that allowed women to live there and keep their babies.⁸² The mother’s reason for accepting the help of the guild can be seen as a reflection of the financial difficulties facing single women. The Legion could have provided the woman with a place in its hostel but she would still need to earn money to raise her child. If the mother was a domestic servant then she would need to find a place for the child to remain during the hours she was at work. If the mother did not have the support of family, the provision of childcare would be particularly difficult. The surrendering of a child for adoption was

⁷⁹ Ibid.

⁸⁰ Paul Michael Garrett, ‘The abnormal flight: the migration and repatriation of unmarried mothers’ in *Social History*, xxv no. 3 (2000) pp 330-343 p. 336.

⁸¹ Mary Cruice to Archbishop Byrne, 2 Dec. 1938

⁸² Lindsey Earner-Byrne, ‘Reinforcing the family: The role of gender, morality and sexuality in Irish welfare policy, 1922–1944’ p. 363.

one of the few options available to unmarried women and was possibly the last option available to some women. In this case the mother was a dressmaker. It is not clear if she worked in a factory or in a cottage based industry. There could be any number of factors that led this woman to surrender her baby. It can only be assumed that the comment on the non-contribution of the father is an indication that there was a financial motivation.

There was no identifying information or comment given on the next case.⁸³ The woman worked as a drapery assistant. Her baby had been taken into the care of the guild and was currently being boarded out. There were no remarks on the status of the mother or the father. There were no initials given. The lack of identification is similar to that of the case study of 'J', a child taken into the guild and boarded out without a full investigation taking place into his origins. If the child was fostered by a family member, for instance by a grandmother or an aunt, then it would explain the speed at which the fosterage took place. The other possibility is that the child was not of the Catholic faith. If this was the case, the limited information divulged in relation to the mother would make sense. It could lead to tensions between religions if the guild was taking in children who were the social concern of other religions. The Catholic church had accused other religions of the practice of proselytism. The lack of identifying details in this case indicates that the Catholic church may in this case possibly have been responsible for proselytism.

The final case found in this list was the case of a domestic servant.⁸⁴ The woman was not identified. The similarity between this case and the case of some of the other women raises the possibility that proselytism was in fact taking place. The child was born on the Isle of Man and the specific recommendation of the guild was that the child should be adopted into a Catholic home. The specific mention of the religion of the home occurs in this case, but not in other similar cases. The possibility of proselytism

⁸³ Mary Cruice to Archbishop Byrne, 2 Dec. 1938

⁸⁴ Ibid.

occurring is heightened by the location of the child's birth, the Isle of Man. The mother could have been pregnant before she left Ireland and her move to the Isle of Man may have been an attempt to keep the pregnancy a secret.⁸⁵ There could have been a non-Catholic organisation on the Isle of Man that would have provided assistance to the unmarried woman.

These cases demonstrate that most of the women placing their children for adoption were in employment. Most were recommended by a clergyman. Some were receiving assistance and aid from their families. The evidence here also suggests that even when the father of a child was willing to contribute, some women were still unable to keep their children. These cases can be examined further by looking at the available annual reports for Saint Patrick's Guild.

Saint Patrick's Guild produced annual reports. These reports deal with how the guild addressed some of the issues that they were facing. They also give statistics on those adopted. The first extant report on the work of the guild is for the years 1920-1.⁸⁶ The guild interviewed 3,559 people and recorded that there were 1,886 applications for help, of which 204 resulted in an arrangement for fosterage. Twenty-one adoptions were arranged, a relatively low number. It would appear from this report that offering advice was the main function of the guild. A lack of money on the part of the guild would account for an inability to take on every case. In the report two cases were described as being resolved 'unsatisfactorily'.⁸⁷ No explanation of how they were unsatisfactory was offered. It could be assumed that the child either remained with the mothers or were placed in the care of Protestant organisations.

The report for 1923-4 gave no figures on the number of children adopted.⁸⁸ The next set of possible adoption figures were given in the report for 1924-5. Seventy-one

⁸⁵ Ibid.

⁸⁶ *Saint Patrick's Guild annual report 1920-1921* (Dublin, 1922) p.5.

⁸⁷ Ibid.

⁸⁸ *Saint Patrick's Guild annual report 1923-1924* (Dublin, 1925).

children were identified as 'provided for' in the guild report of 1924-5.⁸⁹ No adoption figure was given but 119 children were boarded out. Again, the numbers that were fostered were more extensive than the numbers that were 'provided for'. 'Provided for' could have been a euphemism for 'adopted' or placement in some kind of apprenticeship. The increase could have meant that the number of adoptions grew in the five year period since the 1920-1 guild report. Inspections were recorded for the first time. There is no mention of the number of children who had died in the guild's care.

In 1927-28 the report provided some information on the children that were adopted. However, no adoption or fostering figures were recorded.⁹⁰ There was an advertisement for adopting children, again suggesting the growing popularity of the practice. Images were accompanied with the statement: 'we have been very successful in arranging good adoptions for healthy babies. A number still remain to be provided for and we would be glad of suitable applicants.'⁹¹ The use of advertising may have encouraged the public at large to donate more money as well as highlighting the benefit of child adoption. The adopted family would, in theory, offer the child a life that the biological mother was unable to give. In the image below there are a number of children of various ages in the pictures. This suggests that it was not just new-born babies or toddlers that were available for adoption, but that children around the age of seven or eight were also available for adoption.

⁸⁹ *Saint Patrick's Guild annual report 1924-1925* (Dublin, 1926) p.10.

⁹⁰ *Saint Patrick's Guild annual report 1927-1928* (Dublin, 1929) p.15.

⁹¹ *Ibid.*

Plate. 2.1 Image of children available for adoption.



Source: *Saint Patrick's Guild report 1927-1928*, (Dublin, 1929).⁹²

The report for 1929-30 records that there were thirty-five children ‘provided for’.⁹³ Again there is no mention of adoption but adoption could have been included in an umbrella term such as ‘provided for’. The constant use of these euphemisms instead of using the terms adoption or apprenticeship hints at a disassociation from adoption or apprenticeship itself. The compilers of the reports were using language that by its very nature creates the illusion of a positive and happy outcome for the child. ‘Provided for’ and ‘settled in life’ implies a permanency to their new situations and the tone suggests that there was a separation between the guild and these children. They were no longer the responsibility of the guild. The choice of language used distanced the guild from the care of these children. In view of the fact there were 409 children admitted into the home run by Saint Patrick’s Guild in the same year, the disparity between the numbers possibly adopted and the numbers in the home managed by the guild suggests again that

⁹² Ibid

⁹³ *Saint Patrick's Guild annual report 1929-1930* (Dublin, 1931) p.9.

adoption was not the main function of the guild. There were fewer children ‘provided for’ in 1924. Half that number were ‘provided for’ in 1929.

In the 1931-2 report there is an example of the guild sending a child abroad for adoption.⁹⁴ In a case concerning adoption, an unmarried woman became pregnant and the putative father went to America. A couple who were on holidays in Ireland came to the guild looking for a child to adopt. The couple were identified as being from the ‘colonies’.⁹⁵ The ‘colonies’ in question were never defined and there was no further information on their family situation. The husband in the couple that wished to adopt the child turned out to be an uncle of the biological mother. There was no explanation of how this relationship was identified. There was no explanation of the selection process that these parents went through. There was also no identification of the location from which the adoptive parents originated. 1931 was twenty years before the practice of international adoption received any media scrutiny. There was a positive attitude toward foreign adoption in this report; the report describes the relationship between the adoptive father and the biological mother as being of the most extraordinary providence and the baby’s future was described as ‘secure’. The position of this story in the annual report might have been with the intention of attracting more adoptive families.

In 1933 there was no record of any children being placed for adoption.⁹⁶ No euphemisms were used that could be construed as referring to possible adoption arrangements. There was a gap of four years until the next available report by Saint Patrick’s Guild. The 1937 report mentions that thirty-four children were adopted.⁹⁷

By the 1940s a marked change had occurred. In a letter from Saint Patrick’s Guild dated 4 October 1944, figures for women admitted and children adopted by the

⁹⁴ *Saint Patrick’s Guild annual report 1931-1932* (Dublin, 1933) p. 9.

⁹⁵ *Ibid.*

⁹⁶ Typed report for St. Patrick’s Guild 1933 (D.D.A., Saint Patrick’s Guild files for the Archbishop Byrne era c. 1921 -1940).

⁹⁷ *Saint Patrick’s Guild annual report 1937* (Dublin, 1938) p.6.

guild are listed.⁹⁸ In the seventeen months from 3 May 1943 to 30 September 1944 there were 155 admissions, 157 adoptions, 31 discharges to industrial schools and 6 deaths. These figures show that, by that time, the vast majority of cases dealt with by the guild resulted in adoption.

If the adoption was unsuccessful, there is no evidence of any procedure to deal with this. No record of the numbers applying to adopt children are recorded either. There is a danger in relying too heavily on these reports as it is impossible to know how accurate the information given was.

Saint Patrick's Guild was not the only Catholic organisation created in the early twentieth century to offer assistance to single women. The Catholic Protection and Rescue Society of Ireland (C.P.R.S.I.) was set up in 1913.⁹⁹ The organisation was run by a board comprising religious and lay figures. It included the Reverend Fr. Cecil Barrett (a leading social welfare advisor in the Dublin diocese) and Christopher Glennon. This organisation was established in order to combat proselytism, to offer aid to those likely to go to Protestant agencies in search of help. Its eighth annual report, dated 1921, recorded that twelve adoptions had been arranged.¹⁰⁰ These adoptions were arranged without a fee. There was a much more open attitude to adoption in the C.P.R.S.I. than is reflected in Saint Patrick's Guild reports. The lack of a fee implies that the organisation was aware of the dangers of sending children into family environments for monetary gain or receiving monetary gain for the placement of children. The number of adoptions again was quite limited. In 1921 532 cases had been taken on by the society. There were 134 children boarded out in foster arrangements. Twenty-four were sent to school at a cost to the society. Four were committed to industrial schools. The society also gave money to families that were in need of help.

⁹⁸ Saint Patrick's Guild to the archbishop of Dublin, 4 Oct. 1944. (D.D.A., Box 687, Archbishop McQuaid era, untitled folder).

⁹⁹ *Catholic Protection and Rescue Society of Ireland report for the year 1914* (Dublin, 1914) p.7

¹⁰⁰ *C.P.R.S.I annual report 1921* (Dublin, 1922) p.14.

Five women were sent to convalescent homes. The numbers of unmarried women seeking help from the society was very small. This suggests that few women were availing of the service in the early 1920s.

There were no figures for adoption in the annual reports for 1924 and 1925.¹⁰¹ In 1926 the report contained information on the figures of the society for that year and the previous two years. None of the figures stated the numbers of adoptions arranged.¹⁰² During these three years there were 543 cases recommended to other societies and orphanages. Some of these other societies may have arranged adoptions for the children.

The reports from 1927, 1928 and 1929 make no mention of adoption.¹⁰³ The report for 1930 is unavailable. The eighteenth annual report in 1931 gives statistics on the numbers adopted, when there were 130 children adopted.¹⁰⁴ The report also compares this with the 104 children adopted in 1930. This was the first mention of adoption in the reports of the C.P.R.S.I. since 1921. An increase from twelve cases to 130 in the space of ten years demonstrates the growth of adoption as a practice and possibly a more open attitude by record keepers regarding the arrangement of adoptions.

In 1933 and 1934 there was no mention of adoption.¹⁰⁵ The reports for the 1940s from the society offer more information. For the first report of 1940, twenty-seven children were reported as having been adopted.¹⁰⁶ In the report for 1941, twenty-seven children were adopted.¹⁰⁷ In 1944 it was nineteen.¹⁰⁸ There were seventy-one adoptions in 1947.¹⁰⁹ There is a gap in the reports that are available and the information that is

¹⁰¹ *Catholic Protection and Rescue Society of Ireland (C.P.R.S.I.) annual report 1924* (Dublin, 1925) and *Catholic Protection and Rescue Society of Ireland report 1925* (Dublin, 1926).

¹⁰² *C.P.R.S.I. annual report 1926* (Dublin, 1927) p.2.

¹⁰³ *C.P.R.S.I. annual report 1927* (Dublin, 1928) and *C.P.R.S.I. annual report 1928* (Dublin, 1929) and *C.P.R.S.I. annual report 1929* (Dublin, 1930)

¹⁰⁴ *C.P.R.S.I. annual report 1931* (Dublin, 1932) p.3.

¹⁰⁵ *C.P.R.S.I. annual report 1933* (Dublin, 1934) and *C.P.R.S.I. annual report 1934* (Dublin, 1935).

¹⁰⁶ Typed report of the C.P.R.S.I for 1940 (D.D.A., Catholic Protection and Rescue Society of Ireland files for the archbishop McQuaid era, untitled folder).

¹⁰⁷ *C.P.R.S.I. annual report 1941* (Dublin, 1942) p.3.

¹⁰⁸ *C.P.R.S.I. annual report 1944* (Dublin, 1945) p.1.

¹⁰⁹ *C.P.R.S.I. annual report 1947* (Dublin, 1948) p. 1.

contained in each report. However there is an alternative source of information on the numbers of children adopted.

A letter from Fr. Barrett to Fr. Mangan (the personal secretary of the archbishop) demonstrates that the de facto practice of adoption took place within the C.P.R.S.I. from at least 1937. The letter is dated 29 May 1951. The letter contains adoption figures for the C.P.R.S.I. The figures correspond with the annual reports except for 1941; the reports claim that there were twenty-seven adoptions but the letter claims that there were twenty-five.

Table. 2.1: Table showing admission and discharge of children to the Catholic Protection and Rescue Society 1937 - 1950.¹¹⁰

Year of admission	Discharges of children from the Catholic Protection and Rescue Society.	Adoptions of children	New cases of children admitted to the Catholic Protection and Rescue Society.	Total cases of children on books of the Catholic Protection and Rescue Society.
1950	48	23	72	267
1949	91	60	64	239
1948	107	74	74	270
1947	93	71	86	309
1946	76	76	61	319
1945	77	44	57	359

¹¹⁰ Cecil Barrett to Fr. Mangan, 29 May 1951 (D.D.A., Box 687, Archbishop McQuaid era, folder American adoption policy 1950-1952).

1944	45	19	57	379
1943	28	15	62	367
1942	68	25	61	333
1941	68	25	47	340
1940	66	27	63	356
1939	57	36	54	359
1938	80	32	60	362
1937	82	37	47	378

Source: Cecil Barrett to Fr. Mangan, 29 May 1951.¹¹¹

In the period from 1937 to 1950 according to Fr. Barrett there were 564 adoptions arranged by the Catholic Protection and Rescue Society. During the thirteen year period the average number of adoptions to have taken place was forty per year. There was an average of 321 children in the care of the society each year, with seventy children being admitted each year. If there were forty adoptions taking place on average with seventy new admissions, that means that more than half of those admitted into the care of the society in the Dublin diocese were being adopted. These figures show that the practice of adoption was conducted frequently at least fifteen years prior to legislation on the matter. The numbers of adoptions were particularly high in the late 1940s. This was also the time that children were first sent abroad with the intention of being adopted.¹¹² The pattern that emerges from all of these figures is that adoption increased during the 1940s within the diocese.

¹¹¹ Ibid

¹¹² Fr. Mangan to Cecil Barrett, 29 May 1951 (D.D.A., Box 687, Archbishop McQuaid era, American adoption policy 1950-1952).

There were charitable Catholic organisations in operation other than Saint Patrick's Guild and the Catholic Protection and Rescue Society of Ireland. One such a group was the Society for the Protection of Destitute Catholic Children.¹¹³ This organisation was much smaller in nature and appears to have had much less funding. This society was linked to with the National Maternity Hospital, Holles Street, Dublin. From the records available in the Dublin Diocesan Archives it appears that the society was arranging adoptions for unmarried women who had their babies in the hospital. In 1942 ten adoptions were arranged by the organisation. The records for the numbers of children born in hospitals that were not 'legitimate' are unavailable to historical researchers. In 1942, there were 2,419 unmarried pregnancies recorded in Ireland.¹¹⁴ Therefore ten adoptions appears to be a small number.

Saint Patrick's Guild, the C.P.R.S.I. and the Society for the Protection of Destitute Catholic children had a number of factors in common. They all arranged adoptions. They were all voluntary not-for-profit organisations that operated like charities. They all communicated with the Catholic archbishop of Dublin. They all had a strong Catholic influence. They had independence from and were not answerable to any government organisations or bodies. They do not appear to have had regular inspections or to have had enquires into their adoption work by government officials. The only organisation interested in their adoption work was the archdiocese of Dublin. While Catholic agencies arranged adoptions there was no coherent policy on adoption from the Catholic hierarchy.

There was no official statement at this time from the Catholic church in Ireland on adoption. However, the *Irish Ecclesiastical Record* of October 1949 stated clearly

¹¹³ Angela Boland, Secretary for the Society for the Protection of Destitute Catholic Children to the archbishop of Dublin, 9 Sept. 1942 (D.D.A., Society for the Protection of Destitute Children files, folder xxi/121/2/1-13).

¹¹⁴ Lindsey Earner-Byrne, *Mother and child: Maternity and child welfare in Dublin 1922-1960* (Manchester, 2007) p.174.

the position of adoption in canon law.¹¹⁵ The *Irish Ecclesiastical Record* was a journal that discussed religious issues for members of the Catholic faith. It was an official journal of the church and everything in it would have had to receive approval from the hierarchy. In the October 1949 edition of the journal there was a response to a question on whether legal adoption was contrary to Catholic teaching. This question was placed by the Adoption Society, a pressure group mentioned in the introduction which campaigned for adoption legislation, and which will be discussed further in chapter three. The query was placed under the pseudonym of ‘Anxious adopter’. The unattributed response in the magazine stated that legal adoption was not against Catholic teaching or canon law. The only danger with legal adoption was that adoption could be used as a cloak for proselytism. This was the only apparent danger that the *Irish Ecclesiastical Record* could identify with adoption. The magazine was correct in its statement. There was no impediment in Catholic teaching to legal adoption. The piece in the journal reflected the position of the Catholic church throughout Europe: adoption was legal in countries such as France, Spain and Italy.

Despite the fear that once children were adopted they could slip through the net of religious guidance and be lost to the Catholic faith, de-facto adoptions were still allowed to take place in Ireland. It is possible that the perceived dangers of adoption were negated by the safeguards that were in place. Such safeguards for American adoptions were documents that attested to the religious fervour and commitment of the adopters. There were promises that the adopters would raise the child in the Catholic religion.¹¹⁶ If the child were to go to university he/she would go to a Catholic university. It has been shown that adoption files in the department of foreign affairs demonstrate

¹¹⁵ ‘Legal adoption of children’ in *Irish Ecclesiastical Record*, lxxii (1949) p. 355

¹¹⁶ Specimen forms from the Catholic Protection and Rescue Society of Ireland, undated (D.D.A., Box 687, Archbishop McQuaid era, C.P.R.S.I files, ref. 22/5/23.).

this attitude in the church.¹¹⁷ As long as ‘safeguards’ were in place, foreign adoption was permitted. Moira Maguire points out that these ‘safeguards’, or guidelines for foreign adoptions, were set by the archbishop and accepted by the department of foreign affairs, ‘it was not the D.F.A. but the hierarchy, and in particular John Charles McQuaid, (archbishop of Dublin from 1940-1972), who determined the conditions under which passports would be issued to allow children to leave the state’.¹¹⁸

The religious aspect to children being adopted abroad is an issue that demonstrates some of the Catholic church’s attitudes to acceptable adoption practices. Children being sent abroad for adoption were sent to Catholic homes. The couple both had to be Catholic with at least one of the couple being of Irish descent.¹¹⁹ The majority of children sent abroad for adoption were Catholic but as noted above the practice was not exclusive to that denomination. Moreover correspondence between the Department of the Taoiseach and the public provide information on adoption practices.

One example of this is taken from a letter to the taoiseach, John A. Costello, in 1950. The letter related to the need for adoption legislation and the fact that children often did not know they were adopted. A woman identified here as ‘E’ was the author. The letter concerned her adopted son.¹²⁰ Her son was about to complete school examinations and required a birth certificate. This was the second letter that she had written to the Taoiseach, she had previously written in November 1949 explaining her situation. She had adopted the child when he was ten months old and he was now nearing ten years. She was seeking legislation for adoption. In the second letter she made clear there was a secretive element to her son’s adoption: ‘My boy has no idea that he is not our own

¹¹⁷ Files relating to the adoption of children from Ireland to America. (N.A.I., Department of foreign affairs, MS 345/96/2) and (N.A.I., Department of foreign affairs, MS 345/96/1).

¹¹⁸ Moira Maguire, ‘Foreign adoptions and the evolution of Irish adoption policy, 1945-52’ in *Journal of Social History*, xxxvi (2002), pp 387-484 pp 388-9.

¹¹⁹ Sister Francis (Irish Sisters of Charity), Memorandum in favour of adoption to America, 14 Mar. 1950 (D.D.A., Box 687, Archbishop McQuaid era, folder American adoption policy 1950-52).

¹²⁰ Mrs E. to Mr. Costello, 25 Oct. 1950 (N.A.I., Department of the Taoiseach, MS 3/S10815 A).

flesh and blood'.¹²¹ The child had no idea that he was adopted and his adoptive mother was doing everything in her power to maintain the secrecy surrounding his birth. The adoptive mother believed that she was doing this in the best interests of her child. She stated that two of his school friends were in the same predicament.

The nature of adoption in this era is demonstrated particularly well by this case. The child in question was adopted in 1940. He was adopted as a baby, being ten months old. He was young but not a newborn. The neighbours must have known that the child was adopted. The child could not be passed off as the adoptive mother's biological child. The child was kept in the dark about his origins. The subject must have been discussed with other parents of children at the school as two other adopted children were identified in the letter. The adoptive mother did not know how to deal with her situation. She did not appear to have known of the difficult position to which the adoption would lead. It would also appear from this example that there was both a covert and overt attitude to adoption. The adopted child was kept in the dark about his origins and status, believing himself to be the biological offspring of his parents.

The secretive nature of adoption was restricted to the child. The parents and extended family members would have known of the child's adoption. From the information about other classmates being adopted, it is obvious that the topic was discussed among adults. The correspondence with the taoiseach identified the woman, her son, and where they lived. The woman was not concerned with this information being known. The only individual affected by the clandestine nature of the adoption was the child and his biological mother. The biological mother was the silent participant in the discussion. The impact of an adoption on her needs and wants was not addressed.

¹²¹ Ibid.

International adoptions

International adoption put a greater physical barrier between the biological mother and her child. The final set of case studies that will be examined in detail are from the Department of External Affairs, this department became known as the Department of Foreign Affairs in 1971.

Children leaving Ireland to be adopted internationally were processed by this department. As files are closed to researchers it is impossible to know how many children were dealt with by the department. A limited number of files are available through the National Archives of Ireland and, as with all other sensitive material in this chapter, the names of the individuals have been removed by this author, to protect their identity and privacy.

Two case studies give information on practices at the time. Mr and Mrs 'S' lived in New York and were of Irish descent. They had one adopted son and wanted another child.¹²² A home study was carried out by the National Conference of Catholic Charities of America.¹²³ In the home study it was reported that the couple attended Mass and had a good size living room with two bedrooms. When the new baby arrived the eldest boy would move from his room to his parent's room and his room would be turned into a nursery for the new infant. The parents would then move into the sitting room onto a fold-out bed. The adoptive father was described as having a genial manner and a

¹²²Adoption of children. (N.A.I., Department of Foreign Affairs, MS 5/345/96/2). This file is closed to the public owing to data protection laws. To gain access application can be made to the department's archives unit. The files viewed for this thesis were brought up to this author in the National Archives reading room in error. Under the circumstances, the National Archives has permitted information from the files to be used for the purpose of this study, provided any information identifying individuals was removed; this has been done through the use of initials.

¹²³ This was an American Catholic organisation that conducted home studies on prospective adopters of Irish children. These studies were carried out after 1950 for children adopted from the Dublin dioceses. see Moira Maguire, 'Foreign adoptions and the evolution of Irish adoption policy, 1945-52' in *Journal of Social History*, xxxvi (2002), pp 387-484 p.390. The group is still in existence and continues to offer adoption services see Catholic Charities U.S.A. (<http://www.catholiccharitiesusa.org/what-we-do/programs/>) (5 Oct. 2013)

refined culture. The adoptive mother was described as being ‘impetuous and loquacious’. The adopted son was described as a happy, ‘normal’ child. Their marriage was said to be harmonious, with mutual interests.¹²⁴

There was no follow up to assess whether the children were happy or whether the sleeping arrangements were successful. The couple later requested a third child to adopt. The long term effects of the adoption were never considered. The child’s desire to find his/her biological parents was not an issue of concern. There was no concept of the separate identity of the child. The fact that the children were Irish but raised as American was not seen as causing any identity difficulties. There was no external examination of the family by individuals not associated with the Catholic church. No reason was given for why the couple had not adopted in the United States. There was no in-depth assessment of the suitability of either adoptive parent to care for children.

Two surrender forms from two biological mothers are included in this file. They give the impression that there was permission from the biological mothers for their children to be sent abroad.¹²⁵ The mothers signed the forms giving custody of their children to those in charge of the relevant orphanages to leave the country.

I.....

Of.....

Make oath and say:

That I am the mother of.....born to me out of wedlock on....at....
that I hereby relinquish all claim to the said child.....and surrender him/her to
Sister Mary Casimir (Margaret McDonald), St. Brigid’s Orphanage, 46 Eccles
Street, Dublin for adoption outside the country. Subscribed and sworn to by the
said.... before me this... day of¹²⁶

Parental rights could not be legally transferred before adoption was legalised.

The only persons who witnessed these mothers sign the forms were the notaries. They would have been invited to do so and paid for, by those benefitting from the transfer.

¹²⁴ Ibid

¹²⁵ Ibid.

¹²⁶ Ibid

Given the attitudes that prevailed at the time and the dubious legal standing of the forms involved, there may be a question of whether these forms reflect informed consent. Similar to the case of 'J', there did not appear to be awareness that these were civil issues as much as church matters.

One example in 1949 of non-Catholic assessments of prospective adopters, is the case of couple 'Y'. They were adopting a child from the Dublin board of assistance.¹²⁷ The couple were from the United States of America. The Dublin board of assistance asked the department of foreign affairs to look into the suitability of the couple as adopters. This task was assigned to the consulate in Chicago. The consulate made enquiries with the police department where the couple lived. The chief of police carried out confidential checks and declared that the couple appeared to be capable of adopting. The child was sent to New York and the adoptive parents met him there.

This adoption was more cautiously carried out than the previous case. There were references from the local parish priest and a local solicitor. However, there was no inspection of the people who were adopting the child. The child in this case was five years old. No home study was carried out in this case. The police chief's report is brief. The trauma that the child might have suffered after such a long journey was never considered. There is a letter from the board of assistance in the file claiming that the mother of the child had given her consent to his adoption,¹²⁸ but there is no consent form in the file. There is no indication that the mother had any knowledge of the intentions of the board. There is no statement about how the board came into contact with Mr and Mrs 'Y'. These issues are not addressed in the file. Given the nature of adoption in this period it would not be surprising if a simple letter was all that was

¹²⁷ Adoption of Children, (N.A.I., Department of Foreign Affairs, MS 5/345/96/3). The Dublin board of assistance was a corporate body established under the local government amendment act 1931. The board consisted of individuals appointed by Dublin city council and Dublin county council. It was a local government authority with responsibilities for health.

¹²⁸ Secretary of the Dublin Board of Assistance to the secretary of the department of external affairs consul in Chicago, 5 Nov. 1949 (N.A.I., Department of foreign affairs, MS 5/345/96/3).

required for the couple to be deemed suitable adopters. There is evidence that the Protestant Cottage Home for Little Children had a different attitude to international adoption. This body appeared to have used the services of a group called the International Social Service.¹²⁹ This group corresponded with prospective adoptive parents and the Cottage Home, and conducted assessments of the suitability of prospective adopters.¹³⁰

The uniqueness of the Cottage Home as a source is highlighted by Moira Maguire's work on adoption. She comments on how:

The question of Protestant children and overseas adoptions is scarcely raised at all in Department of Foreign Affairs files. D.F.A. staff certainly did not work as closely with Protestant as with Catholic agencies, nor did they take great pains to ensure that Protestant church leaders approved of the policy regarding the issue of passports for the purpose of adoption. It could be that Protestant children were placed in informal adoptions within the State, although this is not an adequate explanation for their absence in official discussions.¹³¹

While it is clear from the Cottage Home's admittance book that Protestants did practice foreign adoptions, they used an International Social Service agency to arrange these adoptions. It is possible that the lack of discussion surrounding Protestant children going abroad for adoption may have been because the department of foreign affairs was not concerned about proselytism affecting Protestant children.

Those from the United States who applied to adopt from the Cottage Home produced letters and reference forms.¹³² These adopters also produced references from

¹²⁹ There was some correspondence about international adoptions between the Cottage Home and an organisation called the International Social Service (I.S.S), catering for inter-country consultation on individual, family and children's problems. The international headquarters of the organisation was in Geneva Switzerland. The Cottage Home mainly appeared to deal with the American branch based in New York. It appears that adopters looking to adopt from America were informed that they had to apply through the I.S.S. (A.C.H.L.C., General correspondence of the Cottage Home in clear folder in archive box 11). The organisation still exists and further information and a full history is available from the International Social Service website (<http://www.iss-ssi.org/2009/index.php?id=59>) (19 Nov. 2012).

¹³⁰ Eugenie Hochfield to Mrs. Goodbody, 24 Aug. 1941 (A.C.H.L.C., General correspondence of the Cottage Home in a clear folder in archive box 11).

¹³¹ Moira Maguire, 'Foreign adoptions and the evolution of Irish adoption policy, 1945-52' in *Journal of Social History*, xxxvi (2002), pp 387-484 p. 392.

¹³² Mr. Z to Miss Hume, 8 May 1951 (A.C.H.L.C., General correspondence of the Cottage Home in brown envelope in archive box 11).

their local churches attesting to their suitability as adopters.¹³³ We know that at least six people were adopted in the United States from the Cottage Home before 1952. However, the correspondence in the Cottage Home also suggests that there were more prospective adopters than there were children available.¹³⁴ The Cottage Home records prove that adoption of children by American couples was a non-denominational practice that was widespread in the late 1940s and early 1950s in Ireland. It is likely that not all the children sent abroad for adoption were sent through official channels and as such it is impossible to know how many children were sent abroad.

The traffic in children that developed in the 1940s is a reflection of the attitudes that existed in Ireland towards vulnerable children. In a letter of 1951 from the Sisters of Charity to the archbishop of Dublin, there is a suggestion that American adoptions were the only way of getting children adopted. 'From time to time the mothers write to me to get their children adopted. I am enclosing letters from a couple of these. Indeed nearly every mother admitted to the home asks me to get their child adopted, if possible. I have very little opportunity of doing this as we scarcely get an adoption in Ireland.'¹³⁵ Adoptions that were successfully taking place according to this source were only those arranged to America. No official figures on the number of children sent for adoption abroad exists.

While comparison with Northern Ireland will help to place the adoption practices in Ireland within an international framework, there are a number of things that must be remembered. Firstly, the parliament of Northern Ireland was subordinate to the Westminster parliament. Secondly, there was a different demographic in Northern Ireland. While the Free State had a Catholic majority, Northern Ireland had a Catholic

¹³³ V. Berger (Second Presbyterian church Uniontown Pennsylvania) to Miss Hume, 1 May 1951 (A.C.H.L.C., General correspondence of the Cottage Home in brown envelope in archive box 11).

¹³⁴ Margaret A. Valk (I.S.S.) to Mrs. Olive Goodbody, 21 Sept. 1951 (A.C.H.L.C., General correspondence of the Cottage Home in clear folder in archive box 11).

¹³⁵ Sister Monica (Saint Patrick's Guild) to Fr. Mangan, 5 Apr. 1941 (D.D.A., box 687, folder American adoption policy 1950-1952).

minority. The different religious profiles of the two countries provide for an interesting comparison.

Adoption cases were discussed a number of times in the debates of the Northern Ireland parliament after the legislation of adoption in 1929.¹³⁶ This was in relation to individual adoption cases. There were two queries as to whether or not these adoptions could be legalised. Both queries were directed to the courts as this was the correct legal procedure and parliament could not assist individual cases. There were no recommendations from members of parliament to change the law until 1949. Available sources on adoption in the intervening years relate to the adoption of war orphans in the 1940s.

War and adoption have a strong connection. It was after the First World War that an effort was made to establish the initial adoption legislation in England and Northern Ireland. Owing to the high numbers of war orphans and destitute children through the circumstance of war, more children were being raised by people who were not their biological parents. In the Public Record Office of Northern Ireland there are files that discuss adoption and the position of some war orphans in World War Two.

The position of a war orphan was unique. Like most orphans they were considered destitute, but this destitution was the result of the supposed heroism of their parents. War orphans benefitted from the heroic rhetoric surrounding those who had died for their country. An interesting aspect of the adoption of war orphans was that those who were seeking to adopt such orphans occasionally looked for a financial benefit that would be attached. It is possible that some of those looking for war orphans to adopt were unaware of the difference between adoption and the financial arrangements that accompanied fostering.

¹³⁶ See chapter 1, pp 51-58

In 1941 a memorandum was prepared by Irene Calvert, chief welfare officer of Northern Ireland.¹³⁷ This same Mrs. Calvert would later raise the issue of adoption in Stormont in 1949.¹³⁸ Her memorandum was concerned with orphaned children of civilians killed by enemy action. The memorandum concerned children who were missing following an air raid on 16 April 1941. These children were believed to be alive. A circular was to be prepared for the hospitals and rest centres where these children might have received assistance. Advertisements would also be put in the press for these children. In this memorandum the future care provision for these children was discussed.¹³⁹ Three options were mentioned; children could be put in the legal guardianship of relatives, placed for adoption or boarded out by local authorities. Two of the three options discussed involved no state contribution. If the child was boarded out the state would be financially responsible for the child until the child reached adulthood. The other interesting point in regard to this memorandum was that there was an active campaign to seek out these children. As the children of the war dead these destitute children were considered to be a concern for society.

One offer received was to take in war orphans and train them in a grocery business.¹⁴⁰ The woman who was offering this opportunity to orphans was willing to adopt the children without payment. The woman was willing to take a girl or girls, between the ages of twelve and fourteen. This case demonstrates the idea that adoption may not have been intended primarily for the welfare of the children or for the desire to create a family but was more a business transaction in which the girls were trained by and worked for the adopter, much like an apprenticeship. It is interesting that this

¹³⁷ Irene Calvert, Memorandum for orphan children of civilians killed by enemy action, 1 May 1941 (P.R.O.N.I., Evacuees orphaned as a result of air raids, MPS/2/7/9). A "chief welfare officer" was defined in the Pensions (The War Pensions Committees) Regulations, 1990 (1990 no. 1349) (1 Jan. 1991) as 'an officer of the Secretary of State who manages the War Pensioners Welfare Service.'

¹³⁸ See chapter 2 p. 108

¹³⁹ Ibid.

¹⁴⁰ Thomas Wilson (area billing officer) to the secretary, ministry of home affairs, evacuation branch, 7th Jul. 1941 (P.R.O.N.I., MPS/2/7/9).

woman would look for two teenage girls instead of seeking a younger child to raise as her own and then train in the grocery business.

While some people were interested in adopting the orphans living with them as a result of war, this was not always financially possible. Letters were written to the chief welfare officer wondering whether children could be adopted, with the adopters continuing to receive the payment of a billeting allowance.¹⁴¹ The billeting allowance was money given to those who took in children to live with them during World War Two. Such children were generally evacuated from Belfast. This money caused problems. The adoption being discussed was contingent on the financial situation remaining the same. It is possible that the family was not able to keep the children without that financial aid. The idea may have been to formalise the relationship that existed. An adoption order would have done this. The financial benefit of keeping the relationship unofficial outweighed the benefits of legal recognition. It may have been too impracticable to adopt the children, therefore the relationship was never legalised.

There was more than one instance in which those caring for billeted children enquired into the possibility of having the children that they cared for adopted.¹⁴² Some people expressed an interest in adopting a child with the intention of having the child treated like their biological children. In one case a farmer inquired into the possibility of adopting an eleven year old boy if the billeting allowance was continued.¹⁴³ One possibility in this particular case is that the farmer was looking for a boy to help on the land. He may not have had a son who could inherit or he may not have had a son living with him. If he adopted the boy then he would have help on the farm and possibly someone to whom he could leave the farm. There was little discussion in this case, as

¹⁴¹ D.W.E Cathcart to Doris Stanfield, 18 Sept. 1942 (P.R.O.N.I., MPS/2/7/9).

¹⁴² Evacuation branch (ministry of health) to Mrs. Stanfield (Area executive officer, Antrim) 2 Aug. 1944 (P.R.O.N.I., MPS/2/7/9).

¹⁴³ D.W.E Cathcart to Doris Stanfield, 18 Sept. 1942 (P.R.O.N.I., MPS/2/7/9).

the area executive officer, Doris L. Stansfield, was informed by the evacuation branch of the ministry of health that the position was clear: adoption was not possible.

‘SM’ was billeted with a Mrs ‘H’. She was interested in adopting him.¹⁴⁴ A letter in PRONI indicates that it was in the best interest of the child to be adopted by Mrs. ‘H’. This suggests that she was looking after and caring for the boy as though he was her own child. The advice that was given was based on a previous case, that of ‘VI’: ‘as stated in the case of VI it might be better if the parties concerned made their own arrangements.’ (i.e. there was no legal procedure followed.)¹⁴⁵ In ‘SM’s situation it was advised that Mrs ‘H’ should meet the boy’s mother and discuss the matter. The suggestion was that an arrangement similar to adoption was being explored but that legal adoption was not appropriate. This advice may indicate that the authorities wanted very little to do with the gritty issues of arranging the adoption of the child. The use of an alternative form to legal adoption implies that the legislation may not have covered such cases. This case took place in 1944. New legislation was introduced in 1950. This particular case could be indicative of many other adoption situations across Northern Ireland.

People who wrote in search of war orphans were occasionally very particular about the kind of child that they wanted to adopt. A letter from 1944 reveals that it was important to consider a child’s parents when adopting.¹⁴⁶ A Mrs. ‘C’ wrote looking for a war orphan. She requested that the child should be a baby girl and that her mother and father should be of good standing, that is, that they were married. Mrs. ‘C’ was attempting to help those who were left destitute by war. She restricted her help to those whom she deemed worthy of her home and her assistance. There was a large amount of correspondence in relation to this query.

¹⁴⁴ Evacuation branch (ministry of health) to Mrs. Stanfield (Area executive officer, Antrim) 2 Aug. 1944 (P.R.O.N.I., MPS/2/7/9).

¹⁴⁵ Ibid.

¹⁴⁶ Mrs ‘C’ to the ministry of local health and government of Northern Ireland, 8 Aug. 1944 (P.R.O.N.I., MPS/2/7/9).

The response to Mrs 'C's' letter was a thank you and the instruction that a lady would call to the house to discuss the matter further. To send someone to talk to Mrs 'C' in person demonstrated how the authorities were definitely considering her offer of adopting a child. The home visit was most likely to assess the circumstances of Mrs 'C' and whether she was looking for a child to adopt legally or if she was interested in a foster child.

In investigating Mrs 'C' the authorities gave information about her background and lifestyle. Mrs 'C' had three grown sons and her husband was a shoemaker and a caretaker. The couple lived in a three storey house with six bedrooms, a large house big enough to accommodate a number of children.¹⁴⁷ They currently had three evacuees living with them, the children were reportedly always clean and tidy with clean shoes and socks. These children regularly attended Sunday school. The couple were Presbyterian and specified that only a Protestant child would be suitable. Mr. 'C' was caretaker of the local Orange hall. The couple were not given a child. They were put on a waiting list for foster children. The query reached the Minister for the Home Office of Northern Ireland. The couple appeared to be suitable adopters, being respected within their community and fitting the ideal of adoptive parents. However, it was unlikely there were any children fulfilling their requirements available for adoption.

Another request was sent by a woman who was interested in caring for two boys.¹⁴⁸ In investigating this request the first concern addressed was whether she intended to adopt or was interested in fostering a child. It became apparent that she was interested in taking in war refugees from London. When she was informed that this was not possible she was given the name of the clerk of the union. This would have been the poor law union. It was possible to foster children from the union. This woman's name

¹⁴⁷ ? McKinley (Billeting office main street Strabane) to Mr. Moore (Ministry of health) no date (P.R.O.N.I., MPS/2/7/9).

¹⁴⁸ John Hague (Billeting officer) to Mr. Moore (Ministry of health), 2 Oct. 1944 (P.R.O.N.I., MPS/2/7/9).

was also given to a charitable association in Belfast which made enquiries about a suitable home for two boys. It is clear that the woman was interested in finding children to look after. Her first thoughts were of war refugees and in this she may have been influenced by the propaganda that was used at the time. She may have been more aware of the position of war orphans or evacuees than she was aware of children from within her own neighbourhood who were destitute and in need of a home. After the war, adoption legislation was again changed.

In July 1949 Northern Irish civil servants decided to change the adoption law. It would not suffice to make amendments; they decided to introduce an entire new act.¹⁴⁹ This acknowledged that there was a problem with the existing legislation. From correspondence in the Public Record Office of Northern Ireland it is clear that there was communication with the government in London over the new adoption act coming before the House of Lords in Westminster.¹⁵⁰ Civil servants in Northern Ireland were anxious to keep legislation on similar lines with the rest of the United Kingdom.¹⁵¹

There was a fifteen year gap between the last question on adoption and the next discussion of adoption in Stormont. Interest in adoption legislation was revived in 1949. This was at the same time that many other countries became interested in adoption legislation. England and the Republic of Ireland respectively were looking into changing and introducing adoption legislation respectively. It was only natural that the adoption law in Northern Ireland would be re-examined when other countries with a close connection to Northern Ireland began to reconsider their positions. The comments given by Mrs. Calvert to the parliament of Northern Ireland contained details of a case concerning advertisements.

¹⁴⁹W. N. McWilliam (deputy clerk to the privy council of Northern Ireland) to N.C. Montgomery, 5 Jul. 1949 (P.R.O.N.I., Cabinet files, CAB 9b/53/3).

¹⁵⁰Memorandum A.J. Kelly to W. N. McWilliam (deputy clerk to the privy council of Northern Ireland), 26 Jul. 1949 (P.R.O.N.I., CAB 9b/53/3).

¹⁵¹W. N. McWilliam (deputy clerk to the privy council of Northern Ireland) to ? Robinson, 25 Jul. 1949 (P.R.O.N.I., CAB 9b/53/3).

The other day I came across a case where a child had actually been accepted into a home where there were already six children belonging to the couple, and these children were of varying ages, from 22 to nine. The nine people, including the new child, were sleeping in one room. The woman of the house got this child as the result of an advertisement. She said that there was no money involved, and that she had taken the child for company. It is difficult to understand what company she wanted in the circumstances, but that in fact was the case.

In this particular case the mother of the child handed the child over at a bus stop and never even saw where the child was going. When the case comes before the Recorder for legal adoption what alternative has the Recorder except to make that adoption legal? This, of course, was the case of an illegitimate child, and the Recorder has to take into consideration the fact that he is making the child legitimate by making the adoption order. The home is absolutely unsatisfactory and there is no provision at the present time for a more suitable home.

This whole case has been considered in England and there, under the existing law, it is illegal to advertise for adoption, and private individuals are prohibited from acting as adoption agencies. These are really all very big questions. I have raised them before and I am very tired of raising them, because we do not seem to get any further on the question at all. The government should be able to give some lead in this matter.¹⁵²

The comparison between the Northern Irish and English adoption law

demonstrates that adoption legislation in Northern Ireland was developed on a similar basis to England. The use of advertisements and the poverty of the adoptive families reflect evidence in the census of 1911 that adoption was practiced among working and labouring classes in Ireland. It has been perceived that adoption was mainly for middle class girls and that ‘many unmarried middle-class women who became pregnant in Ireland during the first half of the twentieth century may have given birth in private nursing homes and arranged to have their babies privately adopted’,¹⁵³ but there is evidence that working class families also adopted.

To sum up, adoption records in Southern Ireland were not kept in a general register prior to the legalisation of adoption in 1952, and it is impossible to know how many adoptions occurred. However, the evidence would suggest that the practice of adoption was growing in the 1940s. Some of these children were adopted from a variety of ages. Children from both Catholic and Protestant backgrounds were sent abroad for

¹⁵² *The parliamentary debates, official report, first series, vol. xi: Fourth Session of the sixth parliament of Northern Ireland, 12 George VI, House of Commons, session 1948, pp 2050-1.*

¹⁵³ Cliona Rattigan, *What else could I do?’ single mothers and infanticide, Ireland 1900-1950* (Dublin, 2012), p.62.

adoption. Churches occupied a powerful position in adoption practice in Ireland during this period through their denominational welfare organisations. The endorsement of a religious figure was needed in the case of many of the societies examined. The unregulated practice of adoption produced a political demand for legislation in the 1940s and 1950s; this topic will be the next aspect examined in this thesis.

Chapter three: The campaign for adoption legislation 1933 - 1950

Chapter two confirms that adoptions were taking place in the Irish Free State in the 1930s and 1940s, even though adoption legislation was only enacted in 1952. In this chapter the origins and nature of pressure for adoption legislation will be explored. The existing historiography of adoption focuses on two areas: the role of the Adoption Society¹ and the role of international media in the development of adoption legislation. Both of these areas will be discussed in this chapter and the next. The main historical works relating to the introduction of legislation are J.H. Whyte's *Church and state in modern Ireland, 1923 -1970* and Moira Maguire's 'Foreign adoptions and the evolution of Irish adoption policy, 1945-52'.² Whyte argues that the role of the Adoption Society was instrumental in the introduction of legislation. Maguire argues that it was the pressure of international media attention in regard to the practice of international adoptions that forced the introduction of legislation in Ireland. The influence of the international media will be considered in chapter four as this was an important factor after 1950. In this chapter the attitude of the department of justice will be investigated as well as the mind-set of the Catholic church and the work of pressure groups; in doing so an account of the pressure for legislation up until 1950 will emerge. The key issues that will be looked at in this chapter are the influence of the Catholic church, the role of pressure groups and the image of illegitimate children. The chapter is divided into two periods: the demand for adoption legislation between 1933 and 1947 and the demand for adoption legislation from 1948 to 1950.

¹ This society was known as the Adoption Society (Éire), the Legal Adoption Society and the Adoption Society (Ireland). Throughout this thesis the organisation is known as the Adoption Society see above, introduction, p. 5.

² Moira Maguire, 'Foreign adoptions and the evolution of Irish adoption policy, 1945-52' in *Journal of Social History*, xxxvi (2002), pp 387-484 and J.H. Whyte, *Church and state in modern Ireland* (London, 1971).

Demand for adoption legislation between 1933 and 1947

The first consideration regarding the introduction of adoption legislation occurred in the early 1930s in the Department of Justice. In 1933 an internal government document discussed the possibility of introducing adoption legislation.³ There was a request from a Mr. O' Donovan of the National Health Insurance Society for the department to examine the possibility of introducing adoption legislation. It was the opinion of the secretary of the department that 'the proposed legislation would do very little good, or harm.'⁴ He could not see a reason why the department of justice would object but he could also see no reason why the department would introduce or support such legislation.⁵ In essence he could not identify any benefits to such legislation. A bill was 'not urgent, it affects a very limited number of persons and does not affect them profoundly.'⁶ He suggested that the government should wait until there was a 'wide public demand for such a measure.'⁷ This was four years after Northern Ireland had legislated for adoption and seven years after the English adoption act. There had been no dáil questions on adoption and there were no pressure groups advocating legal reform. There was also no mention of any religious issues concerning adoptions in this document.

In 1934 it was again O'Donovan who drew attention to the need for adoption legislation. A number of people had written to him in connection with the possibility of

³ S.A. Roche to secretary (unidentified department), 4 Apr. 1933 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/17). Stephen Anselm Roche was a civil servant in the department of justice. He was assistant secretary of the department in 1933 and was appointed as secretary of the department in 1934. He died on 22 January 1949. For further information see William Murphy, 'Roche, Stephen Anselm' in James McGuire and James Quinn (eds), *Dictionary of Irish biography* (Cambridge, 2009) available at Dictionary of Irish Biography online (<http://dib.cambridge.org/tab.do?tab=aboutDIB>) (20 Feb. 2013).

⁴ S.A. Roche to secretary (unidentified department), 4 Apr. 1933.

⁵ Ibid

⁶ Ibid

⁷ Ibid

an adoption act.⁸ O'Donovan also claimed that it was 'assumed that legislation is probable.'⁹ His correspondence mentioned the English adoption act and assumed that there was very little that would stop the introduction of any such legislation in the Free State. Mr. O'Donovan sent his letter not to the department of justice but instead to the executive council.¹⁰ This letter was then forwarded on to the Department of Justice.¹¹ It appears that some investigation of the English act took place and the department of external affairs wrote to the department of justice providing information on the numbers adopted in England from 1927 through to 1933.¹² There was little further discussion on possible legislation until 1937.

In 1937 the solicitors firm Little, Ó hUadhaigh and Proud wrote to the attorney general requesting to know if an adoption law was planned.¹³ If there was an adoption bill planned, the solicitors were interested in offering a contribution. They were under the impression that a bill had been prepared two or three years previously. The attorney general passed this correspondence on to the department of justice. No action was taken by the government as a result of this petition.

It was in 1938 that the American Consul General Henry H. Balch requested to know the status of adoption law in Ireland and if there was a procedure that could be arranged for the transfer of parental rights.¹⁴ The department of external affairs asked the department of justice for advice on the matter. The department of justice responded that there was no law for adoption or the permanent transferral of parental rights in

⁸ D. O'Donovan to Moynihan (secretary to the president of the executive council), 6 Jan. 1934 (N.A.I., MS 90/93/17)

⁹ Ibid

¹⁰ The executive council was the cabinet of the Irish Free State, the head of the cabinet was the president of the executive council.

¹¹ John Moynihan (department of the president of the executive council) to Dan Browne (secretary department of justice, Browne resigned from this position as secretary on 31 Jan. 1934), 8 Jan. 1934 (N.A.I., MS 90/93/17)

¹² Secretary department of external affairs (the secretary at the time was Joseph Walshe) to the secretary department of justice (the secretary at the time was Dan Browne), 25 Jan. 1934 (N.A.I., MS 90/93/17).

¹³ Little, Ó hUadhaigh and Proud to the Attorney General, 8 Oct. 1937(N.A.I., MS 90/93/17).

¹⁴ Henry H Bolsh (American consul general) to Sean Murphy (assistant secretary department of external affairs), 5 Apr. 1938 (N.A.I., MS 90/93/17).

Ireland.¹⁵ The consul general never identified the reasons why he was interested in an adoption law in Ireland.

In a memo written in 1938, three reasons were identified as to why the department of justice would not introduce adoption legislation. The first reason was that there was no real demand for it. The second reason was that there no real benefit to an adopted child within a legalised adoption system. The third reason was that ‘the religious problem would almost inevitably involve the government in difficulties.’¹⁶ This was the first mention of religion as a hindrance to the introduction of adoption legislation. The first two reasons appear to represent a lack of understanding and sympathy in relation to the position of adopted children. It is clear that up until 1938 there had been little public pressure exerted on the government to introduce legislation.

In January 1939 Captain Peadar Cowan, a solicitor, asked the minister for justice if he was planning to introduce adoption legislation, as he had a number of clients who were interested in such legislation.¹⁷ The assistant secretary for the department replied that at present there were no plans to introduce legislation.¹⁸ This contradicted the response that the minister was to give in the dáil when asked about adoption. The first mention of adoption legislation in the dáil was in March 1939. Jeremiah Hurley (Labour), T.D for Cork South East from 1937-43, asked the minister for justice if he was aware of the situation in relation to legal adoption and whether he was considering enacting a law similar to that in place in England. The response was that the matter was ‘at present under consideration, and I am not in a position to give the Deputy a definite reply.’¹⁹ Patrick Rutledge (Fianna Fáil, Mayo-North) was the minister for justice when the question was asked. Rutledge left the department of justice in September 1939 but

¹⁵ Copy of a letter sent from the secretary of the department of justice to the secretary of the department of external affairs, 23 Apr. 1938 (N.A.I., MS 90/93/17).

¹⁶ Unsigned, Adoption of children, 11 Aug. 1938 (N.A.I., MS 90/93/17).

¹⁷ Peadar Cowan to the minister for justice (Patrick Rutledge), 31 Jan. 1939 (N.A.I., MS 90/93/17)

¹⁸ Copy of letter from J.E. Duff to Captain Peadar Cowan, 6 Jan. 1939 (N.A.I., MS 90/93/17)

¹⁹ *Dáil deb.*, lxxv, 329 (30 Mar. 1939)

before he left he did investigate legal adoption. In particular, the minister investigated the adoption law in place in Scotland.²⁰

The opinion of Catholic welfare agencies came to the attention of the department of justice in 1939. A letter from E. Esmonde-White, the secretary of the Catholic Protection and Rescue Society of Ireland (C.P.R.S.I.), to the solicitor for the C.P.R.S.I., J.M. Seales, was forwarded to the department of justice. In the letter Esmonde-White outlined the issue the C.P.R.S.I. had with legal adoption.²¹ The C.P.R.S.I. objected to legalising adoption because it was claimed that many Catholic girls went into ‘the Protestant home- Bethany, Orwell Road, Rathgar, or give their babies to the Irish Church Missions and the various homes attached to them.’²² Esmonde-White stated that if a bill was passed these children would be lost to the Catholic faith and he also felt that the archbishop would not approve of legal adoption. If adoption was legalised there was no way for these children to be reclaimed by their biological mothers. Esmonde-White also claimed that it was the Joint Committee of Women’s Societies and Social Workers (J.C.W.S.S.W.)²³ that was pushing for legislation. This was the first mention of a group lobbying for adoption legislation. Esmonde-White mentioned in this letter some of the names of the women in the group. He also confided that he thought ‘only one on the list is a Catholic Mrs. [Tom] Kettle’,²⁴ demonstrating the religious sensitivities surrounding adoption.

²⁰ J.E.D. (possibly J.E. Duff, assistant secretary of the department of justice) to Berry (Peter Berry, private secretary to ministers for Justice Rutledge and Gerard Boland), 27 Jul. 1939 (N.A.I., MS 90/93/17)

²¹ E. Esmonde-White (secretary C.P.R.S.I.) to J. M. Seales, 5 Apr. 1939 (N.A.I., MS 90/93/17)

²² Ibid

²³ The Joint Committee of Women’s Societies and Social Workers (J.C.W.S.S.W.) consisted of a number of organisations: Alexandra College guild, The Church Temperance and Social Welfare Society, Dublin Hospital Almoners Association, The Girls Friendly Society, The Irish Countrywomen’s Association, The Irish Housewives Association, The Irish Matrons’ Association, The Irish Nurses Association, The Save the Children fund, The Irish Women Citizens’ Association, The Irish Women’s Workers Union, The Mothers’ Union, The Soroptimists, The Women Graduates’ Association, National University, The Women Graduates, Association, Trinity college, The Women’s National Health Association and the Women’s Social and Progressive League. see W.R.O’ Hegarty (Secretary of the J.C.W.S.S.W.) to the secretary department of law and justice, 1 Apr. 1948 (N.A.I., Department of Justice, Adoption of children – proposals for legislation, MS 90/93/19).

²⁴ Ibid

Pressure continued to be exerted on the department of justice throughout 1939. It was the minister of education, Eamon de Valera (Fianna Fáil),²⁵ who next raised the matter of an adoption measure. The minister for justice at this time was Gerard Boland (Fianna Fáil), a T.D. for Roscommon who served as the minister for justice from September 1939 to February 1948 and again from June 1951 to June 1954. The secretary for the department of education was informed that any bill for adoption would meet ‘with strenuous opposition from certain Catholic societies.’²⁶ This correspondence would suggest that in 1939 the objection from Catholic organisations was taken seriously. The department of justice appeared to view these objections as significant reasons not to introduce adoption legislation.

While the Catholic stance against legal adoption was being solidified, those in favour of adoption continued to pressure the department of justice. A Miss Lister, who was employed by the department of local government and public health as an inspector of boarded out children, wrote to the department outlining the reasons that she felt adoption should be legalised. In her opinion, ‘adoption[s], so called, take place daily in this country.’²⁷ Lister made the point that adoptions were being arranged by Catholic organisations in the state. She claimed that the four principal Catholic boarding out societies were the C.P.R.S.I., Saint Patrick’s Guild, the Rotunda Aid Society and the Society for the Protection of Destitute Catholic Children. She also estimated that these four societies had arranged for 120 adoptions in 1938. While outlining her case for legal adoption she argued that adoptions did take place in Ireland and that the process was open to abuse: ‘in short adoptions do take place in this country and under present conditions they are unregulated and unsupervised and it would be in the interests of the

²⁵ Eamon de Valera was T.D. for Clare, he was at this time also the taoiseach and the minister for external affairs

²⁶ ? Berry (most likely Peter Berry) to private secretary minister for education, 17 Nov. 1939 (N.A.I., MS 90/93/17).

²⁷ Unsigned (Credited to Miss Lister, inspector with the department of local government and public health in a letter J. F. McArdle to John Duff 13 Dec. 1939 (N.A.I., MS 90/93/17)) to Mr McArdle, 13 Dec. 1939 (N.A.I., MS 90/93/17)

children and their adopted parents if legislation were set up governing adoption of children.²⁸ This memo had been forwarded from the department of local government and public health to the department of justice.²⁹ F.J. McArdle, the secretary of the department of local government and health, requested a conversation with the secretary of the department of justice over the matter. This was granted but John E. Duff, of the department of justice, informed McArdle, in his letter granting a conversation, that there was very little likelihood of an adoption measure being introduced.³⁰

Despite these representations nothing was done about legal adoption. In 1942 the South Cork County Board of Public Assistance sent a resolution to the minister for justice advocating the introduction of adoption legislation.³¹ The policy of sending resolutions from public bodies in support of adoption was a technique that was pursued with vigour in the late 1940s. There was another petition for the government to introduce legislation in December of 1942. This request for legislation was made by James Douglas (Independent), a senator elected on the industrial and commercial panel. A number of people interested in adoption had contacted him and he gave a number of anecdotes about the challenges that faced adopted children in later life.³² During 1942 there were just these two recorded requests for adoption legislation. This did not represent a high level of demand from the public for such legislation.

The next question asked in the dáil about adoption was by Alfred Patrick Byrne (Independent), T.D. for Dublin North-West. The question was asked in December 1943, four years after Jeremiah Hurley's question. Byrne asked the minister for justice whether consideration had been given to the question of legal adoption. Byrne was

²⁸ Ibid

²⁹ J. F. McArdle to John Duff 13 Dec. 1939 (N.A.I., MS 90/93/17).

³⁰ Copy of J.E.Duff to McArdle, 20 Dec. 1939 (N.A.I., MS 90/93/17).

³¹ James Hurley (South Cork County Board of Public Assistance) to the secretary minister for Justice, 19 Feb. 1942 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/17).

³² James Douglas to the minister for justice, 11 Dec. 1942 (N.A.I., MS 90/93/17).

informed ‘that legislation relating to the adoption of children would be highly controversial’ and that there was not ‘any general demand for such legislation.’³³

In 1944 S.A. Roche of the department of justice wrote to the archbishop of Dublin, Dr. John Charles McQuaid,³⁴ outlining queries about adoption received since 1939. Roche explained that when adoption had been previously examined it was the advice of the C.P.R.S.I. that had persuaded the department of justice not to legislate. The adoption question had been raised again and it was now the opinion of the attorney general that an adoption act would encourage more people to adopt destitute children. The department was wondering ‘whether the danger visualised by the Catholic Protection and Rescue Society would be met if a provision were included in the bill prohibiting the making of an adoption order in any case where it is not proved to the court that the religion of the adopter and the religion of the child are the same.’³⁵ Roche went further, stating personally that he was ‘rather lukewarm about the whole proposal, but there is no doubt that many estimable people, with the highest motives are in favour of it, and I don’t like to keep giving them the answer that there are grave objections from the Catholic view without making sure that that is in fact the position.’³⁶ It is interesting to note that it was not until 1944 that the department of justice sought any advice from the Catholic archbishop on adoption legislation even though the subject had been raised in the department as early as 1933.

McQuaid replied to the department of justice on 14 January 1944.³⁷ In this letter he asked that someone from the department at their convenience should call to him and they would discuss the legalisation of adoption. From this letter Roche was inclined to believe that the archbishop had would be amenable to adoption legislation: ‘I understand that you do not see any obvious objection to legislation on these lines, but

³³ *Dáil Éireann deb*, xcii, 529 (2 Dec. 1943)

³⁴ Copy S.A. Roche to Dr. McQuaid, 12 Jan. 1944 (N.A.I., MS 90/93/17)

³⁵ *Ibid*

³⁶ *Ibid*

³⁷ McQuaid to S. A. Roche, 14 Jan. 1944 (N.A.I., MS 90/93/17)

you would like to consider the matter.’³⁸ The archbishop at first did not raise any major objections to the prospect of legislation.

In 1945 the demand for adoption legislation continued with an internal letter sent to the minister from Daniel Costigan of the department of justice³⁹ outlining the benefits of an adoption act. Costigan stated that in 1944 he had prepared a scheme for an adoption bill. He had included the option that an adoption order could not be made if the court had any doubt over the religious position of the mother. This scheme had been sent to Dr. McQuaid and the minister was still waiting to hear McQuaid’s opinion. Costigan had advised the minister to call McQuaid and arrange a meeting and, as of 30 January, no meeting had been arranged.⁴⁰ Costigan thought that before anything further was done in regard to legal adoption the religious question should be addressed. The minister attempted to arrange a meeting with the archbishop but such a meeting does not appear to have taken place. The archbishop wrote to Roche on 13 March 1945 clearing up any misunderstandings that might have arisen: ‘legal adoption as such is not contrary to the tenets of the Catholic Faith. I have hitherto seen no provision that to my mind, would safeguard the faith of children. If your draftsman can put forward such a provision, it would be a matter of great interest to me.’⁴¹ This was a clear indication from the archbishop that he was not in favour of adoption legislation as the situation currently stood.

In a subsequent document prepared for the minister of justice outlining the issue of legal adoption, Roche noted McQuaid’s objection to any adoption legislation.⁴²

Given McQuaid’s stance, Roche thought it best not to approach the hierarchy and to

³⁸ S. A. Roche to His Grace the archbishop of Dublin, 13 Feb. 1945 (N.A.I., MS 90/93/17)

³⁹ Daniel Costigan served as an administrative officer (1935–9), assistant principal officer (1939–46), principal officer (1946–9), and assistant secretary (October 1949–July 1952) all in the department of Justice. For further information see Pauric J. Dempsey, ‘Costigan, Daniel’ in James McGuire and James Quinn (eds), *Dictionary of Irish biography* (Cambridge, 2009) available at Dictionary of Irish Biography online (<http://dib.cambridge.org/tab.do?tab=aboutDIB>) (20 Feb. 2013).

⁴⁰ Daniel Costigan to the minister for justice, 30 Jan. 1945 (N.A.I., MS 90/93/17).

⁴¹ John Charles McQuaid to S.A. Roche, 13 Mar. 1945 (N.A.I., MS 90/93/17).

⁴² S. A. Roche to the minister for Justice, 20 Mar. 1945 (N.A.I., MS 90/93/17).

drop the matter altogether. He instead suggested a reform of the register of births to include an option by which those who were raised by adopters could change their name, but there would be no transfer of parental rights. This legislation would be drawn up by the department of local government and public health. In a handwritten note on the document, the minister for justice agreed that the department of local government and public health should be asked to deal with the issue. Letters throughout 1945 continued to press the department for legislation. The letters were mainly from individuals who had adopted children.

Alfred Byrne (Independent), T.D. for Dublin North-East and father of the T.D. who had raised the dáil question in 1943 brought up the matter in 1945. The question asked in 1945 related to whether the minister for justice was aware of the necessity for an adoption law. Boland responded informing Byrne that, although in some cases an adoption law would be beneficial, there were serious difficulties with enacting adoption legislation. Religious safeguards were identified as the main difficulty. Until this difficulty could be overcome no legislation would be introduced.⁴³

In April 1945 the department of justice went further with the investigation into possible adoption legislation. Drs. McCarthy and Lucey of Maynooth College were interviewed.⁴⁴ They had been requested by Catholic societies in Dublin to examine a draft of an adoption bill, and had been asked to see whether there was an objection on religious grounds to the bill. Drs. McCarthy and Lucey were led to believe that the Minister for Justice was opposed to the introduction of such a bill. They were informed that there was no objection from the department of justice, just a reluctance to introduce a bill that did not have a religious safeguard. In the proposed adoption bill there was to be:

⁴³ *Dáil Éireann deb.*, xcvi, 168 (11 Oct. 1945).

⁴⁴ Cornelius Lucey was professor of philosophy and political theory at Maynooth and later in 1951 bishop of Cork. For further information see Diarmaid Ferriter, 'Lucey, Cornelius' in James McGuire and James Quinn (eds), *Dictionary of Irish biography* (Cambridge, 2009) available at Dictionary of Irish Biography online (<http://dib.cambridge.org/tab.do?tab=aboutDIB>) (20 Feb. 2013).

an advisory council to which all applications for adoption orders would be referred by the courts for examination and report. The proposal is that this council should be representative of all religious denominations. Dr. McCarthy and Dr. Lucey said that they hoped that the religious question in each case would be settled by the advisory council.⁴⁵

The civil servant present at the meeting refused to give any assurance that a bill would be approved of by the department. However, if a bill along the lines suggested above was approved by the church then there was no reason why the department would not introduce the bill. The professors, having satisfied themselves of the minister for justice's views, would wait until they had received Dr. McQuaid's views before pursuing the matter further.

Alfred Byrne (senior) did not let the issue of adoption disappear; the following year he asked Boland again if he planned on introducing adoption legislation. Boland again cited difficulties in introducing legislation, saying he hoped that they could be overcome but that at present it was not possible. Byrne responded by citing the Quebec adoption act as a possible example of how an adoption act could be framed.⁴⁶ The religious impediment to the legal adoption of children was not something that could be easily overcome. The church's strong opinion on adoption legislation was a serious obstruction to the enactment of legislation.

In 1946 Eamon de Valera, the taoiseach, also consulted the opinion of William Conway on the subject of legal adoption.⁴⁷ Conway was not opposed to legislation if there were religious safeguards in place. Throughout 1946 there was a large

⁴⁵ D.C. (most likely Daniel Costigan), Report on a meeting with Dr. McCarthy and Dr. Lucey held on the 29 Apr. 1946, 8 May 1946 (N.A.I., Department of justice, Adoption of children – proposals for legislation MS 90/93/18).

⁴⁶ *Dáil Éireann deb*, ci, 2583 (27 Jun. 1946)

⁴⁷ William Conway to Eamon De Valera, 20 May 1946 (N.A.I., MS 90/93/18). William Conway was professor of moral and canon law at St. Patrick's College Maynooth from 1942 to 1957. He was appointed vice president of the college in 1957. In 1958 he was made an auxiliary bishop to Archbishop D'Alton of Armagh. In 1963 he succeeded D'Alton as archbishop of Armagh and primate of all Ireland. He was made a cardinal in 1965 see J. J. Hanley, 'Conway, William John' in James McGuire and James Quinn (eds), *Dictionary of Irish biography* (Cambridge, 2009) available at Dictionary of Irish Biography online (<http://dib.cambridge.org/tab.do?tab=aboutDIB>) (20 Feb. 2013).

correspondence on adoption legislation between the department of justice and the department of the taoiseach. It appears that the government was still exploring possible ways of introducing legislation. Conway and the department of justice explored the Quebec adoption act as a possible example of how the religious question could be addressed. The department also looked to England to examine the reception of the adoption act of 1926 there:

We had an opportunity recently of discussing the working of the British act with Father Agnellus Andrew, O.P.M. He says that Catholics in England are satisfied with the act despite the fact that it does not contain any religious clause. He is of the opinion that from the anti-proselytising point of view it is much better to have an act on the English model than to have no act; and he says that in England Catholic child protection organisations feel that under a “free” adoption system they are in a position to defend themselves against any attempts at proselytising.⁴⁸

However, Conway was also becoming despondent about possible legislation: ‘I was definitely coming round to your view that these difficulties are such as to render the framing of a satisfactory adoption act impracticable at the moment.’⁴⁹ There was stop-start attitude to the development of legislation in the department.

James Dillon (Fine Gael) was the T.D. for Monaghan; he asked a question of the minister of health, Dr. James Ryan (Fianna Fáil), T.D. for County Wexford, in 1947.

Dillon asked the minister:

whether he has any statement to make about future legislation to regulate legal adoption of children in Ireland, or whether he intends to make some *ad interim* arrangement whereby the registrar-general will be authorised to issue birth certificates in acceptable form for applicants who have been received into families by way of quasi-adoption.⁵⁰

Dr. Ryan informed Dillon that the regulation of adoption was not the concern of his department. His department was responsible for the amendment of the birth certificate

⁴⁸ S.A. Roche to William Conway, 8 Nov. 1946 (N.A.I., MS 90/93/18).

⁴⁹ William Conway to S.A. Roche, 25 Sept. 1946 (N.A.I., MS 90/93/18).

⁵⁰ *Dáil Éireann deb.*, cvii 309 (26 Jun. 1947)

but any change would require the introduction of legislation. His department had no intention of introducing such legislation.

The next request for the introduction of adoption legislation came in October 1947. This request was made by Liam Cosgrave (Fine Gael), T.D. for Dublin County who would later serve as taoiseach from 1973 to 1977. Cosgrave asked the minister for justice if he was now in a position to introduce legislation. Boland informed him that the same difficulties stated previously had failed to be overcome and it was therefore impossible to introduce legislation. The response to questions about adoption from 1945 to 1947 had been very similar. While adoption legislation was investigated, there was limited public pressure for such legislation and there was also a negative reaction from the Catholic church. These factors resulted in no legislation being introduced by the government.

Demand for adoption legislation between 1948 and 1950

Meanwhile, an adoption pressure group had been established, with the aim of introducing adoption legislation in Ireland. At a meeting of the Parents' Association⁵¹ the Legal Adoption Organisation was formed at the end of 1947 and was active by the beginning of 1948.⁵² The organisation was founded with two aims: to lobby for the introduction of legal adoption and for reform of the terms of the birth certificate. In February 1948 the organisation changed its name to the Legal Adoption Society

⁵¹ There is little information available about this organisation, they were involved in a teachers strike in 1946 but appear to be inactive beyond this, the secretary of the organisation was W.H. Edwards and a K. Moore was the chairman. The headquarters of the organisation was 44 Gardiner Street, Dublin. In a letter to the *Irish Independent* the aim of the association was to establish a council of education where parents could represent their views with managers, teachers and the department of education. See: *Irish Times*, 12 Jul. 1946, 18 Dec. 1946 and 3 Apr. 1948, also *Irish Independent*, 14 Oct. 1947 and 9 Oct. 1946.

⁵² *Irish Times*, 6 Jan. 1948

(Éire).⁵³ In May 1948, on the advice of counsel, the organisation changed its name for the final time. The name chosen was the Adoption Society (Éire).⁵⁴ In this thesis (p.5 above) the organisation is referred to as the Adoption Society.⁵⁵ The members of the organisation were generally adopters or prospective adopters who were dissatisfied with the adoption laws and desired a change. The group was described by J.H. Whyte as

a body of amateurs. Few of its members had any experience of politics, and most of them were unknown to each other before. It included people from many walks of life, of all political views, and of all denominations, although Catholics, as was natural in a mainly Catholic country, predominated.⁵⁶

The executive committee of the organisation met frequently in the initial years of the organisation, roughly about twice a month. The minute books from these meetings are held in the National Library of Ireland. They demonstrate how the organisation worked and the various groups with which the society was involved.

The society arranged both political and public campaigns for adoption legislation. It initially had an executive committee and a number of sub-committees. The most active sub-committees were the publicity, social and legal committees. From 1948 onward the organisation was engaged actively in a publicity campaign. Two newspapers featured heavily in the campaign for legal adoption, these were the *Irish Times* and the *Evening Mail*. The *Evening Mail* was published in the Dublin region and ran from 1823 to 1962. There was a regular section of this newspaper that was devoted to the activities of the society. This section was published fortnightly. This media campaign was combined with continued dáil questions.

In February 1948 the first coalition government came to power. In April 1948 two questions were put to the minster for justice about adoption. They were put by

⁵³ Minute book of the executive committee of the Adoption Society (Eire), 6 Feb. 1948, (N.L.I., Adoption Society (Ireland) Papers, MS 19349 -19350)

⁵⁴ Minute book of the executive committee of the Adoption Society (Eire), 21 May. 1948

⁵⁵ See introduction p. 5

⁵⁶Whyte, J.H., *Church and state in modern Ireland, 1923 -1970* (Dublin, 1971) p.185.

Peadar Doyle (Fine Gael), the T.D. for Dublin South-West, and Eamonn Rooney (Fine Gael), a T.D. for Dublin County. The minister for justice at this time was (Major-General) Séan MacEoin. He represented Longford-Westmeath and served as minister for justice from 2 February 1948 to 7 March 1951. The minister for justice informed the deputies that he was aware of the need for legislation and that the matter was currently under consideration.⁵⁷

The Joint Committee of Women's Societies and Social Workers communicated with the minister for justice about adoption on 27 February⁵⁸ and 1 April 1948,⁵⁹ claiming to know the opinions of women of 'all classes and shades of opinion,'⁶⁰ and to have been campaigning for legislation since 1944, something that is overlooked in the histories of adoption. The result of this correspondence was that the minister for justice was willing to meet a deputation from the J.C.W.S.S.W. This meeting was to take place on 27 April 1948.⁶¹ The minister also received letters from the public expressing their support for legal adoption. In a letter received in the department on 8 April 1948, the minister was asked to support a legal adoption bill. The writer proclaimed: 'I can think of no more wonderful act of charity you could possibly do, and the prayers, and good wishes of many lonely mothers with empty arms, as well as the prayers of so many innocent children would cry to God to bless you and yours.'⁶² The Women's Social and Progressive League also wrote to the Minister for Justice in April 1948 in order to thank the minister for the interest he had shown in adoption legislation. There was an element of hope in this letter: 'The adoption of children has long been a matter of grave concern to most women and we feel that now you have shown such sympathy, matter will soon

⁵⁷ *Dáil deb*, cx, 640-1 (14 Apr. 1948).

⁵⁸ W.R. O' Hegarty (Secretary of the JCWSSW) to the minister for justice, 27 Feb. 1948 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/18).

⁵⁹ W.R.O' Hegarty (Secretary of the JCWSSW) to the secretary department of law and Justice, 1 Apr. 1948 (N.A.I., Department of Justice, Adoption of children – proposals for legislation, MS 90/93/19).

⁶⁰ W.R.O' Hegarty (Secretary of the JCWSSW) to the secretary department of law and Justice, 1 Apr. 1948.

⁶¹ Copy of D.C. (most likely Daniel Costigan) to Mrs W.R. O'Hegarty, 14 Apr. 1948 (N.A.I., MS 90/93/19).

⁶² Mrs. O'Callaghan to Mr. Mac Eoin, 8 Apr. 1948 (N.A.I., MS 90/93/19).

be put right.⁶³ This correspondence illustrates that by 1948 there were a number of pressure groups campaigning for legal adoption and that members of the public were also applying pressure on the minister for justice.

It appears that the meeting between the J.C.W.S.S.W. and the minister for justice was delayed.⁶⁴ The meeting took place on 2 June and on 10 June the J.C.W.S.S.W. wrote to the minister addressing what the committee perceived to be the main objection to legislation.⁶⁵ The main issue was the parental rights of the biological mother. The committee put forward various arguments as to why this objection could be set aside. These arguments included the welfare of the child, the rights of foster parents and the fact that it was hard to legislate for isolated cases. It was also argued that the mother would only seek out her child if there was a financial benefit:

The position for a mother keeping her child or even keeping in touch with her child, is very difficult. She would be more likely to try to reclaim the child when the child is in good circumstance, this inflicting a great hardship on the foster parents who cared for the child when she was unable or unwilling to do so⁶⁶

The meeting with the minister seemed to suggest that the delay in legislation was owing to the nature of an adoption order. There was no discussion of any religious impediment that might face any possible adoption bill.

In March 1948 Alfred Byrne (senior) wrote to the Adoption Society promising his support. When he again raised the issue of adoption in the *dáil*, in November 1948, he was informed that the matter was still under consideration.⁶⁷ In December 1948 Byrne asked about legal adoption again. General Mac Eoin informed him that ‘I regret that the examination of this problem has taken longer than I expected. I can assure the

⁶³ Eileen Hackett (secretary women’s social and progressive league) to S.McKeown (Mac Eoin), 22 Apr. 1948 (N.A.I., MS 90/93/19).

⁶⁴ W.R. O’Hegarty to the secretary department of law and justice, 24 May 1948 (N.A.I., MS 90/93/19).

⁶⁵ M.S. Kettle (chairman of the JCWSSW) and W.R. O’Hegarty to the minister for justice, 10 Jun. 1948 (N.A.I., MS 90/93/19).

⁶⁶ *Ibid*

⁶⁷ *Dáil deb*, cxiii 179 (18 Nov. 1948).

deputy, however, that a decision will be taken as soon as possible.’⁶⁸ At this stage adoption legislation had been under consideration in the department of justice for fifteen years.

From an article from the *Irish Times* in August 1948 it becomes obvious that there was optimism in the discussion on the matter in the dáil.⁶⁹ There was a sense in this article that adoption legislation was about to be introduced. The *Limerick Chronicle*⁷⁰ also ran a story that favoured adoption in its legal form. This could have been as a result of pressure from the Adoption Society, as Limerick was one of the cities where a branch of the society was established.⁷¹ This story, similar to the one that appeared in the *Irish Times*, reflected a mood of hope and optimism. The newspaper reflected the belief that the dáil was about to bring in legislation. The reason for this optimism can be found in the minute books of the Adoption Society. The organisation had received information from the J.C.W.S.S.W. that the minister for justice was sympathetic to the aims of the society.⁷²

The society still maintained its publicity campaign, however. The society presented the adopted child in these advertisements as a disadvantaged individual. The adopted child was discriminated against because of the circumstances of its birth; once it was discovered that the individual was illegitimate, employers and colleagues would treat him or her differently. Evidence for this comes from a newspaper article in the *Evening Mail* on the 28 June 1948.⁷³ The view was repeated several times including in a letter to the editor of the *Irish Times* in 1948⁷⁴ from M. Weafer, the society’s secretary.

⁶⁸ *Dáil deb*, cxiii 1171 (9 Dec. 1948).

⁶⁹ *Irish Times*, 21 Aug. 1948.

⁷⁰ The *Limerick chronicle* began publication in 176, in the period under consideration the newspaper ran a editorial the criticising the Fianna Fáil government. And further piece criticising the ‘communitistic’ control of the Irish industry the establishment of the Industrial Development Association would have. Suggesting the paper had possibly a conservative Fine Gael readership. See *Limerick Chronicle*, 5 Feb. 1949 and *Limerick Chronicle*, 15 Feb. 1948

⁷¹ *Limerick Chronicle*, 16 Nov. 1948.

⁷² Minute book of the executive committee of the Adoption Society, 4 Jun. 1948

⁷³ *Evening Mail*, 28 Jun. 1948.

⁷⁴ *Irish Times*, 7 Aug. 1948.

The letter referred to both the need for an adoption law and the need to reform the birth certificate:

Also would anybody like his birth certificate to show that he has only a mother and that his father is unknown, and therefore that he is illegitimate? I am sure he would not, yet this is the certificate with which unfortunate young people, brought up in orphanages and institutions, without the security of home life, set out to earn a living. Not a very encouraging experience for young people, and no wonder many of them react unfavourably and become juvenile delinquents.⁷⁵

The adopted child as presented by the society was stigmatised by society and became an outcast. This image, although designed to suit the needs of the societies' campaign, may give a very good insight into the opinion that many ordinary people might have had towards adopted children.

The other participant in an adoption arrangement was the biological mother. In these newspaper articles it was suggested that some unmarried mothers took their adopted children back when they were old enough to earn a living. Evidence for this appears in an *Irish Press* article on 29 June 1948,⁷⁶ and also in a number of other articles.⁷⁷ The scenario presented was that the adoptive parents, who had given the child emotional and financial support, lost the child, without any compensation, when the child reached the age when it was capable of earning a living for the biological mother.

Another slogan that would have added to the general awareness and perception of adopted children was: 'Give me a good name, one I'll be proud to give my wife'.⁷⁸ The idea presented here was that when adopted children attempted to marry the circumstances of their birth presented an obstacle. Some adoptive parents may have wanted to pass their family name on to their adoptive children. This presented legal adoption as the happy outcome of a child in need of a family, and a couple in need of children. Mike Millotte has studied the history of foreign adoptions in Ireland; in this

⁷⁵ *Irish Times*, 7 Aug. 1948

⁷⁶ *Irish Press*, 29 Jun. 1948.

⁷⁷ *Limerick Chronicle*, 4 Dec. 1948, *Cork Examiner*, 29 Dec. 1948.

⁷⁸ *Irish Times*, 22 May 1948.

work he describes the prevailing attitudes toward adoption as ‘primarily an act of kindness by selfless individuals towards unfortunate children.’⁷⁹ The society’s slogan would have reflected this perceived view.

The other advertisement that the Adoption Society ran was a five point slogan that discussed the benefits of adoption. These benefits were

- 1) to ensure that children may be adopted legally having a right to use their adopter’s name and to join the family circle of any home with complete security.
- 2) To ensure that the future happiness of children may not be marred by the production of a birth certificate when sitting for an examination, commencing employment or getting married.
- 3) To ensure that childless married couples may take their part in the life of the country by bringing up families, fully assured that no interference from outside may occur.
- 4) To ensure that children of unfortunate birth have equal citizenship rights with others as laid down in the constitution.
- 5) To ensure that our social conscience keeps abreast of all those democratic countries who have secured legal adoption by legislation.⁸⁰

This advertisement was longer than most. It associated adoption with the formation of a family unit; it also associated adoption with desirable experiences, as well as with citizenship rights and the idea of democratic progress.

An important point that came from the advertisement was made in point three. This point articulated the idea that legal adoption would allow childless couples to partake in the life of the country by bringing up children.⁸¹ This reinforces the notion that in order to partake fully in the Irish nation a married couple should be producing or raising children when married. Church teachings on the role of sex in marriage gave an expectation that children resulted from marriage. Ferriter has discussed female infertility and the difficulty some women faced: ‘women in rural areas, including those in arranged marriages, were prized above all else for their suitability to do hard work and their fertility, and when the problem was one of male infertility, women had a

⁷⁹ Mike Milotte, *Banished babies* (Dublin, 2012) p. xii

⁸⁰ *Cork Examiner*, 25 Sept. 1948.

⁸¹ *Cork Examiner*, 25 Sept. 1948.

difficult task to cast off the assumption that it was somehow their fault.’⁸² Therefore, another interpretation of this advertisement is that those who did not produce children were to be assisted because they could not fulfil their supposed natural role as nurturers and parents. This organisation was trying to motivate people towards adoption. This could only be done if people were sympathetic to a particular image. In this case it was the childless couple. All of these advertisements were aimed at eliciting public sympathy for adopted children and their adoptive parents.

In September 1948 a letter was sent from the minister for justice to the archbishop of Dublin, McQuaid.⁸³ The letter outlined the fact that the department of justice had been re-examining the case for adoption legislation. The minister requested the archbishop to have a look over a memorandum and ‘let me know whether you would see any objection to the introduction of an adoption bill on the lines suggested.’⁸⁴ On 1 October 1948 the J.C.W.S.S.W. wrote to the minister asking for an update on the current status of an adoption bill.⁸⁵ On 3 December 1948 a letter was received in the department of justice from the secretary to McQuaid, Fr. Christopher Mangan.⁸⁶ The letter was in response to a telephone query from the department of justice. Fr. Mangan was instructed by the archbishop to send his regrets to the minister because he had not yet written in regard to the adoption legislation. The archbishop hoped to deal with this matter in the near future.⁸⁷ There was no date given as to when the archbishop would be ready to meet the minister.

Throughout 1949 the Adoption Society kept in contact with various members of the oireachtas.⁸⁸ The society also wrote to town and county councils and to vocational education committees around the country asking these councils to pass resolutions in

⁸² Diarmuid Ferriter, *Occasions of sin* (London, 2009) p. 191

⁸³ Sean Mac Eoin to John Charles McQuaid, 30 Sept. 1948 (N.A.I., MS 90/93/19).

⁸⁴ Ibid

⁸⁵ W.R.O’Hegarty to the minister for justice, 1 Oct. 1948 (N.A.I., MS 90/93/19).

⁸⁶ Christopher Mangan to Mr Costigan, 13 Dec. 1948 (N.A.I., MS 90/93/19).

⁸⁷ Ibid

⁸⁸ Minute book of the executive committee of the Adoption Society (Eire), 8 Jul. 1949

favour of legal adoption. These resolutions were then to be sent to the minister for justice. There was a strong response to the call for resolutions and they were received in the department of justice. They would have added to the sense that there was a public demand for legislation. In some cases when a number of these councils and committees wrote to the minister the letter received from the Adoption Society was attached, making the minister aware of the support the organisation was receiving.

The society also sent letters to the Trade Union Congress and the Congress of Irish Unions asking for their support.⁸⁹ Contact was also made with the Irish Labour party.⁹⁰ On 7 June 1949 the Workers Union of Ireland informed the minister of their support for the introduction of legislation.⁹¹ The letter was sent by James Larkin (Labour), T.D. for Dublin South Central. In his letter to the minister, Larkin indicated that he was speaking on behalf of the General Executive of the Workers Union of Ireland, as he was the general secretary of the organisation. When he expressed his concern over the lack of adoption legislation he specified that his organisation was deeply concerned with the issue ‘particularly as very many of them [adopted children] are children of working class parents.’⁹² It is possible that Larkin was trying to imply that adoption was a particular issue for working class families. The minister responded to Larkin in the same way that he did to all enquiries on legislation. Larkin was informed that the matter was under consideration but at present the minister was trying to resolve difficulties and could not give a time when the matter would be dealt with.⁹³

In January 1949 the J.C.W.S.S.W. was again petitioning the minister for justice in regard to adoption legislation. On 19 January a secretary in the department wrote to the committee to say that the minister was still ‘not yet in a position to make a statement

⁸⁹ Minute book of the executive committee of the Adoption Society (Eire), 2 Sept. 1949

⁹⁰ Minute book of the executive committee of the Adoption Society (Eire), 7 Oct, 1949

⁹¹ James Larkin to Sean Mac Eoin, 7 Jun. 1949 (N.A.I., MS 90/93/19).

⁹² Ibid

⁹³ R.H. (minister’s secretary) to J. Larkin, 17 Jun. 1949 (N.A.I., MS 90/93/19).

in regard to the question of introducing an adoption bill.⁹⁴ Political parties also started to become active in the campaign. On 22 February the Limerick City District Council of Fianna Fáil wrote to the minister stating that the council had fully discussed the matter of legalising the adoption of children. The council was ‘of the opinion that the time was ripe for putting into motion such proposals for effectuating the ardent desire of a vast number of citizens of this state.’⁹⁵ This is evidence that there was a consistent level of pressure for the introduction of legislation on legal adoption in the department of justice. What is interesting to observe is that the Adoption Society did not at this stage directly communicate with the department of justice but rather acted through other individuals and organisations. The society may have felt that they did not have enough influence to force the department to listen to their aims and used influential spokespeople to speak for them.

In 1949 dáil questions continued to be placed before the minister for justice in relation to the adoption of children. In March 1949 the minister gave his opinion on adoption legislation again in response to a question asked by Alfred Byrne. The minister stated that ‘there are certain difficulties, which I regret it has not yet been found possible to overcome. I can assure the deputy that I am most anxious to solve this problem and if the difficulties can be overcome, I shall introduce legislation without delay.’⁹⁶ While this was not a rejection of adoption legislation outright, it was an indefinite postponement. There is evidence to suggest that the minister was feeling the effect of this pressure. He wrote to the attorney general, Cecil Lavery, asking him to examine the file on legal adoption. The minister had ‘already discussed the proposed scheme for a bill with his grace the archbishop of Dublin, and am hoping that it may be possible to

⁹⁴ Copy D.C. (most likely Daniel Costigan) to W.R. O’Hegarty, 19 Jan. 1949 (N.A.I., MS 90/93/19).

⁹⁵ Michael J O’Brien (secretary of the Limerick council for Fianna Fáil) to the minister for justice, 22 Feb. 1949 (N.A.I., MS 90/93/19).

⁹⁶*Dáil deb.*, cxiv 682-3 (2 Mar., 1949)

hammer out a solution'.⁹⁷ He then went on to address the pressure that he was facing: 'Deputy Alfred Byrne (senior) and others have been pressing me strongly to do something'.⁹⁸ MacEoin was 'anxious' to discuss the matter again with the archbishop and was asking the attorney general to suggest some way out of the difficulties that were obstructing the passing of legislation.

There was another dáil question asked in April 1949 about the prospect of adoption. The question was asked by Patrick McGrath (Fianna Fáil), T.D. for the Cork Borough. McGrath asked the minister:

if he will state the precise nature of the difficulties preventing the introduction of proposals for legislation dealing with the legal adoption of children, and if he will (a) inform the dáil whether he has discussed these difficulties with any society propagating legal adoption, and (b) if he has not done so, whether he is now prepared to discuss these difficulties with the Adoption Society (Ireland).⁹⁹

This is the first mention of the Adoption Society in a parliamentary debate. McGrath's question was suggested to him by the society.¹⁰⁰ MacEoin gave a very direct reply to McGrath: 'this matter is still under consideration and I do not think that anything would be gained at the present stage by my making a statement on the difficulties or discussing them with the Adoption Society (Ireland)'.¹⁰¹ While the minister did not seem interested in involving the society in any adoption legislation, the organisation continued with its work.

The J.C.W.S.S.W. was again in contact with the minister in May 1949. The tone of the correspondence had changed in this letter. The committee was dissatisfied with the failure of the minister to introduce adoption legislation and was requesting a meeting to discuss the matter further, claiming that there was a large and growing public

⁹⁷ Copy Sean Mac Eoin to Cecil Lavery, date not specified, Mar. 1949 (N.A.I., MS 90/93/19).

⁹⁸ Ibid

⁹⁹ *Dáil deb*, cxiv 2224-5 (5 Apr. 1949)

¹⁰⁰ Minute book of the executive committee of the Adoption Society (Eire), 19 Mar. 1950, (N.L.I., Adoption Society (Ireland) Papers, MS 19349 -19350)

¹⁰¹ *Dáil deb*. cxiv2224-5 (5 Apr. 1949)

demand for adoption.¹⁰² The response to the letter was a reiteration that the matter was under consideration.¹⁰³ There was a reference to difficulties that were not yet possible to overcome but there were no specific details as to what these difficulties were. In May 1949 a letter from the minister for justice to Alfred Byrne (senior) was read to the executive committee of the Adoption Society (Éire). In this letter the minister informed Byrne that there were difficulties involved in the introduction of legislation but the minister would do everything in his power to overcome those difficulties.

On the same day that the J.C.W.S.S.W. wrote to the minister for justice, the committee also sent a letter to Alfred Byrne, requesting him to ask a question in the dáil in relation to the introduction of legal adoption. The committee wanted Byrne to remind the minister of the influence it held:

As you are aware we are working on this question for many years. Our Committee has sixteen member societies, representing more than 50,000 women. These societies are unanimously in favour of legal adoption. We should be glad if you would emphasise these facts which show the volume of public opinion behind this urgent demand¹⁰⁴

It is evident that there was a growing level of frustration with the manner in which legal adoption was being tackled by the government. While the Adoption Society did not contact the minister for justice directly, it continued the campaign to have adoption legislation introduced by other means.

From late 1948 and into 1949 the society was still politically active. In October 1948 the organisation began preparation for a public meeting in Cork. The object of this meeting was to raise awareness of the demand for adoption legislation and to establish a branch of the society in Cork.¹⁰⁵ Meetings were also held in Limerick and Waterford.¹⁰⁶

¹⁰² W.R O'Hegarty to the minister for justice. 2 May 1949 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/19).

¹⁰³ Copy A. Meehan (Minister's secretary) to W.R O'Hegarty, unspecified day, Jun. 1949 (N.A.I., MS 90/93/19).

⁹⁵ W.R O'Hegarty to Alderman A. Byrne, 2 May 1949 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/19).

¹⁰⁵ Minute book of the executive committee of the Adoption Society (Eire), 15 Oct. 1948

These branches were appointed liaison officers on the executive committee.¹⁰⁷ The executive branch later acted as a Dublin branch of the society and a national council of the society was established.¹⁰⁸

The newspaper campaign by the society was not always well received. The *Irish Independent* refused to publish an article from the society because 'it had not a wide enough appeal.'¹⁰⁹ *The Standard* also refused to publish anything from it.¹¹⁰ However the *Catholic Herald* wrote to the society and requested advertisements on adoption.¹¹¹ The society also appeared to be in contact with individuals who were involved in welfare work and the adoption process. A Miss Odlum of the Church of Ireland Temperance and Welfare Society was in communication with the society.¹¹² Mrs. Parson of the Magdalene Asylum on Leeson Street invited the chairman and the hon. secretary to a meeting dealing with social welfare work.¹¹³ Frank Duff, the founder of the Legion of Mary, the organisation that ran the Catholic Regina Coeli hostel,¹¹⁴ also met with the society. He explained that he was in favour of legal adoption.¹¹⁵

Part of the publicity campaign of the society was the delivery of public talks on adoption. An example of such a talk was given by a member of the society, E.W. McCabe, to the Statistical and Social Inquiry Society of Ireland. The talk was entitled *The need for a law of adoption*. The talk described the Adoption Society as a non-sectarian organisation that had a non-political character.¹¹⁶ Interestingly, the talk gives an insight into many of the issues associated with adoption. In the talk there was a

¹⁰⁶ Minute book of the executive committee of the Adoption Society (Eire), 14 Jan. 1949 and Minute book of the executive committee of the Adoption Society (Eire), 7 Jan. 1949

¹⁰⁷ Minute book of the executive committee of the Adoption Society (Eire), 18 Feb. 1949

¹⁰⁸ Minute book of the executive committee of the Adoption Society (Eire), 17 Aug. 1949

¹⁰⁹ Minute book of the executive committee of the Adoption Society (Eire), 21 Jan. 1949

¹¹⁰ Ibid

¹¹¹ Ibid

¹¹² Minute book of the executive committee of the Adoption Society (Eire), 26 Nov. 1948

¹¹³ Minute book of the executive committee of the Adoption Society (Eire), 5 Feb. 1949

¹¹⁴ See chapter 2, p. 60.

¹¹⁵ Minute book of the executive committee of the Adoption Society (Eire), 8 Jul. 1949

¹¹⁶ E. W. McCabe, 'The need for a law of adoption' in *Journal of the Statistical and Social Inquiry Society of Ireland*, xxviii (1949), pp178-191 p.187.

discussion of a biological mother returning to take the child that she had placed for adoption;

The present arrangements for so-called adoptions are inimical to the best interests of the child and its new parents, because the transfer, lacking the fidelity of law, depends entirely on the goodwill of the natural mother, who can subsequent to the transfer, successfully seek the return of the child. Temptation to do so may become strong when the child reaches earning age, especially if the mother is in poor circumstances, or if she should subsequently marry and find herself in better circumstances. Though in actual practice it rarely does happen that the mother takes this initiative, there are cases in which it occurs¹¹⁷

In his assessment of this threat, McCabe acknowledges that this was a rare event. The paper also discussed the lack of assessment of prospective adopters and the issue posed by the birth certificate:

This child's security of a happy future lies in adoption, but that security and happiness are short-lived when the birth certificate brands it as telling a lie, and when the fact that puts it at a humiliating disadvantage must be publicly declared by the production of the stigmatising document at every turn.¹¹⁸

On the issue of the removal of parental rights permanently from the biological mother, McCabe tackled criticisms by claiming that it was, first of all, often difficult for the biological mother to keep her child for financial reasons, and also owing to resentment the biological mother allegedly felt toward her child because the child reminded her of her 'seducer' and 'deserter'.¹¹⁹ He carried the argument so far as to claim that: 'very many of these girls have such bitter and antagonistic feeling for their offspring that they will not have any wish to retain the child, but would prefer to be rid of a troublesome reminder of a fall from grace and social standing.'¹²⁰ This depiction of the biological mother suited the aims of the Adoption Society.

One of the other difficulties posed by illegitimacy according to McCabe was the high rate of mortality for illegitimate children. In the ten years from 1936 to 1946 the

¹¹⁷ E. W. McCabe, 'The need for a law of adoption' p.187

¹¹⁸ Ibid p.179 and p. 187.

¹¹⁹ Ibid p.187 and p.181

¹²⁰ Ibid p.187 and pp 181-2

mortality rate for illegitimate children was 225 in 1,000. The mortality rate for legitimate children was 73 in 1,000. Once McCabe had addressed issues associated with illegitimate children, biological mothers, and other issues, he turned the paper into a discussion on the benefits of adoption. In this paper he discussed international adoptions. He had an optimistic attitude toward the prospect of an adoption law: ‘there is reason to believe that some form of adoption law may be under consideration by the government.’¹²¹

Religion was not considered in this paper to be one of the possible reasons why adoption had not been legalised. Instead, ‘the main objection is that the enactment of such a law would be an encouragement to moral laxity since it would become easier to dispose of unwanted children.’¹²² This paper demonstrated how the Adoption Society was focusing its campaign; it also demonstrates that the group at this point was downplaying religious difficulties.

The society was however aware of the religious issues and on 13 May 1949 the organisation held a meeting with Fr. Counihan S.J.¹²³ This meeting is recorded in the minute books of the executive committee of the society. There was no information given as to how the organisation came into contact with Fr. Counihan. There were no notes taken of the advice given to the society by Fr. Counihan but it is stated in the minutes that he had no intention of acting as a liaison officer for the society. It is also stated in the minutes that the members of the committee intended to keep confidential the contents of what Fr. Counihan had said about legal adoption.

Fr Counihan was also mentioned in a report from the national council of the society. He had met with the chairman of the society and the Cork representative.¹²⁴ He

¹²¹ Ibid p.185

¹²² Ibid p. 187

¹²³ Minute book of the executive committee of the Adoption Society (Eire), 13 May 1949

¹²⁴ Unpublished report of the activities of the national council for the Adoption Society of Ireland, undated (N.L.I., Adoption Society of Ireland papers, Correspondence of the Honorary Secretary of the

gave the society information about adoption as it was discussed at a synod of bishops in Maynooth. According to him, eighty percent of the bishops were in favour of legal adoption and twenty percent were against it. The twenty percent that were against adoption included representatives from Dublin. Fr. Counihan believed that Dublin ‘took upon its self the sole responsibility of being able to decide these things’.¹²⁵

There was no coherent policy on adoption from the Catholic church within Ireland until 1951. The Catholic church often arranged for the welfare and care of unmarried women and their children, but various church figures and Catholic social care organisations expressed differing views on adoption and legal adoption in particular. The church may not have supported legal adoptions because it was assumed that adoption relieved an unmarried woman too easily of the consequences of her pregnancy. The church believed and preached that the act of adoption, immediately after birth, did not give the unmarried mother enough time to understand the supposed consequences of her actions.¹²⁶ This particular attitude was informed by the belief that if the mother was forced to spend some time with her child and accept a certain level of responsibility for the child’s welfare this would act as a deterrent against any future perceived sexual misconduct on her part. There was constant reference to the benefits of keeping a mother with her child for the months following birth. However, the reality may have been different. As Lindsey Earner-Byrne states: ‘while the unmarried mother was held legally responsible for the welfare of her child there were very few attempts made either officially or socially to keep mother and child together’.¹²⁷

The Adoption Society interacted with various religious figures in its campaign for legal adoption. While it had opened branches in Cork, Waterford and Limerick,

Adoption Society (Ireland), with copies of outgoing letters, and including letters from civil and religious leaders, with associated papers, 1948-1953, 1962-1963, MS 20825).

¹²⁵ Ibid.

¹²⁶ Cecil J. Barrett, *Adoption: the parent, the child, the home* (Dublin, 1952) p. 45.

¹²⁷ Lindsey Earner-Byrne, ‘Reinforcing the family: The role of gender, morality and sexuality in Irish welfare policy, 1922–1944’ in *History of the Family*, xiii (2008), p. 363.

there was still the possibility of opening a branch of the society in Galway. It was decided by the society to write a letter to Dr. Michael Browne, the Catholic bishop of Galway, informing him of its intention to establish a branch of the society in the city. Dr. Browne responded stating that he had no problem with adoption in principle.¹²⁸ The issue that the bishop had was with the society's campaign and that an adoption law would place legitimate children on the 'same level' as illegitimate children.

I cannot give approval to your proposal to put illegitimate children on the same level as legitimate in regard to the birth certification. That is a mischievous proposal. I also object strongly to the entirely exaggerated statements in your propaganda for adoption. It gives a misleading picture of orphanages and a distorted picture of the treatment of illegitimates.¹²⁹

No branch of the society was opened in Galway.

While the society continued with its work, so did the J.C.S.W.W.S. The committee followed up its letter from of July with another letter to the minister in September 1949.¹³⁰ This discussed the fact that the dáil was about to resume sitting and, instead of pushing for a legal adoption bill, the committee asked for reform of the birth certificate. The reforms should take place immediately if adoption legislation was not introduced in the following dáil session. This letter was sent from the department of justice to the department of local government and health.¹³¹

The next dáil question on legal adoption came on 16 November 1949. The question was again asked by Alfred Byrne (senior). Yet again, he was told that the matter was still under consideration.¹³² On 18 November 1949, at a meeting of the executive committee of the Adoption Society, a meeting with dáil deputies was

¹²⁸Michael Browne (Bishop of Galway) to Mrs. V.E. Penny (hon. secretary of the Adoption Society (Eire)), 27 May 1949 (N.L.I., Adoption Society of Ireland papers, Correspondence of the Honorary Secretary of the Adoption Society (Ireland), with copies of outgoing letters, and including letters from civil and religious leaders, with associated papers, 1948-1953, 1962-1963, MS 20825).

¹²⁹ Ibid

¹³⁰ W.R. O'Hegarty to the minister for justice, 29 Sept. 1949 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/19).

¹³¹ Copy unsigned to the minister's secretary, minister for local government, unspecified date, Sept. 1949 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/19).

¹³² *Dáil Éireann deb.*, cxviii 872, (16 Nov. 1949)

arranged.¹³³ An all-party meeting took place on 23 November 1949.¹³⁴ A memorial was produced at this meeting and was signed by sixteen T.Ds. This was then sent to the department of justice. The T.Ds requested a meeting with the minister for justice: the deputation was to consist solely of members of the dáil.¹³⁵ The minister responded with a willingness to meet the deputation.¹³⁶

A report on the meeting that took place on 12 December between the minister and T.Ds advocating legal adoption was produced for the department of justice. In the opinion of a secretary of the department, the deputation ‘put forward the usual arguments in favour of legal adoption.’¹³⁷ Two difficulties identified by the minister at this meeting were the inalienable right of ‘natural’ parents and the difficulty of the provision of suitable safeguards for the religious sensitivities concerning adoption. The minister defended his deferral to the Catholic church in this meeting:

while he could not for a moment admit the right of any church authority to dictate or veto legislation, he was most anxious to avoid introducing legislation which might be regarded as objectionable by any church in relation to...children which is, of course, of fundamental importance from the religious point of view.¹³⁸

The minister raised the fact that the church posed a serious obstacle to the introduction of legislation. This was after the *Irish Ecclesiastical Record* had published an article stating that there was nothing objectionable in church law to adoption.¹³⁹

On 3 January 1950 the Adoption Society demonstrated a change in the campaign and wrote to the department of justice requesting a meeting with the minister for

¹³³ Minute book of the executive committee of the Adoption Society (Eire), 18 Nov. 1949

¹³⁴ List of T.D.s at the legal adoption meeting held on the 23 Nov. 1949, attached Jack Lynch and M. E Dockrell to the minister for justice, 24 Nov. 1949 (N.A.I., MS 90/93/19).

¹³⁵ Jack Lynch and M. E Dockrell to the minister for justice, 24 Nov. 1949 (N.A.I., MS 90/93/19).

¹³⁶ A. Meehan to John Lynch, 7 Dec. 1949 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/19).

¹³⁷ Note on deputation of T.D.s of 14 Dec. 1949, signature and date of note torn and illegible, (N.A.I., MS 90/93/19).

¹³⁸ Ibid.

¹³⁹ See chapter 2 p. 93-4

justice.¹⁴⁰ This was met with a negative response from the department of justice; the society was informed that the minister was ‘not in a position to receive a deputation from the Adoption Society Ireland.’¹⁴¹ At a meeting of the society on 6 January 1950 it decided to attempt to get in contact with Eamon de Valera. At this meeting it was also stated that the main difficulty in bringing in adoption legislation was religious, reflecting the information that was given to the deputation of T.D.s in December 1949.¹⁴²

The society sent a memorandum on adoption to the department of the taoiseach, in February 1950,¹⁴³ at the time the taoiseach was John A. Costello.¹⁴⁴ The society stated its aims. Attached to this memorandum was a list of county councils, corporations, district councils and unions that had passed resolutions advocating the legalisation of adoption. There were thirty-seven bodies on the list, this included the J.C.W.S.S.W., Dublin Corporation,¹⁴⁵ Dublin County Council and Cork Corporation and County Council. Dublin Corporation passed its resolution in favour of legalising adoption after it received a letter from the Adoption Society. This letter outlined the benefits of legal adoption and asked the corporation to ‘pass a resolution to be forwarded to the minister for calling for the passing of the necessary legislation to make adoption legal.’¹⁴⁶ It can be assumed that the majority of resolutions passed in favour of adoption were done so at the instigation of the Adoption Society.

¹⁴⁰ E. C. Penny to Mac Eoin, 3 Jan. 1950 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/20).

¹⁴¹ undated copy P. Berry to the honorary secretary of the Adoption Society Ireland (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/20).

¹⁴² Minute book of the executive committee of the Adoption Society (Eire), 6 Jan. 1949

¹⁴³ E.C. Penny, Memorandum, 8 Feb, 1950 (N.A.I., Department of the Taoiseach, MS 10815a)

¹⁴⁴ John A. Costello was taoiseach from 1948- 51 and again between 1954-7. For further information see Charles Lysaght, ‘Costello, John Aloysius’ in James McGuire and James Quinn (eds), *Dictionary of Irish biography* (Cambridge, 2009) available at Dictionary of Irish Biography online (<http://dib.cambridge.org/tab.do?tab=aboutDIB>) (20 Feb. 2013)

¹⁴⁵ Dublin Corporation and Cork Corporation are the former names given to the Dublin and Cork city councils, these are the administrative bodies that govern the cities.

¹⁴⁶ Copy Eileen C. Penny (Adoption Society to Dublin Corporation), 1 Jul. 1939 (N.A.I, MS 90/93/19)

In the minutes of the executive committee of the society there was mention of an article that was published in *Empire News*.¹⁴⁷ The British newspaper had reported on the international adoption practices that took place in Ireland. In February and January 1950 the society also discussed the practice of American adoptions. This was at a committee meeting after a press conference that the society held on the 5 January 1950. The press conference was arranged to discuss the need for adoption legislation. The topics discussed included the attitude of the Roman Catholic church and the ‘export of children.’

The exact numbers of children sent abroad for adoption is unknown.¹⁴⁸ Moira Maguire’s insightful book, *Precarious childhood in post-independence Ireland*, argues that the international media surrounding international adoption and the sending of children abroad for adoption was a contributing factor to the introduction of legislation. From the minutes of the Adoption Society it is evident that the society was aware of the international practice.

Legal adoption continued to be discussed in the dáil. In February 1950 it was a different T.D. who approached the minister with a question on the matter. Oliver Flanagan (Fine Gael), T.D. for Laois Offaly, asked the minister for justice if he was ready to introduce adoption legislation. General MacEoin responded that the matter was still under consideration and at the present time he was not in a position to introduce legislation.¹⁴⁹

The J.C.W.S.S.W. continued in its letter-writing campaign and again in March 1950 petitioned the minister to introduce legislation. While the letter reiterated the benefits of adoption and the need for the introduction of legislation, it introduced a comparison between adoption in Northern Ireland and what was now the Republic of

¹⁴⁷ Minute book of the executive committee of the Adoption Society (Eire), 2 Dec. 1949

¹⁴⁸ Maguire, Moira, *Precarious childhood in post-independence Ireland* (Manchester, 2009) p.128

¹⁴⁹ *Dáil Éireann deb*, cxix 313 (21 Feb. 1950).

Ireland. The letter also reflected the disappointment that those campaigning for legal adoption must have felt. The letter ended with a reminder of how much faith the committee had had in the minister's willingness to introduce legislation: 'when our deputation had the privilege of meeting you they were convinced of your sincerity and sympathy in this matter.'¹⁵⁰

The Adoption Society, around the same time that this letter was sent, was also developing its political campaign. On 2 March a report was given to the society on the activities of one of the members. A Mr Hartford had been to the dáil to discuss legal adoption with a number of T.D.s; he had discussed with the T.D.s the reason why the minister refused to accept a deputation from the society. While in the dáil, Hartford was introduced by chance to the minister for justice. The minister suggested to him that the society should leave adoption legislation to the minister.¹⁵¹ J. H. Whyte used interviews with members of the society for his work on adoption. Information gained from these interviews included that 'one officer of the adoption society can remember a rural deputy saying that to interfere with the line of succession was "like interfering in a stud book."¹⁵² From the minutes of the society this statement was very similar to a statement put to Hartford on his visit to the dáil in 1950. The minister for justice was reported to have said if someone 'attempted to alter the stud books in relation to pedigree cattle, etc. there would be an outcry from the farmer and that likewise there would be opposition if he tried to alter the system of birth certificate.'¹⁵³ Hartford also discussed the response of the religious authorities with the minister. The minister warned him that if he was not careful in his approach to the ecclesiastical authorities then there was a possibility that he could destroy any chance of legislation. After the meeting with the minister, those T.D.s who had been involved with the campaign gave their opinion of the minister for

¹⁵⁰ W.R. O' Hegarty to the minister for justice, 3 Mar. 1950 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/20).

¹⁵¹ Minute book of the executive committee of the Adoption Society (Eire), 2 Mar. 1950

¹⁵² Whyte, J.H., *Church and state in modern Ireland*, 1923 -1970 (Dublin, 1971) p. 187

¹⁵³ Minute book of the executive committee of the Adoption Society (Eire), 2 Mar. 1950

justice's behaviour: 'the consensus of opinion of the deputies consulted was that the minister for justice was quietly putting us off and keeping our society from being a nuisance.'¹⁵⁴ This did not deter the society.

On 8 February 1950, the society wrote to Archbishop D'Alton of Armagh requesting an interview to explain their view on adoption. They received a response on 11 February stating that the archbishop was unwilling to receive a deputation as 'interviews were not wholly satisfactory and were often indefinite in result.'¹⁵⁵ The archbishop asked instead that the society produce and send a memorandum. The memorandum was sent and received by 6 April 1950. Dr. D'Alton intended to put the memorandum before the bishops when they met in June. On 3 July the archbishop again wrote to the society; the bishops had discussed the memorandum but at present were unable to reach a decision on the matter. The matter was to be considered by a special committee.

Letters of support for legal adoption continued to be sent to the minister for justice. The Dublin District Council of the Irish Transport and General Workers Union wrote to the minister to state that the union represented 30,000 members in Dublin.¹⁵⁶ The council had considered the question of legal adoption and was in favour of its introduction, asking the minister to 'oblige' them in this 'important matter'.¹⁵⁷

It had mainly been political groups, councils and committees that expressed their desire for legal adoption but in June 1950 representations were made to the minister in favour of legal adoption from the Methodist church in Ireland.¹⁵⁸ The annual conference of the Methodist church in Ireland passed the following resolution: 'The conference of

¹⁵⁴ Ibid

¹⁵⁵ Typed report for meeting of all committee members held at 118 St. Stephens Green Dublin, Wednesday 6 September 1950 (N.L.I., Adoption Society of Ireland papers, Correspondence of the Honorary Secretary of the Adoption Society (Ireland), with copies of outgoing letters, and including letters from civil and religious leaders, with associated papers, 1948-1953, 1962-1963, MS 20825).

¹⁵⁶ Frank Robbins (secretary Dublin District Council of the Irish Transport and General Workers Union) to the minister for justice, 20 Mar. 1950 (N.A.I., MS 90/93/20).

¹⁵⁷ Ibid

¹⁵⁸ J. B. Jameson (secretary of the Methodist church conference) to the minister for justice, 17 Jun. 1950 (N.A.I., MS 90/93/20).

the Methodist Church in Ireland earnestly requests the government of the Republic of Ireland to take steps as soon as possible empowering the courts to make orders authorizing the legal adoption of children.¹⁵⁹ This was a statement that one of the main non-Catholic religious groups in the state supported the introduction of adoption.

In April 1950 the minister was again asked in the dáil if he was ready to introduce legislation. He answered again in the negative. This time the question was asked by Con Lehane (Clann na Poblachta), T.D. for the Dublin South Central Constituency.¹⁶⁰ A follow up question was asked in June; Michael Fitzpatrick (Clann na Poblachta), T.D. for Dublin North West, requested to know the reasons for the delay in legislation. The minister simply referred Fitzpatrick to the answer he had given Alfred Byrne (senior) in April 1949.¹⁶¹ Captain Peadar Cowan (Clann na Poblachta), T.D. for Dublin North East, pressed the minister further for a reason as to why the minister had not introduced legislation considering ‘the fact that many clergymen of the Catholic and other churches, judges and justices, social welfare workers and parents, have been pressing for years for legislation to deal with this important matter.’¹⁶² This was the same Peadar Cowan who had written to the department in January 1939. This dáil question in July 1950 failed to procure a definite answer from the minister. He stated that he did not think anything could be gained from making a statement on the matter.

In 1950 two notes were prepared on legal adoption in the department of justice. One was from Daniel Costigan (the assistant secretary in the department) to the secretary of the department, Joseph Coyne. Here, Costigan discussed his own role in drawing up adoption legislation. In February 1948 a draft for a bill had been prepared with a clause to prevent any confusion on the religious issue.¹⁶³ The court had to be

¹⁵⁹ Ibid

¹⁶⁰ *Dáil Éireann deb.*, cxx 1120 (26 Apr. 1950).

¹⁶¹ *Dáil Éireann deb.* cxxi 2075 (21 Jun. 1950)

¹⁶² *Dáil Éireann deb.*, cxxii 1497-8 (12 Jul. 1950)

¹⁶³ Daniel Costigan to (Thomas Joseph) Coyne (assistant secretary, the department of justice, appointed on the death of J.E. Duff in September 1949), 24 Oct. 1950 (N.A.I., MS 90/93/20).

satisfied that everyone involved in any adoption had to be of the same religion, the biological parents, the adoptive parents and the child. On 30 September 1948 the minister had sent a copy of the bill to the archbishop. A file was also sent to the attorney general. The minister did not receive a written response from either the archbishop or the attorney general. According to Costigan, the minister decided not to continue with the scheme a number of months previously. However, all parliamentary questions had still been answered with the standard reply that the matter was ‘still under consideration’.¹⁶⁴ This would confirm the opinion of the deputation of T.D.s and the Adoption Society that the minister for justice was unlikely to introduce legislation and was trying to avoid the society becoming a nuisance.

Costigan did not know whether the proposals in the bill were satisfactory or unsatisfactory to the archbishop. Also, there was an element of sympathy for the introduction of adoption legislation in Costigan’s report: ‘Unless the archbishop is definitely of opinion that it is quite impossible to devise any satisfactory adoption bill, I think that it is a pity that some further effort should not be made to devise such a bill.’¹⁶⁵ The other challenge that faced the legalisation of adoption was whether or not it was right to legislate for the removal of parental rights. Costigan’s argument as to how this could be overcome reflected an attitude toward unmarried motherhood that was a commonly held view at the time: ‘I should like to point out that several priests have stated to this department that they are satisfied that, in the vast majority of cases, it is better for illegitimate children that they should be brought up by adopters than that they should be brought up by their mothers.’¹⁶⁶ Costigan finished his advice with the suggestion that the minister should make a clear statement on the subject of adoption legislation.

¹⁶⁴ Ibid

¹⁶⁵ Ibid

¹⁶⁶ Ibid

Following this report from Costigan, Thomas Coyne then sent a report to the minister for justice on 6 November. Coyne had come to the conclusion that if the minister had decided that he did not want to introduce adoption legislation, the most appropriate form of action was to make a statement to that effect. The advice that Coyne gave the minister, if he had chosen not to introduce legislation, was not to give any reason for it. Coyne's personal opinion on the matter was that there 'ought to be legislation to legalise adoption and that there is a public demand for such legislation'¹⁶⁷ and that there was 'a real need for civil legislation to regulate and regularise informal arrangements.'¹⁶⁸ He also set out an argument for the minister about the role of church and state:

There is, however, a clear distinction between the rights and duties of the state on the one hand and the rights and duties of the church on the other. As I see it the state has an absolute right to legislate for any legitimate purpose and, in particular, to legalise adoption, which is such a purpose. At the same time the church has equal right, if it considers that such legislation is dangerous to faith and morals, to insist that it be accompanied by the requisite safeguards to provide against such danger. But the church has not merely this right; it has corresponding duty to specify precisely what safeguards are required. Of course the church would be entitled to say that legislation for a particular purpose was so dangerous to faith and morals as to make it impossible to provide adequate safeguards but this would be tantamount to saying that the legislation was for an illegitimate purpose. And this in my view cannot be said of legislation for adoption having regard to the attitude of the church to this question throughout the ages.¹⁶⁹

This excerpt demonstrates and reflects the opinions of both Costigan and Coyne: legislation for adoption was needed; it had popular support, and the stalling of the church was not a good enough reason for the minister to delay. The final advice that Coyne had for the minister was to ask him if he would approve of Coyne talking to Archbishop McQuaid before the matter was dropped. He also suggested that the minister bring the issue to the taoiseach.

¹⁶⁷ Note prepared by Thomas Coyne, 'Legal Adoption', 6 Nov. 1950 (N.A.I., MS 90/93/20).

¹⁶⁸ Ibid

¹⁶⁹ Ibid

The question in relation to legal adoption was finally answered on 29 November 1950. Byrne and Cowan posed questions to the minister for justice on adoption. The minister answered their question but not in person, the minister for defence, Thomas O'Higgins, read a prepared answer from the minister for justice: 'After very careful consideration of this matter, I have decided not to introduce proposals for any legislation which would provide for the irrevocable transfer of a parent's rights and duties in respect of a child to any other person.'¹⁷⁰ The minister refused to state the reasons why he would not introduce legislation. He was of the belief that there was no reason for him to explain. He only had to explain the reasons if he had chosen to introduce legislation.

The Adoption Society continued with its campaign despite this set back. It arranged to meet the minister for health, Dr. Browne, during the week of 6 December 1950.¹⁷¹ The society decided to send a letter to the minister for justice expressing dissatisfaction with his decision not to introduce adoption legislation. The society informed the minister at the end of the letter that it would release the letter to the press on 12 December 1950.¹⁷²

The J.C.W.S.S.W. also expressed dissatisfaction with the minister's decision. The committee went as far as to ask the minister to resign: 'In refusing to bring forward legislation you flagrantly flout public opinion and dictatorially decline to give any reason for your act. There is no alternative for a minister who refuses to carry out the wishes of the people but to resign and allow others to do so.'¹⁷³ The tone of this letter reflected the feelings that many of the people who had campaigned for legal adoption would have felt at the minister's decision.

¹⁷⁰ *Dáil Éireann deb*, cxxiii,1401-3 (29 Nov. 1950)

¹⁷¹ Minute book of the executive committee of the Adoption Society (Eire), 6 Dec. 1950

¹⁷² Herbert James and E.C. Penney (Adoption Society (Éire) to the Minister for justice, 8 Dec. 1950 (N.A.I., MS 90/93/20).

¹⁷³ Mary S. Kettle to the minister for justice, 1 Dec. 1950 (N.A.I., MS 90/93/20).

To sum up, informal adoption was practiced frequently in Ireland in the 1920s and 1930s. As has been shown it was practiced as early as 1911. The available records suggest that it was increasing in popularity among welfare organisations in the 1940s. The reason that an adoption lobby developed in the 1940s and that public sympathy turned in favour of adoption legislation can be seen as the result of a number of factors.

By the mid to late 1940s children who had been adopted during the 1920s and 1930s were reaching adulthood. The relationship that these children had with their adoptive parents was not recognised in Irish law. Also adoption was a practice shrouded in secrecy and the illegitimate child was a figure that was stigmatised and, because of this, an adopted child would have been raised by its parents as though it was born to them. When that child applied for jobs or attempted to further his or her education it was possible that they may have been asked to produce a birth certificate. This certificate would identify the child as illegitimate and thus they suffered due to the stigma attached to illegitimate children. It is possible that, because so many adoptions had taken place in the 1920s and 1930s, there was a growing number of individuals confronted with this predicament. This could have prompted some sections of the public to feel a level of sympathy for these individuals and may have inspired a growing lobby of people who were interested in introducing an adoption law in Ireland.

It is also possible that owing to an increase in illegitimate births there was a growing concern about the welfare of illegitimate children. Adoption was one way in which illegitimate children could be cared for. (It was also a process whereby the illegitimate child could be hidden from view of the public.) Adoption was a process where the illegitimate child was given to couples that were in need of children. It was the image of a benevolent couple caring for an unwanted child that was presented to the

public. The growing number of illegitimate children and the necessary provision for their care may have influenced the public attitude to adopted children.

At all events, the department of justice experienced pressures from a number of quarters to legislate for some form of adoption from the 1930s onwards. There is no simple answer as to why adoption was not enacted. Initially it would appear that there was not a high demand for legislation from the public. By the time this demand became apparent the department of justice had discovered a religious difficulty. The lack of a coherent church policy on adoption and the resistance of Archbishop McQuaid proved insurmountable in the late 1940s. The refusal of the minister for justice to address the issue frustrated the campaign for legal adoption.

The campaign for legal adoption up until 1950 was both political and social. There were two main groups active in promoting legal adoption, the Adoption Society and the J.C.W.S.S.W. The Adoption Society contacted many public bodies and politicians; it did not make direct contact with the minister for justice or with the archdiocese of Dublin. Instead letters were sent to newspapers, and politicians invited to speak on its behalf. The J.C.W.S.S.W. made contact with the minister for justice and applied more direct pressure to his office. The campaign for adoption legislation was well organised and appeared to receive public sympathy. The minister for justice repeatedly refused to answer questions about legalising adoption. He never expressed a clear reason as to why he would not introduce legislation although he did express the opinion that there were two main obstacles: these were the inalienable rights of 'natural' parents and difficulties of a religious nature. These difficulties were not discussed at great length. The archbishop of Dublin's refusal to give a written response to the department of justice on the issue of legal adoption may have been one of the deciding factors that led to General MacEoin's reservations. The views of certain other religious denominations were also made known to the minister for justice, with the Methodist

church expressing a desire for legislation. By the beginning of 1951 adoption legislation had been under consideration in the department of justice for eighteen years. It was in 1951 and 1952 that the position changed, and this will be the subject of the next chapter.

Chapter four: The introduction of an adoption law in 1952

As has been shown in previous chapters, de-facto adoption was practiced in Ireland from as early as 1911. Between 1933 and 1950 the Irish government had from time to time considered adoption legislation but none had been introduced. The crucial years for the introduction of legislation were 1951 and 1952. This chapter will explore these two years and will consider why adoption legislation was enacted in 1952, as well as examining the legislation itself. Before a full discussion of the process of legalising adoption in Ireland from 1951 onwards can begin, it is necessary to contextualise the situation in the Republic of Ireland through a comparison with the situation in Britain and Northern Ireland.

Both Northern Ireland and Britain were reconsidering their adoption laws by the mid-twentieth century. The first major reform of English adoption law since 1926 was the Adoption of Children Regulation Act. This act was passed in 1939 and was designed to govern the manner in which adoption agencies operated in Britain.¹ This act applied to England Scotland and Wales. Anyone who arranged adoptions and did not register as an adoption society faced a jail sentence of six months or a fine of up to £200. An adoption society had to be a charitable society. Registration could be refused if the activities of the society were not controlled by a committee of members. It could also be refused if any person proposed to be employed by the society was not a 'fit person', or if the society did not have the sufficient number of individuals employed to arrange adoptions. If any member of the society's management, or anyone in control, or any member of the society had been convicted of an offence or breached any regulation under the act registration could be refused.² Registration of a society could be cancelled at any time on any grounds that would have resulted in a society being ineligible for

¹ Adoption of Children Regulation Act, 1939 (2 & 3 Geo. VI c. 27 [U.K.]) (13 Jul. 1939) § 1

² Ibid. § 2

registration. The act required that adoption societies gave to the biological parent(s) a document that clearly laid out the implications of an adoption order and the removal of their parental rights.³ The parent(s) had to sign a form before giving the child to such a society stating that they understood the implications of an adoption order.

An application for an adoption order could not be made unless the child had been placed with the adopter for at least three months. A child could be removed from the home of his or her prospective adopter(s) if the child was placed in an environment that was unsanitary, overcrowded or dangerous, or if the environment was detrimental to the child. A child could also be removed if the adopter was deemed to be unfit to have care of a child by reason of old age, infirmity, immorality or criminal conduct.⁴ Upon proof that there was imminent danger to the health or well-being of a child, a justice could exercise the like power on the application of a 'child protection visitor'⁵. It was also the duty of the 'child protection visitor' to visit and examine prospective adopted children. The effects of this section ceased when the child reached nine years old or an adoption order was granted.

The regulation act changed certain parts of the original 1926 English adoption act: 'An adoption order shall not be made in favour of any applicant who is not resident in England or Wales and who is not domiciled in England and Wales or Scotland, or in respect of any infant who is not a British subject and who is not resident in England or Wales.'⁶ It was illegal for anyone to receive a monetary reward for the making of an adoption arrangement.⁷ It was illegal for any advertisement to be published indicating

³ Ibid. § 4

⁴ Ibid.

⁵The role of 'child protection visitor' was not a new one. The position was defined in the Public Health Act, 1936 (26 Geo. 5 & 1 Edw. 8. c.49 [U.K.]) (31Jul. 1936) § 209, the child protection visitor was appointed by the local welfare authority. Their duties were to visit 'foster children and the premises in which they are kept in order to satisfy themselves as to the health and well-being of the children and to give any necessary advice or directions as to the care of their health and their maintenance.' In this act it was also stated that if an authority had only one child protection visitor that visitor had to be a woman, if it had more than one child protection visitor on the staff at least one visitor had to be a woman.

⁶ Adoption of Children Regulation Act, 1939 § 8

⁷ Ibid. § 9

that a parent or guardian would like to place a child for adoption; that any person was willing to adopt a child, or that any person not registered with the local adoption authority was willing to arrange an adoption. It was illegal to send a child abroad into the care or possession of a person who was not either a British subject or the guardian or relative of the child.⁸ Under the act a police magistrate could grant a licence ‘authorising the care and possession of a child for whose adoption arrangements have been made to be transferred to a British subject resident abroad.’⁹

The adoption of children regulation of 1939 was chiefly designed to regulate an area that had been overlooked in the original legislation of 1926: the control and registration of adoption societies. The 1939 act was also more specific in relation to international adoptions and identifying those who were eligible to adopt children abroad. This suggests that international adoptions may have been carried out in Britain prior to 1939. The act also provided information on some of the issues that might have arisen since the 1926 adoption act. These included the advertisement of children for adoption and the exchange of money for the arrangement of an adoption. The regulation of these practices would suggest that the 1926 adoption act was flawed and in need of reform.

A new adoption act was introduced ten years later in 1949.¹⁰ This act applied to England, Scotland and Wales but not to Northern Ireland. In this act it was possible to make an adoption order in favour of an infant who was resident in England or Wales but who was not a British subject.¹¹ When an adoption order was being processed, any person who had given consent to an adoption could not remove the child from the home of the adopter(s) without the consent of the courts.¹² Section eight of the new act stated

⁸ Ibid § 11

⁹ Ibid § 11

¹⁰ Adoption of Children Act, 1949 (12, 13 & 14 Geo. VI c. 98 [U.K.]) (16 Dec. 1949)

¹¹ Ibid. § 1

¹² Ibid § 3 and in the adoption act, 1926 the court was defined as the ‘court’ to which an application for an adoption order was made. This could be the high court, or any court in a jurisdiction where the infant or adopter was resident. There was no definition of a court given in the 1949 act, as the two acts are

that if a citizen of the United Kingdom and colonies adopted a child who was not a citizen of the United Kingdom, the child would become a citizen from the date of the adoption order.¹³ Section eleven of the act made an affiliation order¹⁴ void in respect of a child who was adopted. There was an exception: if an unmarried woman adopted her own child then payment(s) from the putative father were to continue, these payments were to stop if the mother subsequently married. The act also specified that entries were to be made in the general register for adopted children. ‘Adopted’ was to be written beside the entry of any child in whose favour an adoption order was made. The adoption act of 1926, the adoption of children regulation act of 1939 and the adoption act 1949 were to be known as the adoption of children acts, 1926 to 1949.

As has been shown by these last two acts, adoption legislation in Britain was responsive to the practices that were becoming apparent. The 1926 adoption act was not repealed and, instead, these acts complemented the initial legislation. It is interesting to note that a new adoption act was introduced at the same time that adoption lobby groups were finding their voice in the Republic of Ireland. A discussion on the legislation in Northern Ireland in 1950 will provide additional context for the study of adoption legislation in the Republic of Ireland.

On 14 February 1950 a new adoption bill was introduced in Northern Ireland.¹⁵ This bill repealed the 1929 adoption act of Northern Ireland.¹⁶ The new act stated that an adoption order could only be granted to two people if they were a married couple.¹⁷ In the case of a married couple applying for an adoption both adopters had to have reached twenty-five years of age and be at least twenty-one years older than the infant

complimentary, it can be assumed that the court referred to here is the same as that identified in the 1926 act.

¹³ Ibid § 8

¹⁴ An affiliation order was a court order that required the putative father of an illegitimate child to make payments for the child’s upkeep.

¹⁵ Adoption of Children Act, (Northern Ireland), 1950 (12 & 13 Geo. VI c.6 [N.I.]) (14 Feb. 1950).

¹⁶ Adoption of Children Act, (Northern Ireland), 1929 (20 & 21 Geo. V, c.15 [N.I.]) (19 Dec. 1929).

¹⁷ Adoption of Children Act, (Northern Ireland), 1950 § 1

they were adopting. An adoption order could not be made in favour of an adult male and a female child, unless the court was satisfied that there was an exceptional circumstance. The consent of every parent or guardian of an infant was required; consent could be dispensed with if the child had been neglected, abandoned or continually mistreated.¹⁸ Consent could also be dispensed with if the person whose consent was required had refused to pay maintenance, could not be found, or was incapable of giving consent. The consent of the biological mother was not valid if the consent was given before the child was six weeks old. Both the child and the adopting parents had to be resident and domiciled in Northern Ireland.¹⁹ If a husband was not the father of his wife's child, evidence to this effect had to be produced.²⁰

A court²¹ could impose any conditions that it wished on an adoption or interim²² order. After an adoption act was made, adopted children were viewed as the biological children of their adopter(s) in inheritance proceedings. If an adoption order was granted, any affiliation orders or maintenance agreements for an illegitimate child were to cease. An exception to this was granted where a single woman adopted her own child, in which case maintenance and affiliation order payments continued.

It was illegal for any person or agency that was not a registered adoption society or a welfare authority to arrange an adoption. An adoption society had to be a charitable organisation.²³ An adoption society could have its registration cancelled at any time, for any reason that would have resulted in the refusal of the initial application for registration. Much of the act that discussed the rules relating to adoption societies and the payments involved in arranging adoptions mirrored the British legislation. It

¹⁸ Ibid

¹⁹ Ibid

²⁰ Ibid § 6

²¹ In this adoption act a court was defined as any court that had jurisdiction to make an adoption order under the act. These courts were listed as the supreme court or any county court within the jurisdiction of where either the applicant or infant resides, see *ibid* § 13

²² For further information on interim orders see chapter 1 p. 47

²³ Adoption of Children Act, (Northern Ireland), 1950 § 16

was illegal to give a child for adoption to a person who was not a British subject and who was not the guardian or relative of the infant and who was also resident abroad. A British subject abroad could adopt a child if he or she had a licence. This licence could be granted by a court. 'Abroad' was specified as being outside of Northern Ireland.²⁴ This adoption act was similar to the adoption acts introduced in Britain in 1939 and 1949. It is most likely that it was introduced to bring Northern Ireland's legislation in line with that of the rest of the United Kingdom.

Meanwhile, the Adoption Society in the Republic of Ireland continued with its campaign for legal adoption. It encouraged debating societies to tackle the issue of legal adoption. One group that organised a debate on adoption was the Law Students Debating Society, which was attached to the King's Inns²⁵ in 1951.²⁶ This particular debate involved trainee barristers and Attorney General Charles Casey. The attorney general spoke against adoption legislation. In his piece, he attacked the views expressed in editorials of the *Irish Times* on legal adoption.²⁷ The attorney general singled out this paper and vilified it for its coverage of a particular topic. This attack overlooked the fact that the *Evening Mail*²⁸ ran similar articles and advertisements for the Adoption Society. Another interesting comment in this speech related to religion. The attorney general said that Ireland was 'a Catholic country [and although] this did not mean that parliament should be expected to penalise other creeds, it did mean that parliament could not be asked to introduce legislation contrary to the teachings of that great church'.²⁹ In fact, in campaigning for adoption legislation the Adoption Society had never raised the issue of

²⁴ Ibid § 32

²⁵ Students studying at King's Inns would have been pursuing careers as barristers.

²⁶ Minute book of the executive committee of the Adoption Society (Eire), 10 Jan. 1951 (N.L.I., Adoption Society (Ireland) Papers, MS 19349 -19350)

²⁷ *Irish Times*, 14 Feb. 1951

²⁸ The *Evening Mail* was originally the *Dublin Evening Mail*. It was 'founded in 1823 to oppose Catholic emancipation.' The newspaper had been a conservative Protestant newspaper, but by the late 1940s it was mainly a social and advertising paper. There was very little comment on politics. It had a strong working-class readership. See: Patrick Maume, 'The *Dublin Evening Mail* and pro-landlord conservatism in the age of Gladstone and Parnell' in *Irish Historical Studies*, xxxvii no.148 (2011) pp 550-566.

²⁹ *Irish Times*, 14 Feb. 1951.

religion in any of its advertisements or debates. An *Irish Press* article from January 1950 shows the growing frequency of adoption as a political topic.³⁰ The article commented on how the minister for justice had met with a deputation of members of the dáil to discuss the prospect of introducing adoption legislation. Adoption was clearly a political topic in which there was a growing level of interest.

Amid this growing interest the Adoption Society continued its work. On 31 January 1951 there was a discussion at one of the society's committee meetings on a private member's bill. Owing to government inaction, the society was drafting a private member's adoption bill, and those involved had stepped down from the publicity committee as there was too much work involved.³¹ The society continued to put pressure on T.D.s to support the legalisation of adoption. At a meeting of the executive committee of the society on 28 February 1951, it was agreed that letters were to be sent out to seventy-two T.D.s about an upcoming public meeting that the society was holding.³² At the same committee meeting the issue of international adoptions was raised. The *Irish Press* had contacted the society and asked it questions about the 'exportation' of children.³³ The society was attempting to force the government into action. It was not the only body that was attempting to pressurise the government.

At the end of 1950 the government received correspondence advocating the introduction of adoption legislation. When Mary S. Kettle³⁴ wrote to the taoiseach, John Costello,³⁵ she identified herself as a constituent of the taoiseach's and was unhappy with the manner in which the minister for justice had handled the issue of legal

³⁰ *Irish Press*, 6 Jan. 1950.

³¹ Minute book of the executive committee of the Adoption Society (Eire), 31 Jan. 1951 (N.L.I, MS 19349 -19350)

³² Minute book of the executive committee of the Adoption Society (Eire), 28 Feb. 1951 (N.L.I, MS 19349 -19350)

³³ *Ibid.*

³⁴ This was most likely Mrs. Tom Kettle, the chairman of the Joint Committee of Women's Societies and Social Workers, sister of Hannah Sheehy Skeffington and the wife of Tom Kettle, M.P.

³⁵ See chapter 3 p. 140

adoption.³⁶ She mentioned that the minister had failed to give any reason as to why he was not introducing an adoption law. Mary Kettle also referred to ‘the whisperings concerning the whole affair’ and commented: ‘that one influence is to override public opinion’.³⁷ While she never identified this one influence, it is likely that she was referring to the Catholic church.³⁸

A draft response composed in the department of justice informed Kettle that the minister for justice was unable to find any reason to introduce legislation and that the most appropriate adoption arrangements were those practised under the informal system already in place.³⁹ At the end of the letter it was noted that while the minister did not intend to introduce any legislation himself it did not stop others from introducing a private member’s bill. This response was conveyed to the taoiseach.⁴⁰ It is possible that by suggesting that a private member’s bill be introduced, the department of justice hoped that the introduction of such a bill would force the Catholic church to make a public statement on adoption.

On 16 January 1951 the Church of Ireland Temperance and Social Welfare Society wrote to the minister for justice to express its concerns regarding ‘illegitimate’ children and the lack of provision for legal adoption in the Republic of Ireland. The benefits of legal adoption were outlined for the minister and a legal adoption act that contained ‘safeguards protecting the child’s religion’⁴¹ was commended. This was the second letter received in the department from a Protestant body requesting an adoption law, as noted above, the Methodists had written to the minister requesting legal

³⁶ Copy Mary S. Kettle to the taoiseach, 4 Dec. 1950 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/20).

³⁷ Ibid

³⁸ Ibid

³⁹ Undated and unsigned draft letter to Mrs. Kettle attached to Thomas Coyne to P. Lynch (office of the Taoiseach), 11 Jan 1951 (N.A.I., MS 90/93/20).

⁴⁰ (Thomas) Coyne to Lynch, 11 Jan 1951 (N.A.I., MS 90/93/20).

⁴¹ F.A. Jones (Honourable Secretary of the Church of Ireland Temperance and Social Welfare Society) to the minister for justice, 16 Jan. 1951 (N.A.I., MS 90/93/20).

adoption in 1950.⁴² The attorney general in his speech to the law society discussed the Catholic church as an obstacle to the introduction of an adoption law. Most of the media campaigning was in Protestant-influenced newspapers. This would confirm that there was a religious element to the campaign for legalising adoption.

It was not just women involved with philanthropic and social care organisations who were registering their dissatisfaction with the government; organisations that represented cross-sections of society were also registering their dissatisfaction. Letters were sent to the department expressing the disappointment that was felt around the country at the minister's decision not to introduce adoption legislation. One such letter was received from the Cork Workers' Council.⁴³

The most active group pursuing adoption legislation was the Adoption Society and it continued to prepare a private member's bill. The bill was to be in the names of Fine Gael, T.D. for Dún Laoghaire-Rathdown, H.P. Dockrell, and Fianna Fáil's Patrick McGrath, a T.D. for Cork Borough. However, the bill was costing the society money. On 7 March 1951 the society invested IR£100 in its private member's bill.⁴⁴ The society continued to pursue various methods of disseminating its message to the public. Free concerts were held and the funding of a play on adoption, entitled *The Millstone*, was discussed.⁴⁵ The play was not funded by the society but its contents were commended.⁴⁶ The play was performed in the Pike Theatre in September 1951.⁴⁷ It told the story of an adopted child raised in a middle-class Dublin suburb. When the girl was in her teens her biological mother returned for her. The mother, according to newspaper reviews of the play, was a hard-hearted ruthless character who wanted to reclaim her daughter so that

⁴²J. B. Jameson (secretary of the Methodist church conference) to the minister for justice, 17 Jun. 1950 (N.A.I., MS 90/93/20)

⁴³Copy Alice Meehan (department of justice) to Denis V. Long (Secretary of the Cork Workers Council), 9 Jan. 1951(N.A.I., MS 90/93/20).

⁴⁴Minute book of the executive committee of the Adoption Society (Eire), 7 Mar. 1951

⁴⁵Minute book of the executive committee of the Adoption Society (Eire), 16 May 1951 and Minute book of the executive committee of the Adoption Society (Eire), 29 May 1951

⁴⁶Minute book of the executive committee of the Adoption Society (Eire), 29 May 1951

⁴⁷*Irish Times*, 5 Sept. 1951.

she could have help running the boarding house she was about to set up. The play reflected an image of the biological mother that suited the Adoption Society's aims, the biological mother as an irresponsible figure who had only a monetary interest in her child.

The political situation in Ireland changed on 13 June 1951 when a new government was formed. The fourteenth dáil began and Gerard Boland was reinstated as minister for justice.⁴⁸ The Joint Committee of Women's Societies and Social Workers (J.C.W.S.S.W.) quickly wrote to the minister reiterating the reasons it believed an adoption law was needed.⁴⁹ In the same month Éamon Rooney T.D. (Fine Gael) asked Minister Boland if he intended introducing legislation relating to adopted children.⁵⁰ Boland replied that since he had come into office he had not had time to consider the matter, but that he intended to do so. While it may be accurate to say that he had not looked at adoption since he entered office in 1951, he had had ample time in his role as minister for justice between 1943 and 1948 to explore the matter.

In a memorandum from 6 July 1951, Thomas Coyne, the secretary of the department of justice, discussed the situation concerning legal adoption for the information of the newly reappointed minister for justice. Coyne advised the minister to state as soon as possible what his position on legal adoption was. He considered it potentially embarrassing in the long run to give false hope of legislation. Coyne claimed that a negative response to requests for legislation could be justified and gave the minister a list of reasons for such a response. Firstly, there was nothing to be gained by legalising adoption; secondly, the public at large was satisfied with the current system, except for 'so called "progressive"' elements in the community who are far from being representative of healthy public opinion'.⁵¹ The third reason that could be given not to

⁴⁸ For further information on Gerard Boland see chapter 3 p.115.

⁴⁹W.R.O. Hegarty to the minister for justice, 28 Jun. 1951 (N.A.I., MS 90/93/20).

⁵⁰*Dáil Éireann deb.*, cxxvi, 350 (21 Jun. 1951)

⁵¹Thomas Coyne to the minister for justice, 6 Jul. 1951(N.A.I., MS 90/93/20).

introduce adoption legislation was that it was difficult to legislate for religious safeguards, and any legislation could ‘provoke an acute religious controversy’ which it was desirable to avoid.⁵² There was nothing particularly new in Coyne’s memorandum. He appeared to ignore the campaign of the Adoption Society and the correspondence that had been sent to the department of justice. There was a dismissive attitude in the department of justice regarding those who campaigned for legal adoption, it was claimed that they did not represent the majority of people.

Coyne went further in his criticism of those involved in the campaign for legal adoption: ‘the *Irish Times* has taken on an anti-Catholic bias inspired by the liberal philosophy that informs that journal and it is noteworthy that some of those who are interesting themselves most actively in the matter are persons who would be regarded as “faddists” by the man on the street.’⁵³ Coyne was attempting to disparage the campaigners by implying that they were not representative of society at large. When Coyne discussed the history of adoption discussions in the department he made an interesting observation: ‘General MacEoin directed that the question of adoption in which he was personally interested (as having two adopted children himself) should be re-examined.’⁵⁴ MacEoin was the minister who had equated the introduction of adoption legislation and birth certificate reform as interfering with a ‘stud book’.⁵⁵ Coyne mentioned the correspondence between MacEoin and the archbishop of Dublin in 1948. He also mentioned that MacEoin had met with the archbishop but that no record remained from this meeting. In February 1949, the month following this meeting, the formation of an adoption bill had been dropped by the department of justice. This was evidence of the possible influence of the archbishop. Coyne then went on to mention that an all-party meeting was being held to discuss the introduction of a private

⁵² Ibid

⁵³ Ibid

⁵⁴ Ibid

⁵⁵ See chapter 3 p.142

member's bill the following week. He did not know how the members of the hierarchy would feel about being faced with a *fait accompli* but that it might benefit the government if the hierarchy was forced to speak about the private member's bill instead of any measure proposed by the government.

On 10 October 1951 the Adoption Society sent a copy of its proposed private member's adoption bill to the minister for justice.⁵⁶ The bill was similar to the recent British adoption legislation.⁵⁷ An adoption order in the proposed legislation would be granted by a court. An unmarried mother's consent to an adoption would only be valid from six weeks after the birth of her child. Interestingly the bill also stated that an adopter could not adopt a second child that was a different sex to the first child adopted, unless it was the view of the court that such an adoption should be made. If the biological parents of a child changed their religion, an adoption order could not be made until at least one year later. If the biological parents of a child were unknown, the religion of the child was assumed to be Catholic. Illegitimate children and orphans could be adopted, as could a child where a court thought that the parent(s) had a 'mental deficiency' or were of vicious habits or mode of life or the parent(s) was unfit to have control of such an infant; or was in prison or had committed an offence against the child or was bedridden and consented to the adoption. This would have made a large number of children potentially available for adoption.

The Presbyterian church in Ireland was in favour of this bill 'it only remains for us on behalf of many people in the Presbyterian church to convey to you and the Adoption Society our sincere good wishes for the success of the bill.'⁵⁸ This is further evidence of the support that adoption legislation had from Protestant denominations. In

⁵⁶ Raymond Kenny to the minister for justice, 10 Oct. 1951 (N.A.I., MS 90/93/20).

⁵⁷ Private member's adoption bill produced by the adoption society (Éire), fifth draft (N.A.I., MS 90/93/20).

⁵⁸ Copy Rev. A. J. Gailey (assistant clerk of the Presbyterian church assembly in Ireland) to Raymond G. Kenny of the adoption society, 26 Oct. 1951 (N.A.I., MS 90/93/20).

a memo to Peter Berry⁵⁹ it became apparent that the government was not fully aware of the activity of the Adoption Society. On 7 November 1951 a member of the department of justice contacted Raymond Kenny, the solicitor for the society, stating that he had heard that the private member's bill was to be introduced the following week and wanted this confirmed. In his reply Kenny mentioned that the Church of Ireland, the Presbyterian Church and the Society of Friends were all in favour of the proposed bill. Kenny also mentioned that the proposed bill had been sent to a Dr. Staunton, the secretary to a committee of Catholic bishops who were examining the proposed legislation. The department of justice had no knowledge of the bishops examining the legislation and, while Kenny was not informed of this, in this letter to Berry the author seemed to be unaware that such a committee existed.⁶⁰

On the same day as this letter was written to Berry, the archbishop of Dublin, Dr. McQuaid, wrote to the minister for justice stating that, at a meeting of the hierarchy on 9 October 1951, the hierarchy had established an episcopal committee that would investigate the issue of legal adoption in Ireland and how any legislation could affect Catholic children.⁶¹ According to McQuaid the committee had just met and formulated a number of conclusions which would henceforth represent the attitude of the hierarchy. The episcopal committee, which consisted of five members,⁶² produced its report.⁶³ Its chairman was McQuaid. The other committee members were the archbishop of Cashel, Jeremiah Kinane, the bishop of Derry, Neil Farren, the bishop of Sila, Cornelius Lucey, and the bishop of Galway, Michael Browne. Browne had had dealings with the

⁵⁹ Berry was a civil servant in the department of justice.

⁶⁰ A.W. to Berry, 7 Nov. 1951 (N.A.I., MS 90/93/20).

⁶¹ John Charles McQuaid to the minister for justice, 7 Nov. 1951 (N.A.I., MS 90/93/20).

⁶² Minutes of the episcopal committee on legal adoption, 6 Nov. 1951 (D.D.A., Box 687, Archbishop McQuaid era, folder legal adoption 1951- 1953).

⁶³ Report of the episcopal committee on legal adoption, Oct. 1951 (D.D.A., Box 687, Archbishop McQuaid era, folder legal adoption 1951- 1953).

Adoption Society and Lucey had previously advised the government on adoption legislation.⁶⁴

McQuaid, as chairman of the committee, requested a meeting with the minister for justice. At a meeting on 12 November the archbishop handed over a memorandum to Minister Boland which addressed some of the concerns of the Catholic church in regard to legal adoption.⁶⁵ According to this memorandum, legal adoption was not against the teachings of the Catholic church if it was: 'restricted by certain limits and protected by certain safeguards.'⁶⁶ In this memorandum it was stated that only the gravest of reasons would be acceptable to the church for the permanent transferral of parental rights away from biological parent(s). The safeguards had to be such as the church felt they would protect the faith and morals of catholic children. The child was to be adopted by people of the same religion and also those parents had to be of 'good moral' character. The adoption bill was to have as many safeguards as would combat the moral dangers that faced adopted children. The church viewed 'the natural family as the ideal unit, and, therefore, must oppose any measure in an adoption bill which would tend to substitute an artificial family for a natural family.'⁶⁷ This was the first time that a senior figure in the Catholic church in Ireland had shown any indication that the church would be willing to support any adoption legislation. The language used in the memorandum implied that the church was in favour of protecting biological families; however, such families did not apparently include unmarried women and their children.

Following the meeting with the minister for justice the office of the attorney general received correspondence from the archbishop of Dublin on 12 November.⁶⁸ After seeing the minister for justice, the archbishop wrote to the attorney general's

⁶⁴ See chapter 3 pp 119, 138.

⁶⁵D.C. (Most likely Daniel Costigan), Note, 13 Nov. 1951 (N.A.I., MS 90/93/20).

⁶⁶Undated, John Charles McQuaid, legal adoption, Attached to D.C. (Most likely Daniel Costigan), Note, 13 Nov. 1951 (N.A.I., MS 90/93/20).

⁶⁷ Ibid

⁶⁸D.C. (most likely Daniel Costigan) to the department secretary, 15 Nov. 1951 (N.A.I., MS 90/93/20).

office and requested that Mr. O'Donoghue (from the attorney general's office) call on him. The Mr. O'Donoghue mentioned in this correspondence was most likely Patrick Philip O'Donoghue, the legal secretary in the attorney general's office; this position was the equivalent of secretary of a government department.⁶⁹ O'Donoghue called on McQuaid on 13 November to discuss the problem of legal adoption. According to O'Donoghue the archbishop had found his meeting with the minister 'a most helpful conversation.'⁷⁰ Subsequently, Daniel Costigan, of the department of justice, discussed with O'Donoghue whether an adoption act would 'run counter to art.42 of the constitution.'⁷¹ Article 42 of the constitution stated that:

the state acknowledges that the primary and natural educator of the child is the family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children.⁷²

O'Donoghue considered it impossible to express a firm opinion on the matter but he considered it possible that, as the article referred to the family, illegitimate children and orphans 'might not be affected by it'.⁷³ Costigan then suggested that if any adoption bill was ever to be passed it should be referred to the supreme court before signing.

Correspondence was also received from the Church of Ireland archbishop of Dublin, Arthur Barton. On 26 November he wrote to the minister informing him that he was under the impression that societies dealing with adoption had to register under the proposed adoption measure. He was forwarding on the name of the Church of Ireland Social and Moral Welfare Society as the organisation representing the Church of Ireland in the Republic. It was unclear whether he was referring to the private member's bill or

⁶⁹Daire Hogan 'O'Donoghue, (Patrick) Philip' in James McGuire and James Quinn (eds), *Dictionary of Irish biography* (Cambridge, 2009) available at Dictionary of Irish Biography online (<http://dib.cambridge.org/tab.do?tab=aboutDIB>) (22 Jul. 2013)

⁷⁰ D.C. (most likely Daniel Costigan) to the department secretary, 15 Nov. 1951

⁷¹ Ibid

⁷² *Bunreacht na hÉireann*, (Dublin, 1937) p. 162.

⁷³ D.C. (most likely Daniel Costigan) to the department secretary, 15 Nov. 1951

to a possible government measure.⁷⁴ He was informed that the minister was in Strasbourg and would not be available to meet with him.⁷⁵ The archbishop should wait until December and then contact the minister again.

While these consultations with religious leaders were taking place in the department of justice, in the *dáil* questions regarding legal adoption continued. The next question on adoption was asked of the minister for external affairs. Thomas Anthony Kyne (Labour party), T.D. for County Waterford, asked the minister of external affairs if he was aware of an article published in a certain English newspaper that related to the adoption of a child of Irish parents living in London by a well known American movie actress.⁷⁶ The child had been issued with an Irish passport and Kyne wanted to know what precautions had been taken to protect his or her religious identity. He also wanted to know if the minister intended to contradict the report. The minister for external affairs was Frank Aiken (Fianna Fáil), T.D. for the Louth constituency. Aiken replied that he was aware of the newspaper articles and that the passport was not issued with the intention of having the child adopted in the United States. The passport had been issued to the father of the child on the understanding that the child was being taken to America on a holiday. The minister regretted that a passport had been issued in this case. Kyne was satisfied by the minister's reply.

The case referred to in this question concerned Jane Russell, an American actress who adopted a child of Irish parentage, Tommy Kavanagh, from his married parents in London. This case raised the issue of foreign adoption, and the view that it

⁷⁴ Arthur Barton, (archbishop of Dublin) to minister for justice, 26 Nov. 1951 (N.A.I., MS 90/93/20)

⁷⁵ Arthur Barton to T. O'Deirg (Thomas Derrig (Fianna Fáil), T.D. for Carlow- Kilkenny, was the minister for lands from 1951-1954, he was acting as minister for justice in November 1951, when Boland was on a trip to Strasbourg) 29 Nov. 1951 (N.A.I., MS 90/93/20)

⁷⁶ *Dáil Éireann deb.*, cxxvii, 1032-3 (21 Nov. 1951)

was international media attention that forced the government to introduce adoption legislation has been argued by Moira Maguire.⁷⁷

On 19 December the solicitor for the Adoption Society, Raymond Kenny again wrote to the minister for justice. The Adoption Society had been in contact with several religious groups in the state. On this occasion Kenny attached a copy of a letter from the chief rabbi of the Jewish communities in Ireland.⁷⁸ That letter related to the private member's bill and stated the chief rabbi's desire to have a record kept of the biological parents, to have stronger religious safeguards and that a section of the private member's bill that required the adopted child to be an Irish citizen should be removed.⁷⁹ The chief rabbi was offering tacit support for the private member's bill. Support for the private member's bill had been given from nearly all of the main religious groups in the state, with the notable exception of the Catholic church.

In a note written by Costigan on 9 January 1952 it is recorded that Dr. McQuaid called on the minister for justice on 3 January.⁸⁰ McQuaid gave the minister some recommendations from the episcopal committee on legal adoption (these are attached to Costigan's note). The episcopal committee considered an Adoption Board a more effective body than a circuit court for the making of adoption orders. Such a board should have full power to examine, grant or refuse any request for adoption. The committee wanted the board to have a chairman and six members, with the chairman having judicial standing. The members of the board were to be people distinguished for their experience and interest in social welfare and education. The episcopal committee recommended that at least five members of the board should belong to the Catholic church. It also recommended that the board should have the power to license and inspect institutions that held children for adoption, and should produce an annual report

⁷⁷See Moira Maguire, 'Foreign adoptions and the evolution of Irish adoption policy, 1945-52' in *Journal of Social History*, xxxvi (2002), pp 387-484

⁷⁸Raymond Kenny to the minister for justice, 19 Dec. 1951 (N.A.I., MS 90/93/20)

⁷⁹I. Jacobovits to Raymond Kenny, 14 Dec. 1951 (N.A.I., MS 90/93/20)

⁸⁰Note by D.C. (most likely Daniel Costigan), 9 Jan. 1952 (N.A.I., MS 90/93/20).

to the minister for justice. Anyone wishing to adopt a child should to be resident in the Republic of Ireland, have sufficient means to adopt a child, and be of the same religion as the child. They were also to be of good moral character (there was no definition of good moral character given) and to be married, except in the case of a relative of the child including his or her mother or putative father. Under the recommendations of the episcopal committee a widow could also adopt. A child eligible for adoption had to be ‘a full orphan or illegitimate or a half-orphan whose parent is suffering from incurable and completely incapacitating mental or bodily ailment.’⁸¹ The committee also stipulated that no child should be adopted under the age of twelve months or over the age of seven years. It would be necessary to have a majority of the board for any decision and a quorum of the board would be three members. The committee also recommended that de facto adoptions should not automatically be legalised with the act, but instead should be subject to the same conditions as those for a recently arranged adoption. It recommended that it become an offence for a child to be sent outside the state unless directly taken by parents or the biological mother. It should also become an offence to take an illegitimate child outside the state when the child was under the age of one, without the consent of the Adoption Board. This was possibly to stop children being sent abroad for adoption.

In an internal department of justice letter to Peter Berry these recommendations were discussed.⁸² It would appear that by this time the government was considering the terms of a possible bill of its own. The minister for justice accepted the principle of an Adoption Board. However, the department could not accept the idea of five Catholic members and one non-Catholic: ‘we cannot group non-Catholic Christians with non-Christians (Jews)’.⁸³ The author of the letter believed that the Adoption Board should

⁸¹ Ibid

⁸² Initials are illegible: most likely Andrew Ward to Peter Berry, 3 Jan. 1952 (N.A.I., MS 90/93/20)

⁸³ Ibid

not be able to make enquiries into the stability of a family after an adoption order was made. The consent of the biological parents was necessary as a matter of ‘human rights’.⁸⁴ The author agreed with the restrictions regarding the children to be available for adoption, but was unsure about how a half orphan with an incapacitated parent should be legislated for, as there was the possibility that someone deemed incurable could recover. The author stated that the upper age limit of seven should be kept but should not apply to de facto adoptions. The author also agreed with the suggestion that it should be illegal to remove children from the state. There was also a suggestion by the author that there should be an option to appeal an adoption order on a point of law to the high court.

The Church of Ireland archbishop of Dublin wrote again to the minister for justice on 11 January 1952.⁸⁵ He wanted his chancellor Robert Leonard to be allowed an interview with the minister in regard to possible amendments to the private members’ adoption bill. The minister for justice agreed to meet the chancellor.⁸⁶ On the same day that the department was writing to arrange a meeting with the Church of Ireland archbishop’s representative, the department was sending a scheme for an adoption bill to the secretary of the Catholic archbishop of Dublin.⁸⁷ There was a meeting arranged between Dr. McQuaid and representatives of the department of justice on 17 January and this scheme was being sent in advance.

In a note written on 21 January, Daniel Costigan reported on his meeting with McQuaid on 17 January.⁸⁸ The meeting was with the archbishop, the secretary (assumed to be the secretary of the department of justice) and Patrick Philip O’Donoghue of the attorney general’s office. Costigan claimed that nearly all of the changes ‘were put

⁸⁴ Ibid

⁸⁵ Barton to the minister for justice, 11 Jan. 1952 (N.A.I., MS 90/93/20)

⁸⁶ Copy minister for justice to Barton, 15 Jan. 1952 (N.A.I., MS 90/93/20)

⁸⁷ Thomas Coyne to Fr. Mangan, 15 Jan. 1952 (N.A.I., MS 90/93/20)

⁸⁸ D.C. (most likely Daniel Costigan), Discussion with most Rev. Dr. McQuaid archbishop of Dublin, 21 Jan. 1952 (N.A.I., MS 90/93/20)

forward by us. The archbishop raised no objection to any provision in the revised scheme.⁸⁹ The episcopal committee was meeting on 23 January 1952 and the archbishop wanted copies of the scheme to hand out at the meeting. In the discussions the civil servants involved gave no undertakings in regard to the religious constitution of the Adoption Board. The archbishop agreed that the consent of the putative father should not be required for an adoption order. It was also agreed that only full orphans and illegitimate children should be available for adoption. There was also agreement that there was to be no clause in the bill to allow for the annulment of an adoption order. The archbishop also wanted a clause to be included that forced the registrar general to disclose information in regard to an adoption at the request of the Adoption Board: ‘as illegitimacy is a bar to Holy Orders, without a dispensation from Rome, His Grace considered it desirable that there should be some simple procedure for disclosure of information in proper cases.’⁹⁰ Following this meeting another meeting was held with the chancellor of the Church of Ireland.

Again Costigan’s notes give information in regard to the meeting. The chancellor was there to discuss the private member’s bill.⁹¹ On 24 January Archbishop Barton wrote to thank the minister for meeting with the chancellor and for sending on the scheme for an adoption bill (presumably the government measure).⁹² Details of the scheme were also sent to the Religious Society of Friends,⁹³ the Chief Rabbi of Ireland,⁹⁴ the Methodist church in Ireland,⁹⁵ and the moderator of the general assembly

⁸⁹ Ibid

⁹⁰ Ibid

⁹¹ D.C. (Most likely Daniel Costigan), Interview with R.H. Leonard, 22 Jan. 1952 (N.A.I., MS 90/93/20).

⁹² Arthur Barton to the minister for justice, 24 Jan. 1952 (N.A.I., MS 90/93/20)

⁹³ Copy T.J.C. (most likely Thomas J Coyne) to the register of the Religious Society of Friends, 23 Jan. 1952 (N.A.I., MS 90/93/20)

⁹⁴ Copy T.J.C. (most likely Thomas J Coyne) to the chief rabbi of Ireland, 23 Jan. 1952 (N.A.I., MS 90/93/20)

⁹⁵ Copy T.J.C. (most likely Thomas J Coyne) to the president of the Methodist church of Ireland, 23 Jan. 1952 (N.A.I., MS 90/93/20)

of the Presbyterian Church in Ireland.⁹⁶ In the letters which accompanied each of the schemes sent to the various religious leaders there was a paragraph similar to the following: ‘the minister proposes to submit the scheme for the consideration of the government, with a view to the preparation and introduction of a government bill. Before doing so, however, he would be glad if you would communicate to him any observations which you may wish to make on the scheme.’⁹⁷ No such letter was sent to the Catholic church, presumably because the details had already been discussed with the episcopal committee chairman.

In mid-January 1952 the difficulties that faced the legalising of adoption were again raised by the Adoption Society. In an article in the *Irish Times*, the director for publicity of the society, Dr. T. Boland, discussed possible legislation. The article discussed the private member’s bill in positive terms. Dr. Boland claimed that the issues associated with adoption had been solved and he also claimed that there was no greater act of charity than adoption. The Catholic church was not mentioned by the Adoption Society as an obstacle to adoption legislation.

At the end of January Raymond Kenny, the solicitor for the Adoption Society was informed by the department of the government’s intention to introduce an adoption bill, and he was sent the scheme for examination.⁹⁸ The bill was also sent to T.D.s who had been involved with the private member’s bill.⁹⁹

The religious organisations that had been contacted by the department of justice began to send their replies into the department. The Religious Society of Friends would examine the issue and would be in future contact with the minister.¹⁰⁰ The chief rabbi of Ireland responded very positively to the scheme: ‘in its broad outline the scheme

⁹⁶ Copy Thomas J Coyne to the moderator of the general assembly of the Presbyterian church in Ireland, 23 Jan. 1952 (N.A.I., MS 90/93/20)

⁹⁷ Ibid

⁹⁸ Copy of Berry to Kenny, unspecified date Jan. (N.A.I., MS 90/93/20)

⁹⁹ Copy D. Costigan to P McGrath 28 Jan. 1952 and copy D. Costigan to H.P. Dockrell 28 Jan. 1952 (N.A.I., MS 90/93/20)

¹⁰⁰ Kathleen R Taylor to the secretary of the department of justice, 28 Jan. 1952 (N.A.I., MS 90/93/20)

appears to be an admirable measure and its implementation will be greeted with deep satisfaction by all true advocates of human progress and social justice.’¹⁰¹ The chief rabbi wanted the register of adopted children to record the birth parents of an adopted child. He also wanted the Adoption Board to have the power to refuse an adoption on the grounds that an adopted child’s religion was compromised by the adoption arrangement.

The Church of Ireland archbishop of Dublin wrote to the Adoption Society’s solicitor with some observations that he had on the bill proposed by that society. The archbishop wanted children of the Church of Ireland, Presbyterian and Methodist churches to be considered as children of the same religion in the legislation.¹⁰² The benefit of this clause was that there would have been more children available for adoption for Protestant parents and more parents available for Protestant children. This correspondence was then passed onto the department of justice.

On 14 February the Joint Committee of Women’s Societies and Social Workers wrote to the department of justice asking for information on the proposed government bill. It is likely that the government had failed to consult the J.C.W.S.S.W. about the adoption measure despite the latter’s active interest in the topic. On 20 February a reply was received with the scheme for the adoption bill attached. There was no request for comment on the contents of the scheme.¹⁰³ The Adoption Society had further communication with the department of justice when Kenny wrote to acknowledge receipt of the proposed government adoption bill.¹⁰⁴ The society found the bill in general satisfactory but did have some suggestions on the proposed scheme.¹⁰⁵ The Waterford branch of the society offered a memorandum of observations on the scheme. The department informed Peter O’Connor, the chairman of the society’s Waterford

¹⁰¹ J Jakobaot to the minister for justice, 28 Jan. 1952 (N.A.I., MS 90/93/20)

¹⁰² Copy Arthur Barton to Kenny, 24 Jan. 1952 (N.A.I., MS 90/93/20)

¹⁰³ Copy A.W. to Mrs W.R O’Hegarty, 20 Feb. 1952 23 Jan. 1952 (N.A.I., MS 90/93/20)

¹⁰⁴ Kenny to Ward (secretary department of justice), 31 Jan. 1952 (N.A.I., MS 90/93/20)

¹⁰⁵ Peter J. O’Connor to the secretary, department of justice, 16 Feb. 1952 (N.A.I., MS 90/93/20)

branch, that the last three sections of his advice had been sent to the minister for health.¹⁰⁶ These dealt with the registration of births, a subject the Adoption Society also campaigned on.

There was an element of haste with the adoption legislation. The department of justice wrote to the Religious Society of Friends,¹⁰⁷ the Presbyterian church,¹⁰⁸ the Church of Ireland,¹⁰⁹ and the Methodist Church on 18 February 1952.¹¹⁰ The letter was in relation to the adoption scheme which had been sent to the churches on 23 January: the 'minister is anxious to have the scheme submitted to the government as early as possible, and he would therefore be glad to know whether you will have any observations to make on the scheme.'¹¹¹ The minister for justice appeared to be applying pressure on the churches for their contribution; there is also a suggestion with this letter that there was a possible time factor with the legislation. In comparison with the Catholic church these churches had been given less time to examine and consider the possible adoption legislation.

The Religious Society of Friends wrote to the secretary of the department on 19 February 1952. The scheme was being examined by a committee and it was intended to have a memorandum of observations the following week.¹¹² On 25 February the Society of Friends wrote to the minister stating: 'we heartily approve of the general principle of the scheme'.¹¹³ There were some observations in relation to the religious aspect of the bill. As in the case of the Church of Ireland above, the Society of Friends wanted members of the various Protestant denominations to be considered as members of the

¹⁰⁶ Copy A.W. (most likely, Andrew Ward) to Peter J O'Connor, 20 Feb. 1952 (N.A.I., MS 90/93/20)

¹⁰⁷ Copy T.J.C. (most likely Thomas J Coyne) to the registrar Religious Society of Friends, 18 Feb. 1952 (N.A.I., MS 90/93/20)

¹⁰⁸ Copy T.J.C. (most likely Thomas J Coyne) to the moderator of the Presbyterian church in Ireland, 18 Feb. 1952 (N.A.I., MS 90/93/20)

¹⁰⁹ Copy Thomas J Coyne to Arthur Burton, 18 Feb. 1952 (N.A.I., MS 90/93/20)

¹¹⁰ Copy T.J.C. (most likely Thomas J Coyne) to the president of the Methodist church in Ireland, 18 Feb. 1952 (N.A.I., MS 90/93/20)

¹¹¹ Ibid

¹¹² S. Watson Webbs to the secretary department of justice, 19 Feb. 1952 (N.A.I., MS 90/93/20)

¹¹³ John Shelton to the secretary of the department of justice, 25 Feb. 1952 (N.A.I., MS 90/93/20)

same religion in the legislation: i.e. instead of being Methodist or Anglican, they would instead all be considered Protestant. Therefore a Methodist could adopt an Anglican child and vice versa.

The Church of Ireland archbishop of Dublin also replied to the department's letter on 19 February.¹¹⁴ He noted that he had previously sent his chancellor to talk to the minister. The second point that the archbishop made was in relation to the need for the religion of the adopting parents to match the religion of the child. The archbishop had consulted the Presbyterians, Methodists and the Quakers on the point.¹¹⁵ He repeated the request for members of Protestant denominations to be identified as members of the same religion, to permit for instance, a Methodist, to adopt a Presbyterian child or an Anglican to adopt a Methodist child, as they were all to be viewed as members of the one religion. The Presbyterian church also responded to the department on 19 February,¹¹⁶ the church approved of the scheme for adoption. The Methodist church in Ireland responded on 22 February. It was in favour of the adoption legislation: 'the introduction of an adoption bill meets with the warmest possible approval and that the church is anxious in every way to further this legislation.'¹¹⁷ The Methodists sent the minister a memorandum with some comments on the proposed scheme. It would appear that by March 1952 the department of justice had reached agreement with the main religions in the state in regard to adoption legislation and that the department had agreed to the requests concerning the classification of these Protestant denominations.

On 26 March 1952 Deputy Patrick McGrath (Fianna Fáil), T.D. for Cork Borough, asked the minister in the dáil when he proposed to introduce the adoption

¹¹⁴ Arthur Barton to unspecified (department of justice), 19 Feb. 1952 (N.A.I., MS 90/93/20)

¹¹⁵ Ibid

¹¹⁶ J.H.R Gibson to unidentified, 19 Feb. 1952 (N.A.I., MS 90/93/20)

¹¹⁷ W. Johnstone Hunter to the secretary the department of justice, 22 Feb. 1952 (N.A.I., MS 90/93/20)

bill.¹¹⁸ The minister responded that he hoped to have it ready by Easter. Easter Sunday was on 13 April in 1952. On 29 April McGrath again asked the minister when he intended to introduce legislation. Boland informed him that the legislation would be introduced within days.¹¹⁹ McGrath then suggested that the bill in his own and Deputy H.P. Dockrell's names should be removed from the order of business. Deputy H.P. Dockrell stated his agreement to such a plan.

The government bill was introduced to the dáil on 29 April 1952.¹²⁰ Once introduced, copies were sent to the religious groups in Ireland. The draft adoption bill stated that a child available for adoption should reside in the state, as should the adopter(s).¹²¹ The Church of Ireland, the Presbyterian church in Ireland, the Methodist church in Ireland and the Religious Society of Friends were to be considered as the same religion under the act. Adoptions were to be granted by an Adoption Board and not a court. If the child had been de facto adopted for at least five years before the introduction of the adoption act, the parental consents required for an adoption could be dispensed with. An application to legalise a de facto adoption had to be made within a year of the passing of the act.

The minister had received a visit from the vice-chairman of the Adoption Society in regard to the bill. The society gave its approval to the bill publicly in the *Irish Times*.¹²² E.C. Penney, the secretary of the society, thought that on a brief reading of the government's bill, it seemed very similar to the private member's bill. This interpretation was inaccurate. The Adoption Society's bill envisaged a court, not a board, granting adoption orders, and had children from various backgrounds eligible for adoption whereas the government measure only permitted illegitimate children and

¹¹⁸ *Dáil Éireann deb.*, cxxx, 472 (26 Mar. 1952)

¹¹⁹ *Dáil Éireann deb.*, cxxx, 468 (29 Apr. 1952)

¹²⁰ Copy Thomas Coyne to John M Shelton, 1 May 1952 (N.A.I., Department of justice, Adoption of children – proposals for legislation, MS 90/93/21)

¹²¹ Draft adoption bill. (N.A.I., MS 90/93/21)

¹²² *Irish Times*, 2 May 1952

orphans to be adopted. The *Anglo-Celt*¹²³ and the *Irish Press*¹²⁴ also reported on the introduction of the bill; neither paper gave any analysis but both papers outlined the main points of the bill.

Objection to the religious clause was received from the Church of Ireland. Despite the archbishop desiring the inclusion of a clause that did not differentiate between a number of protestant denominations, a council of bishops in the Church of Ireland was objecting to the clause.¹²⁵

On 11 June 1952, there was further discussion of the adoption bill in the dáil.¹²⁶ When it was read to the house for the second time, the minister acknowledged the pressure that had been placed on the government to introduce legislation:

Numerous suggestions for legislation have been made to the minister for justice in this house, and resolutions calling for legislation have been passed by the corporations of the cities of Dublin, Cork, Limerick and Waterford, by county councils and other local authorities, by trade unions and by various other organisations.¹²⁷

This demonstrates that the campaign of the Adoption Society had some influence on the government's attitude toward adoption legislation despite the campaign being dismissed by members of the department of justice as non-representative of Irish society in general. Interestingly, the minister went on to discuss the reasons why he was limiting adoption to illegitimate children. He believed that there would be a constitutional issue if adoption was permitted for legitimate children, even those who were half-orphans. Boland stated: 'the constitution declares the rights and duties of parents towards their children to be inalienable, and any provision for the permanent transfer of those rights and duties, even with the consent of the parents, might be unconstitutional.'¹²⁸ He was clearly referring to the parents of legitimate children, i.e. married couples. It can be

¹²³ *Anglo-Celt*, 3 May 1952

¹²⁴ *Irish Press*, 1 May 1952

¹²⁵ D.C. (most likely Daniel Costigan), 'Religious clause – resolution of the house of bishops of the Church of Ireland', 20 May 1952 (N.A.I., MS 90/93/21)

¹²⁶ *Dáil Éireann deb.*, cxxxii, 1104-1135 (11 Jun. 1952)

¹²⁷ *Ibid*, 1104.

¹²⁸ *Ibid*, 1106.

argued that Boland's interpretation devalued the role of unmarried parents, especially unmarried mothers, in the lives of their children. Boland also made it clear that the act was not designed to interfere with informal adoptions and these were to continue unregulated.

Boland's introduction finished with a statement on the value of the family, stating that the family was the primary and fundamental unit in society. He also clarified his interpretation of where adoption stood in relation to the family: 'the purpose of this bill is not to allow the relationship of adoption to be substituted for the family, but to enable children who do not belong to a family, to secure through adoption the benefits of the family.' This statement implied that those placed for adoption did not have families; this of course referred to conventional families. Most children would have had some form of family, often mothers and their extended families. Boland's language reflected the idea that children placed for adoption were 'unwanted'. This was an assumption that was difficult to prove and it was likely that some of these children were wanted by their biological mothers.

Some of the first opposition to the bill came from General MacEoin, the previous minister for justice. MacEoin asked the minister if he was able to overcome the issues that he himself had encountered when he was minister for justice, which had mainly been of a religious nature. The dangers of proselytism were one example and MacEoin dismissed the idea that legal adoption would result in a home for every child capable of being adopted. He discussed his own experience as minister for justice and stated that he hoped that the bill would do well but that he was wary of the constitutional dangers of an adoption act: 'where a mother, under stress of circumstances, signs a document signing away her child, I do not believe there is any law that the dáil can pass which will make that signing-away legal.'¹²⁹

¹²⁹*Dáil Éireann deb.*, cxxvii, 113 (11 Jun. 1952)

In making this point MacEoin may have been right. He presented anecdotal evidence as a reason why adoption might not be legally binding. He recounted the story of a woman who had had a child outside of marriage. She moved to America and was happily married. She told her husband about her first child which had been adopted and they decided that it would be best for the child to be with the mother and her new family. MacEoin suggested that the failure to reunite this woman and her child ‘would have created a spiritual and mental worry upon that woman that you [sic] could not get over.’¹³⁰ The child was reunited with this woman and was ‘now in the normal family that it ought to be in with its own mother.’¹³¹ He went further with this story and claimed that ‘even though she was an unmarried mother, she constitutes the home for that child; she and that child constitute the family.’¹³² MacEoin’s understanding of a family included an unmarried woman and her child. MacEoin stated that if the bill was acceptable to the committee of bishops that had investigated legal adoption, he was satisfied. He congratulated Boland for being able to do what he himself had been unable to do in introducing an adoption bill.

MacEoin’s comments on the bill highlight the issue of consent. He made the point that some women could through stress of circumstance be forced to sign consent forms and that once an adoption was finalised there would be no legal way for those women to get their children back. MacEoin’s concern demonstrated that he was more aware of the challenges facing biological mothers and adopters than the government.

Deputy Patrick McGrath (Fianna Fáil), T.D. for Cork Borough was the next to speak. He congratulated the minister for justice and also the Adoption Society, but he criticised MacEoin: ‘when listening to his speech just now I got the impression that he was trying to discover all the impediments he could to this bill and at the same time he

¹³⁰ Ibid

¹³¹ Ibid

¹³² Ibid

said he wished it to go through the house and wished it good luck.’¹³³ McGrath also raised issues around inheritance associated with adopted children, and cases in which children who were fostered from boards of assistance and were then adopted by their foster parents. He related an anecdote of a child of married parents who was adopted after her parents’ marriage disintegrated and who was not eligible for adoption in the bill presented before the house. McGrath did not give any further information. The bill before the house did not permit a child of married parents to be placed for adoption, only illegitimate children and orphans.

McGrath was followed by Captain Cowan, an independent T.D. for Dublin North-East, who claimed in his speech to have stood for election on the platform of legal adoption. Through his position as a solicitor, Cowan claimed to have come into contact with hundreds of children who were adopted, through societies that were approved of by the Catholic archbishop of Dublin. He then gave a synopsis of the current position of adoption in Ireland. He claimed that the Catholic church was arguing that adoption was not against church teaching and that it was ‘unfair and improper that it should be rumoured around that the failure to bring in that bill was due to the fact that the archbishop of Dublin had condemned an adoption bill under any circumstances.’¹³⁴ This was followed by a discussion about claims that the bill had been delayed because of the Catholic church.

When Cowan retrieved the floor he discussed his experience as a solicitor. He claimed that he had come across many cases where adopted children did not realise that they were adopted until they were in their late teens and early twenties. He claimed that in one case this discovery had led to suicide and in another to an attempted suicide. He also claimed that the adoption bill would put a stop to those kinds of shocks and ‘those

¹³³Ibid, 1116.

¹³⁴Ibid, 1120.

processes of self-destruction'.¹³⁵ He referred to other cases where the adopting parents were blackmailed by the biological mother. According to Cowan it was for this reason that 'when I [Cowan] go to a society to ask to adopt a child [he did this in his capacity as a solicitor], one of the rules that society makes – and that society is a society approved of by the archbishop of Dublin – is that the mother will not know who adopts the child.'¹³⁶ Cowan downplayed the level of proselytism that was taking place in adoption arrangements: 'I have never seen a child of one religion adopted by a society of another religion.'¹³⁷ He interpreted the bill as putting an end to international adoption and halting the sending of children to America for adoption. Boland commented on this and said that the bill made it illegal. Cowan's contribution provides anecdotal information on adoption practices in Ireland. There was continued vilification of the biological mother: whereas MacEoin's contribution included a story about a mother reunited with her child, Cowan portrayed the biological mother as a possible blackmailer.

Jack Lynch¹³⁸ (Fianna Fail), a T.D. for Cork borough, then spoke to the house. Lynch was heavily involved with the Adoption Society. His influence was considered by the society to be of great importance to their campaign.¹³⁹ When he addressed the dáil he informed the house of the cross-party lobbying for adoption legislation. He discussed the lobbying that was carried out by the Adoption Society and the many members of the dáil who were involved in campaign. Lynch commented on the length of time that it had taken for the bill to be introduced, arguing that there might not have been as much demand for the bill before the mid 1940s: 'whether the need for the bill

¹³⁵ Ibid, 1123.

¹³⁶ Ibid, 1124.

¹³⁷ Ibid.

¹³⁸ Jack Lynch was also the parliamentary secretary (this position today is that of a minister of state or a junior minister) to the government and the minister of lands. In 1952 he was in his second term as a T.D.. He became Taoiseach in 1966.

¹³⁹ Copy E. C. Penny to J.H. Whyte, 20 Sept. 1969 (N.L.I., Adoption Society of Ireland papers, Correspondence of J.H. Whyte with Eileen C. Penny, Honorary Secretary of the Adoption Society (Ireland) regarding the use of the records of the Society in the book *Church and state in Modern Ireland*, with annotated typescript drafts of the book, 1966-1969, MS 20, 835).

has existed for three years or thirty years, the fact is that the real demand for it made itself apparent only in the last five or seven years'.¹⁴⁰ The bill in general appeared to be approved of by the entire house and there was little resistance to its overall contents, although there was some criticism of its possible effectiveness. The debate was adjourned and then resumed that evening.¹⁴¹

Alfred Byrne, independent T.D. for Dublin North-East, who had previously asked a number of ministers for justice about legalising adoption, welcomed the bill. He gave an anecdote about a girl who did not realise she was adopted, and the heartbreak this discovery cost her and her family. Byrne believed that the bill was a step in the right direction.¹⁴² Michael Moran, a Fianna Fáil deputy for Mayo South, also welcomed the bill. He recounted the troubles that faced temporary foster arrangements. He described how some children were raised by grandparents or aunts and uncles while their parents sought work elsewhere; these children were then claimed by their parents when they were older with no consideration of the children's needs. His only criticism of the bill was that it did not address these situations. Moran did not see why this adoption bill would have been controversial.

Thomas Francis O'Higgins Jnr. (Fine Gael), a deputy for Laois-Offaly, was next to speak. He, like the other deputies, welcomed the adoption bill but he had some reservations over the permanent transferral of parental rights:

it was possible to have a natural mother or a father alienating their rights to a child under circumstances whereby their consent to alienation was not voluntary consent. I mean by that that a mother of an illegitimate child, by reason of hunger, want or poverty or matters of that kind might enter into an arrangement whereby she alienated her rights to her child and then, years later, perhaps her circumstances improving, set out to enforce her natural rights.¹⁴³

O'Higgins' understanding of the difficult circumstances that faced unmarried mothers demonstrated a more nuanced understanding of these difficulties than that showed by

¹⁴⁰*Dáil Éireann deb.*, cxxvii, 1132 (11 Jun. 1952)

¹⁴¹*Dáil Éireann deb.*, cxxvii, 1168-1182 (11 Jun. 1952)

¹⁴²*Ibid*, 1168.

¹⁴³*Ibid*, 1173.

the government. The government bill and the public discussion of adoption in general ignored the influence that poverty and isolation had on a single woman's decision to place a child for adoption. O'Higgins also praised the work of the Adoption Society.

The minister then spoke again to state that he could not claim credit for the introduction of the bill. He praised the Adoption Society for its work and claimed that it was due to the society's efforts that the bill was now before the dáil. He also addressed Moran's concern that there was no provision for children taken in by other family members, by stating that those children could not be provided for by the bill as this would raise constitutional issues over the rights of legitimate parents, and if such provision were to be made the entire bill would become unconstitutional.

The second stage of the bill in the dáil highlighted a number of things. Overall the bill was welcomed by T.D.s. The Adoption Society was highly praised by both T.D.s and the minister for justice. The biological mother was described in two tropes, she was on one hand a villain, described as a potential blackmailer, or she was the victim of social and economic stresses. There were anecdotal tales of the dangers that were associated with adoption, and the destructive impact of telling an adopted child of their adoption was repeated a number of times. There were also contributions seeking to have the bill broadened to include informal care arrangements, such as children being cared for by grandparents.

At the end of June 1952 the bill reached the committee stage.¹⁴⁴ Both deputies Maurice Edward Dockrell (Fine Gael), T.D. for Dublin South Central and Michael Ffrench O'Carroll (independent), T.D. for Dublin South West, were of the opinion that women should be included on the Adoption Board. Captain Cowan (independent), T.D. for Dublin North East, argued that that issue should be left open, as it was more desirable for the best person to sit on the board regardless of gender. The minister

¹⁴⁴*Dáil Éireann deb.*, cxxvii, 1138-1174 (26 Jun. 1952)

acknowledged that it would be better to leave the options open and not to have a defined gender ratio on the board. Dockrell also suggested that the minister should recruit members of the board from the National Society for the Prevention of Cruelty to Children and the Joint Committee of Women's Societies and Social Workers. McGrath then suggested that nominations should be taken from the Adoption Society. However, the minister stated that he did not want to have his hands tied when it came to picking members of the board. Matters concerning adoption and social work were viewed as women's work.

Dockrell also wanted single women to be considered as possible adopters, but this idea was rejected by the minister, whose logic was that single women could marry and their husband could reject the adopted child. In his opinion letting single women adopt defeated the purpose of creating a family by adoption. At the fifth and final stage of the bill in July 1952 further discussion was given to matters that had been discussed at committee stage. There had been a discussion surrounding whether people who were not citizens should be allowed to adopt. The conclusion reached was that only Irish citizens should be eligible to apply for adoption orders. This possibly shows the influence that international adoptions had on adoption legislation. Deputies frequently referred to adoptions by American actresses, most likely in reference to Jane Russell, the American actress who had adopted an Irish child from London. There was a minor scheduling issue with the bill when it was sent to the *séanad*. The bill was supposed to be returned to the *dáil* within ninety days; however it was not returned for 142 days.¹⁴⁵ The *séanad* had made some recommendations and it was decided that those recommendations would be considered by the *dáil* in spite of the fact that this was not a legal requirement, because the bill had spent too long in the *séanad*. In an *Irish Times* article on the matter it was stated that an amendment to allow children who were

¹⁴⁵*Dáil Éireann deb.*, cxxxv, 811-902 (4 Dec. 1952)

informally adopted, and who were now over the age of seven (it had been that de-facto adopted children over seven years of age could not be adopted), to be legally adopted had been accepted.¹⁴⁶ An amendment including the Plymouth Brethren as one of the non-catholic Christian denominations permitted to adopt was also accepted. Adopters who wanted to legalise a de facto adoption now also had two years. The discussion on the delay of the séanad and the last two amendments included in the bill were also recorded in the *Irish Press*.¹⁴⁷

The bill received public praise from the Catholic church. Cecil Barrett, an advisor to John Charles McQuaid, while addressing a group of managers and sisters in charge of children's homes, outlined the benefits of the new adoption act. He hoped that the new act would make adoption 'fashionable'.¹⁴⁸ At the annual symposium of the Catholic Women's Federation of Secondary School Unions, Rev. John McCarthy, professor of moral theology and canon law at Maynooth College, gave a lecture on legal adoption.¹⁴⁹ He claimed that when the bill became law many children would get the family life to which they were entitled and of which they were currently deprived.

The bill received attention in both the *Irish Times* and the *Irish Independent*. The *Times* considered that the bill marked: 'the end of a long campaign which has manifest justice and humanity on its side.'¹⁵⁰ The *Irish Independent* also covered the introduction of the bill. In both newspaper articles a general synopsis of the bill was given.

The bill was enacted on 13 December 1952. It had five parts, with forty-two articles. The short title of the act was the Adoption Act 1952, and it will be useful to summarise the main parts of the act. The first part of the act dealt mainly with logistical

¹⁴⁶*Irish Times*, 6 Dec. 1952, this can be confirmed by the Adoption Act, 1952 (1952/25 [R.I.]) (13 Dec. 1952) § 19

¹⁴⁷*Irish Press*, 6 Dec. 1952.

¹⁴⁸*Irish Times*, 25 Aug. 1953.

¹⁴⁹*Irish Press*, 7 Jul. 1952

¹⁵⁰*Irish Times*, 2 May 1952.

issues. A child was described as anyone under the age of twenty-one. When the term ‘the minister’ was used it referred to the minister for justice. The term ‘parent’ did not include the natural father of an illegitimate child. A relative was defined as a ‘grandparent, brother, sister, uncle or aunt, whether of the whole blood, of the half-blood or by affinity, relationship to an illegitimate child being traced through the mother only.’¹⁵¹

The act established An Bord Uchtála (the Adoption Board). The board was to consist of a chairman and six ordinary members. The entire board was to be appointed by the government. The chairman had to have been a barrister or solicitor of at least ten years standing. The chairman could also have been a judge of the supreme court, the high court or the circuit court or also justice of the district court.¹⁵² The board could function with one vacancy. It could make an order for the adoption of a child on foot of an application from a prospective adopter. Where the application was from a married couple, the order would cover both husband and wife. An adoption order could only be made if the child was resident in the state and was at least six months of age and younger than seven years at the date of application. The child also had to be an illegitimate child or an orphan. The prospective adopters had to be a married couple who were living together, or the mother or natural father or relative of the child. The other person that could adopt was a widow. Except for a married couple an adoption order could not be made for more than one prospective adopter.

The prospective adopting parents had to be at least thirty years of age if they were not related to the child they were adopting. If the applicant was aged at least twenty-one years and was a relative of the child, or the natural father or mother of the child, then an adoption order could be granted. If the adopting parents were a married couple, and one of the couple was the parent of the child, and if either the husband or

¹⁵¹ Adoption Act, 1952 (1952/25 [R.I.]) (13 Dec. 1952)

¹⁵² Ibid § 8

the wife was aged twenty-one or over, then they could adopt the child. An adoption order could not be made unless the applicant resided in the state, was an Irish citizen or had been resident in the state for five years previous to the application for adoption. In the case of a married couple the husband had to be an Irish citizen or resident in the country for the previous five years. The prospective adopters had to be of the same religion as the child, and (in the case of orphans) the child's biological parents. If the child was illegitimate the prospective parents had to be of the same religion as the child's mother. An exception could be made to this rule if the child, its parent and the prospective adopters were members of any of the following: the Church of Ireland, the Presbyterian Church in Ireland, the Methodist Church in Ireland, and the Religious Society of Friends in Ireland, the Baptist Union of Ireland and the Brethren, commonly known as the Plymouth Brethren. Essentially this meant that children from Catholic parents could not be adopted by Protestants and vice versa. However there was no differentiation in the law between the various Protestant denominations mentioned. The Adoption Board had the power to dispense with the religious aspect of the act where the board was unable to ascertain the religion of the child's biological parents. The section on religion was possibly the result of discussion between the Catholic church and the government. It eased fears that Catholics may have had at the prospect of legal adoption. It made it illegal to place a Catholic child for adoption with those of a different religion.

The Adoption Board could not make an adoption order unless it was satisfied that the prospective adopter(s) were of 'good moral character', had sufficient 'means' to support a child and was a 'suitable' person to have parental rights and duties.¹⁵³ The terms 'good moral character' and a 'suitable person' were not defined within the act. The phrases were open to interpretation; it was up to the board to define these terms as it saw fit.

¹⁵³ Ibid § 13

An adoption order could not be made without the consent of the child's biological mother or guardian or a person who had control over the child. The board could dispense with any consent needed for an adoption if the person whose consent was required was incapable of giving consent because of mental 'infirmity', or if the person could not be found. If the consent of a ward of court was needed this could not be dispensed with without the approval of the court.¹⁵⁴ Consent could be withdrawn at any time before an adoption order was made. Consent was not valid unless it was given after the child was aged six months and not more than three months before the application for an adoption order. If the biological mother of a child had changed her religion in the previous twelve months before the birth of her child then her consent was not valid unless it was given after the child had reached one year of age. If the mother changed her religion after the birth of her child then her consent did not become valid until at least twelve months after she had changed her religion. The Adoption Board was to agree the date at which the biological mother had changed her religion, and her consent was to be dated twelve months from then. The board had to be satisfied that everyone whose consent was required for an adoption had given that consent and that those giving consent were aware of the nature and effect of an adoption order.

The board could grant an interim order instead of an adoption order. If all of the criteria were met for an adoption order, instead of granting the adoption order the board could grant an interim order. This was a temporary measure that could not last longer than two years. With the interim order the board could attach particular conditions in regard to maintenance, education and supervision of the welfare of the child. The interim order could be revoked by the board but only at the request of the biological mother of the child, the guardian of the child or anyone who had custody of the child.

¹⁵⁴ The court was not defined in this section. It can be assumed (as the clause relates to wards of the court) that the court in question was the high court.

Anybody who contravened an interim order was deemed to be guilty of an offence; they could be fined up to one hundred pounds and/or given a twelve month prison sentence.

The act also dealt with existing adoptions (which have been referred to above as de facto adoptions). The age limit of seven years did not apply to de-facto adoptions. An individual could apply for an adoption order under this section of the act if the child was in the care of the adopter before the introduction of the adoption act. This only applied if an adoption application was made within two years of the coming into force of the act. If the child had been with the adopters for at least three years and the board was satisfied that the child's biological mother had consented to the adoption, the conditions regarding consent that were required under section fourteen of the act could be dispensed with.

The board had the option of referring a case to the high court on any question of law that might arise owing to an adoption order, at the request of an applicant for an adoption order, the biological mother of a child placed for adoption, or any person having charge of the child. The board did not have to refer to the high court if the request was considered to be 'frivolous'. Cases referred to the high court could be heard in private.

An adoption order made an adopted child the legal child of the adopted parents. The adopted child was to be treated as though s/he was born in 'lawful wedlock' to the prospective adoptive parents. The biological mother lost all of her parental rights and was 'freed of all parental duties'. If the child was not already an Irish citizen before an adoption order was made, on the making of an adoption order that child became an Irish citizen. If an adopter died intestate, the property of the adopter was to go to the adopted child as though he or she were the biological child of the adopter. Any reference made by an adopter to children in a will was to be construed as referring to an adopted child

as well as biological children unless it was stated that this was not the case. A will made before the making of an adoption order did not apply to this section

When biological parents married, the child was deemed to be 'legitimate' from birth according to the Legitimacy Act, 1931. If an adoption order was made in regard to a child whose parents were subsequently married, the legitimacy act did not affect the adoption order unless the order was cancelled. In cases where the child was adopted by one of his/her natural parents, the child became 'legitimate' and the adoption order ceased to be in force. Where an adoption order was made and where there was an affiliation order, or the biological father was paying for the child, these payments were to stop and the affiliation order was to cease. If the child had been adopted by his/her biological mother then these payments were to continue.

It was illegal for any person or body that was not an Adoption Society or a public assistance authority to arrange an adoption. The Adoption Board was to keep a register of all adoption societies. The board was required to record in its register the details of whoever applied and met the criteria of the board. The board had to be satisfied that any society wishing to arrange adoptions was a competent body that could discharge its duties and was a charitable organisation that operated with the purpose of arranging adoptions. The board could refuse to register any society where it thought that any of those involved was 'not a fit and proper person to act' for an adoption society.¹⁵⁵ Section thirty-eight allowed for the cancellation of registration for an adoption society. The board could cancel the registration of any adoption society on any ground that would have resulted in the refusal of the board to grant an initial application for registration. The board could also cancel the registration of a society if the society was not adequately complying with the requirements of the adoption act. The final reason

¹⁵⁵ Ibid § 36

that an adoption society could be de-registered was if a person acting on behalf of the society was guilty of an offence committed under the adoption act.

Before accepting any child for adoption, an adoption society had to give the biological mother or guardian a written statement explaining the effect of an adoption order upon their rights. The society also had to explain the provisions of an adoption order in relation to the issue of consent. The society had to be sure that the biological mother or guardian understood the written statement and had signed a document to that effect. Failure to do so constituted an offence and possible fine of up to one hundred pounds.

Section forty of the adoption act surprisingly made it illegal for anyone to remove a child from the state who was under seven years old and an Irish citizen: 'No person shall remove out of the state a child under seven years of age who is an Irish citizen or cause or permit such removal.'¹⁵⁶ While this was at first sight a very odd statement it was clarified that a legitimate child and an illegitimate child over the age of one year could leave the state 'with the approval of a parent, guardian or relative of the child.'¹⁵⁷ An illegitimate child under one year of age could leave the country: 'with the approval of the mother ...for the purpose of residing with the mother or a relative outside the state.'¹⁵⁸ If anyone contravened this section they were guilty of an offence which could include a prison sentence of twelve months or a fine that did not exceed one hundred pounds or both. It was believed that this would stop the practice of international adoptions.

It was illegal to advertise that a parent or guardian had a child under the age of seven available for adoption, or to advertise offers to adopt a child under the age of seven. Advertisements indicating a willingness to arrange an adoption could only be

¹⁵⁶ Ibid § 40

¹⁵⁷ Ibid

¹⁵⁸ Ibid

placed by a registered society. It was also illegal for an adopter, biological parent or guardian of a child to receive or agree to receive any payment or other reward for the placement of a child for adoption. It was illegal to give or receive payment or reward for arranging an adoption. This section did not apply to maintenance payments for children or solicitors' fees. If anyone contravened this section they were guilty of an offence and could receive up to twelve months in prison or a fine not exceeding one hundred pounds or both. It was a crime for any person to make a false statement to the board. If a person made a false statement, the same punishment that applied to most other sections of the act also applied. This was a prison sentence of no more than twelve months or a one hundred pound fine or both.

The first schedule attached to the act concerned the Adoption Board or, as it was known in Irish, An Bord Uchtála. Each member of the board was appointed for a period of five years. An outgoing member could be reappointed. The government could remove someone from the board for misbehaviour, incapacity or failure to attend board meetings. A member of the board could resign at any time. The minister for justice could give remuneration to the chairman of the board with the consent of the minister for finance. The minister could appoint as he saw fit any officers or servants of the board. A quorum for a meeting of the board was the chairman and two ordinary members. Every question raised at a meeting would be decided by a majority of those present. The board could summon witnesses to attend before it and the witness before the board was entitled to the same immunities and privileges as though he or she was a witness in the high court. If someone called before the board did not attend, or did not cooperate with the board, they were guilty of an offence and could be fined twenty-five pounds. A member or officer of the board was entitled to visit the homes of a child proposed for adoption, the guardian of the child, the applicants for an adoption order and the person to whom custody of a child had been given under an interim order. The

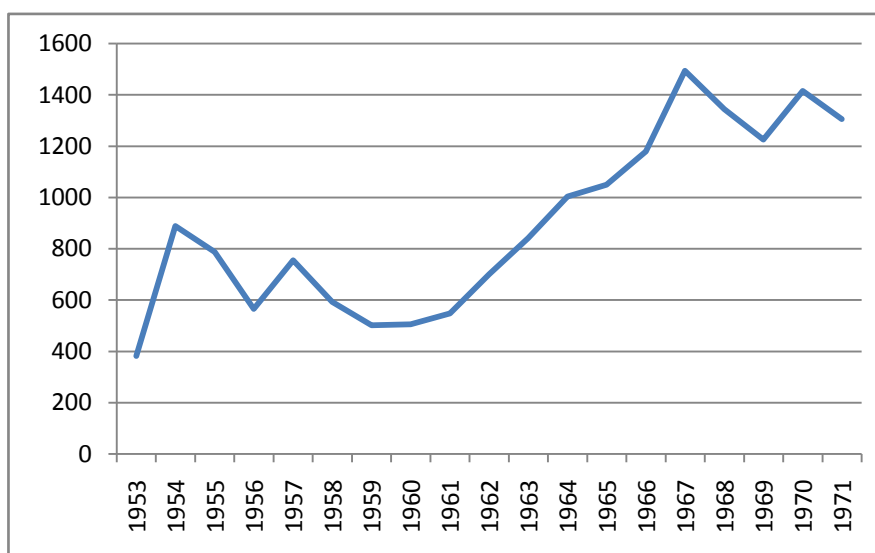
board was also required at the end of each year to produce an annual report. This had to record the number of applications for adoption received and the board's decision in these cases. The final section of the first schedule stated that a notice in regard to an adoption order should never give details of the child's biological parents, former surname, and place of birth, or otherwise identify the child's origins.

To sum up, the terms of the 1952 adoption act were heavily influenced by the British and Northern Ireland adoption acts of 1939, 1949 and 1950. Other influences came from the recommendations of the episcopal committee of the Catholic church, and, to a lesser degree, the representations of the main Protestant denominations and the Adoption Society. The 1952 act regulated adoption societies in a similar way to the British acts. The operation of the adoption act was, however, closer in origin to the Catholic episcopal committee's recommendations. That committee had recommended the creation of an Adoption Board as opposed to leaving adoption in the hands of a judge. There were also religious safeguards in the 1952 act that were not present in the British or Northern Irish legislation. In the dáil, T.D. s in general welcomed the measure and, while there were some suggestions as to how the terms could have been improved, and anecdotal accounts of the suffering incurred from some de facto adoption arrangements, in general the bill was praised. Also praised in the dáil debates was the role of the Adoption Society, yet throughout its campaign for legislation, the society had been largely ignored and dismissed by the department of justice. It was only after the Catholic hierarchy came out as willing to countenance legal adoption that the department of justice came to look on the Adoption Society's campaign more favourably. The minister did not mention the efforts of the Joint Committee of Women's Societies and Social Workers; that organisation's contribution to the campaign for legal adoption was largely ignored. The act meant that from 1952 onwards adoption was subject to government regulation.

Chapter five: The adoption law in operation after 1952

With the passing of the adoption act, the Adoption Board began publishing annual reports. These reports contain information on the numbers of adoptions arranged, the religion of adopters and, from 1955 onwards the economic background of adopting parents. Between 1953 and 1971 there were 17,068 adoption orders made. The number of adoptions in general increased over the nineteen year period. Adoption after 1952 will be examined in three parts. The three years from 1953 to 1955 will be taken together; during these three years the Adoption Board dealt with de facto adoptions arranged before the passing of the act. The second section covers the years from 1956 to 1963; this was an eight year period when there was a dip and then a rise in the numbers adopting. It was in this period that criticism of the adoption act 1952 began to surface. The final eight years that will be examined was from 1964 and 1971. There was a new adoption act introduced in 1964 and there was a distinct increase in the numbers of adoptions taking place during these years.

Fig. 5.1 Numbers of children adopted 1953-1971



(source: Adoption Board reports 1953-1971)¹

¹ Report of An Bord Uchtála for the year ended 31st December, 1953-1971 (full list in bibliography).

1953-55

In the first three years after the commencement of the adoption act there were 2,055 adoption orders made.² This was an average of 685 adoptions per year. There were 148 applications for adoption orders rejected, on average about forty-nine per year. The majority (34) of these applications were rejected because the child was legitimate and not an orphan, and therefore ineligible for adoption. The second highest number of rejections (29) was on the grounds of the applicant's age (the applicant had to be at least thirty years of age). The reason given for the third highest number (17) of rejections was because the child was ineligible on the grounds of age (the child had to be under seven years of age). Ten applicants were rejected on the grounds of religion. Interestingly, twelve applicants were widowers and not related to the child. Five biological mothers refused to give their consent to the adoption. In the first three years, the majority of adoption applications before the board were legalising informal adoptions arranged before the passing of the adoption act. These informal adoptions have been referred to as *de facto* adoptions throughout this thesis. The refusal of five biological mothers to give consent to the legal adoption of their child indicates that not all biological mothers were in favour of legalising their children's *de facto* adoption arrangements.

Religion was a key area covered in the reports. The majority of adopters during this period were Catholic (1832). There were 215 Protestant adoptions and two Jewish adoptions. This was roughly 611 Catholic children and seventy-two Protestant children adopted per year. The reports also provided information on the number of children (216)

²*Report of An Bord Uchtála for the year ended 31st December, 1953* (Dublin, 1954) P.no. 2008, and *Report of An Bord Uchtála for the year ended 31st December, 1954* (Dublin, 1955) P.no. 2999 and *An Bord Uchtála for the year ended 31st December, 1956* (Dublin, 1957) Pr. 3725.

adopted by relatives. Seventy-one of these were adopted by a married couple where the wife in each case was the biological mother of the adopted child. Five children were adopted by their unmarried mothers, evidence that some women were anxious to keep and legalise the position of their illegitimate children.

Fourteen adoption societies registered with the Adoption Board in 1953. Interestingly, the National Maternity Hospital, Holles Street registered as an adoption society. St. Patrick's Guild arranged 400 adoptions in these three years, the highest number arranged by any one agency. According to these reports there were 167 children, born outside of the state, adopted in Ireland between 1953 and 1955. While the issue of children leaving the state for adoption was publicly discussed, children entering the country for adoption received little media attention. Children entering the country for adoption were most likely born to Irish mothers in the United Kingdom. These women and children when they returned to Ireland were generally described as repatriated.³ Some women went to the United Kingdom in order to keep a pregnancy secret.⁴ Two agencies involved in the repatriation of children to Ireland for adoption were the Catholic Protection and Rescue Society of Ireland⁵ and St. Anne's Adoption Society⁶.

In the 1953 report the issue of consent was discussed, indicating that some societies had been experiencing difficulties contacting biological mothers.⁷ However, the board was satisfied with the work that adoption agencies had been doing: 'The

³ Paul Michael Garrett, 'The abnormal flight: the migration and repatriation of unmarried mothers' in *Social History*, xxv no. 3 (2000) pp 330-343.

⁴ See chapter 2 p. 83

⁵ The repatriation work carried out by the C.P.R.S.I was conducted from the 1960s onward see Elaine Farrelly Conway, 'Adoption policy and practice in Ireland in the 1980s' (PhD thesis, University College Dublin, 2002), p. 83-84

⁶ St. Anne's Adoption Society was based in Cork. It was originally St. Patrick's orphanage in Cork, (this orphanage was located in the Greenmount area of the city), it became St. Anne's adoption society with the introduction of legal adoption. This organisation was a rescue society; all of the children placed by the society between 1954 and 1970 were born to Irish women in England. See Elaine Farrelly Conway, 'Adoption policy and practice in Ireland in the 1980s' (PhD thesis, University College Dublin, 2002), p. 84-5. The records for St. Anne's are held by the Health Service Executive South.

⁷ *Report of An Bord Uchtála for the year ended 31st December, 1953* (Dublin, 1954) P. no. 2008 p. 7

board is indeed pleased to record its appreciation of the excellent measure of co-operation forthcoming from the adoption societies.’⁸ The board requested that a qualified inspector be appointed to its staff, to advise and guide local authorities in relation to the inspection of prospective adopters.⁹ In 1954 the request was granted.

In 1953, the board encountered a problem regarding widowers and adoption. If a man had (de facto) adopted a child with his wife before the adoption act was passed, and his wife subsequently died, that man was not legally able to adopt the child. This would account for the number of adoptions rejected because the adopter was a widower and not related to the child. The board also identified another issue with the act; in order to be eligible to adopt, the husband in a married couple had to be an Irish citizen. This was a problem when the husband was not an Irish citizen but the wife was (the act stated that the husband of a married couple had to be an Irish citizen). The board wanted the rules changed so that if either member of a married couple was an Irish citizen then the couple would be eligible to adopt.

In 1954 the majority of adoption applications were made in the final three months of the year. This was because 1954 was the last year in which those who had adopted a child informally could apply to have the adoption legalised. The Adoption Board gave notice of this change in both the press and radio.

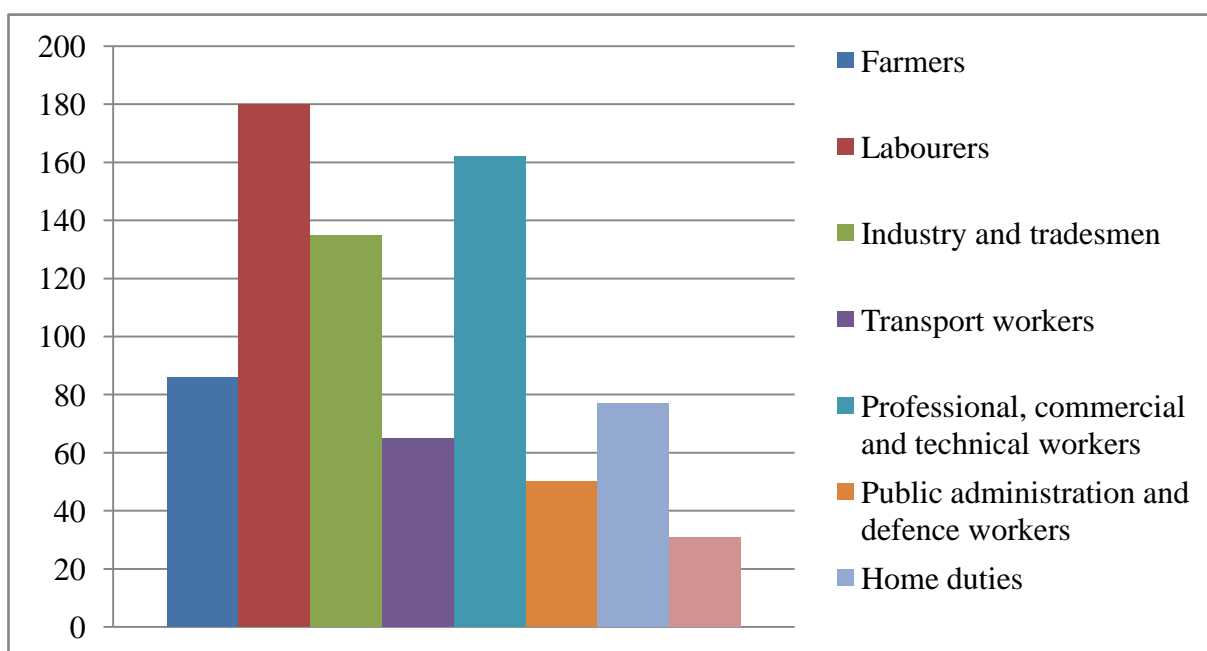
In 1955 the board for the first time published the occupations of adopting parents. It was not specified whether this was the father or mother’s occupation. There were nine occupations identified by the board. These were farmers, labourers (no further definition of labourers was given), industry and tradesmen, transport workers, professional, commercial and technical workers, public administration and defence workers, home duties and other. As can be seen in fig. 5.2 the economic group that was most active in adoption in 1956 consisted of labourers. This group was closely followed

⁸ Ibid

⁹ Ibid

by professional, commercial and technical workers. While figures are not available for the first two years of the board there may have been a similar pattern of labourers adopting the most children. It is interesting to note that for its first three years the board mainly dealt with legalising de facto adoptions.

Fig 5.2: Occupation of adopters, 1955



(Source: Adoption Board report 1955)¹⁰

Apart from the reports issued annually the board also consulted the department of justice on a number of occasions, querying the interpretation of the adoption act. As early as March 1953 the registrar of the Adoption Board wrote to the secretary of the department of justice in order to clarify whether or not a biological mother who had consented to an individual arranging an adoption but not the final adoption arrangement

¹⁰ *An Bord Uchtála for the year ended 31st December, 1955* (Dublin, 1956) Pr. 3725 p. 5.

itself could be deemed as having consented to the adoption.¹¹ On 18 March Thomas Coyne,¹² on behalf of the minister for justice, responded. The registrar was advised that the board could not accept a biological mother's general consent to an adoption in place of a formal consent given in accordance with section fourteen of the 1952 adoption act. Coyne warned the Adoption Board that it was never to presume that consent had been given, as this could lead to confusion and undermine the process of legal adoption. Coyne's advice reflected the sensitive nature of consent and the fact that the board had to be above reproach in this matter.

Queries in regard to interpretations of the adoption act passed between the department of justice and the attorney general's office. The strict rules set out in the adoption act that specified which children could be adopted were also queried.¹³ A civil servant in the department of justice, Peter Berry, wrote to a member of the attorney general's office, Patrick Philip O' Donoghue, to ask about the adoption of a child born to a married woman but who was not the child of her husband. The woman had left her husband and had gone to live with another man in England. A child resulted from the relationship in England. The child was registered in the name of the mother and biological father and was therefore illegitimate. The mother then returned to her husband and they were interested in adopting the child together. The minister wanted the opinion of the attorney general's office in this case and similar cases where the husband did not know about the birth of the child. O'Donoghue's reply to the department of justice stated that the board was not entitled to ask for and was not bound by any ruling of the attorney general.¹⁴ He was not able to give any general ruling as in his opinion each case had its own merits. In the case mentioned the attorney general's

¹¹ Registrar of the Adoption Board, (indecipherable signature) to the secretary department of justice, 13 Mar. 1953 (N.A.I., Department of justice, queries on interpretation of children's adoption act 1953- 1960 MS 90/93/77) .

¹² Thomas Joseph Coyne was secretary of the department of justice.

¹³ Peter Berry to ? (most likely Patrick Philip) O'Donoghue (attorney general's office), 5 May 1953 (N.A.I., MS 90/93/77)

¹⁴Copy ? O'D (most likely O'Donoghue) to the attorney general, 7 May 1953 (N.A.I., MS 90/93/77)

office could see no obstacle if evidence of illegitimacy could be proved. The attorney general's office was again consulted in 1958, and it was reiterated that the attorney general was not obliged to give any legal advice to the Adoption Board.¹⁵ In the 1958 case, advice was requested concerning whether or not a married couple were able to adopt if one member of the marriage was divorced.

Adoption legislation in Ireland drew international attention from British social workers. Adoption practices in Ireland were recorded in *Child Adoption*, a British journal, published by the British Association of Adoption and Fostering. This is an association that supports and advises about children in care, it is currently registered as an adoption agency and an adoption support agency.¹⁶ The journal was designed to give information to social workers and adoptive parents. In 1953 the vice chairman of the Irish Adoption Society, A.J.E. Hartford, submitted an article to the journal.¹⁷ The article outlined the developments surrounding adoption in Ireland. Hartford claimed that 'my society, which were [sic] the prime movers in this campaign are very satisfied with the act as introduced by the government.'¹⁸ Hartford believed that 'adoption will become popular in this country and the term "unwanted child" will disappear from our vocabulary.'¹⁹ The article also outlined the differences between the Irish adoption act of 1952 and the British adoption act of 1950. Hartford's desire for the idea of the 'unwanted child' to disappear may have overestimated the power of the adoption act and reflected the belief that all adopted children were 'unwanted' by their biological parents.

The journal continued to report on adoption in Ireland. In July 1953 there was a discussion about the Irish adoption act. The author of the article was not identified, but

¹⁵ Copy ? O'D (most likely O'Donoghue) to the attorney general, 23 Jun. 1958 (N.A.I., MS 90/93/77)

¹⁶ The British Association of Adoption and Fostering is still in existence and publishes a quarterly journal, *Adoption & Fostering*, more information about the organisation can be found at (<http://www.baaf.org.uk/ourwork>) (11 Jun. 2013).

¹⁷ A.J.E. Hartford, 'Adoption legislation in the Republic of Ireland' in *Child Adoption*, vii (1953) p.16

¹⁸ Ibid.

¹⁹ Ibid

it was stated that the journal hoped to be able to print ‘details of the social, as opposed to the legal, content of adoption work in Eire [sic].’²⁰ The article also mentioned Fr Cecil Barrett,²¹ who was described as a champion of adoption in Ireland. Barrett was heavily involved in adoption practice and policy in the Dublin Diocese and while he was not opposed to legal adoption, to describe him as a champion of adoption in Ireland was an exaggeration of his role. In 1954 further articles written about adoption in Ireland appeared in the journal. A Hilda Cassidy wrote an article that appeared in February. A short biography identified her as a trained almoner.²² She was also described as a leading exponent of ‘good’ adoption work in Ireland. At the end of the article she discussed the Catholic Protection and Rescue Society of Ireland, suggesting that this was the organisation with which she was associated: ‘we in the Catholic Protection and Rescue Society of Ireland have dealt with a large number of applications for adoption orders from our old clients. It is gratifying to see how successful all the placements have been.’²³ She never described how the success of these adoptions was measured. She discussed the issues that faced social workers when trying to legalise de facto adoptions under the 1952 adoption act. While discussing the difficulties associated with tracing biological mothers, she identified an interesting trend: ‘no mother whom I have located has refused her consent, although in most cases there has been a longing just to get one glimpse of her child or, at least, see his photograph.’²⁴ This account would appear to be similar to the cases that were dealt with by the Cottage Home for Little Children, where some biological mothers had requested pictures of their children when they were contacted to give legal consent to de facto adoptions.²⁵ This was clearly a common feature when biological parents were asked to give final consent to

²⁰ Unattributed, ‘Irish adoptions’ in *Child Adoption*, viii (1954) p. 17.

²¹ As noted above Cecil Barrett was a priest in the Dublin diocese and was a social welfare advisor to John Charles McQuaid, see introduction p.11

²² Hilda Cassidy, ‘The Irish adoption act in operation’ in *Child Adoption*, x (1954) pp 10-12.

²³ Ibid p.12.

²⁴ Ibid p.11

²⁵ See chapter 2 p.68.

legalise de facto adoptions. While Cassidy claimed that no mother had refused to give consent, the Adoption Board reports stated that at least five mothers had refused to consent to legal adoption.

After the introduction of legislation, adoption continued to be a political topic. The subject was raised several times in the dáil. In 1955, Patrick McGrath, a Fianna Fáil T.D. for Cork Borough, and Jack Lynch, another Fianna Fáil T.D. for Cork Borough and future taoiseach, asked the minister for justice if he was going to introduce legislation that would legalise the adoption of children who had been de facto adopted by widowers prior to the 1952 adoption act.²⁶ These two T.D.s had been active in calling for the initial adoption legislation. In response to their question they were told that no such legislation would be introduced and that the issue had been considered when the adoption act was being drafted: ‘it was decided after careful consideration not to include such a provision.’²⁷ The question was not answered by the minister for justice but instead it was answered on his behalf by the minister for posts and telegraphs, Michael Keyes, who was T.D. for Limerick East and a member of the Labour Party. This was the first criticism that the adoption act had received in the dáil. It was two years into the operation of the Adoption Board and the criticism reflected the comments made by the board itself.

1956-1963

From 1956 onward there was a move away from legalising de facto adoptions and towards the introduction of new adoption arrangements. In the eight year period from 1956 to 1963 there were 5,001 adoption orders granted.²⁸ This was an average of

²⁶ *Dáil Éireann deb.*, cliii, 155 (15 Dec. 1955)

²⁷ *Ibid.*

²⁸ *An Bord Uchtála for the year ended 31st December, 1956* (Dublin, 1957) Pr. 4284, and *An Bord Uchtála for the year ended 31st December, 1957* (Dublin, 1958) Pr. 4421, and *An Bord Uchtála for the*

about 625 adoptions per year; the average number of adoptions had dropped by about sixty per year since the first three years of the board. This indicates that after the initial rush to legalise de facto adoptions, there was a subsequent fall in the number of adoption arrangements. Of the applications received 209 applications were rejected. The average number of rejections per year was twenty-six; this can be compared with forty-nine rejections per year in the first three years of the board. However, when the number of applications is taken into account in both periods four per cent of the overall number of applications resulted in rejection.

Religion was again a key factor in the statistics of the board. In this eight-year period 4,699 Catholic children were adopted, 298 Protestant children and 4 Jewish children.²⁹ This made an average of 587 Catholics per year and thirty-seven Protestant adoptions. Compared with the first three years of the board during these eight years the numbers of Protestants adopting reduced in number, by nearly half.

There were 457 children adopted by relatives in this period. Of these, 169 were adopted by a married couple where the wife in each case was the biological mother of the child, and twenty-two children were adopted by their mothers alone.³⁰ In 1956 and 1957 there were 229 children adopted in Ireland but born outside the state.³¹ There was no figure given for the number of children born outside the state after 1957, suggesting that the board no longer considered this important to report.

Between 1957 and 1963 there was a figure given for the number of parents who were adopting their second or subsequent child. In this period, 919 children were adopted by parents who had at least one other adopted child. This accounted for twenty-

year ended 31st December, 1958 (Dublin, 1959) Pr. 4919 and *An Bord Uchtála for the year ended 31st December, 1959* (Dublin, 1960) Pr. 54234 and *An Bord Uchtála for the year ended 31st December, 1960* (Dublin, 1960) Pr. 5879 and *An Bord Uchtála for the year ended 31st December, 1961* (Dublin, 1961) Pr. 6420 and *An Bord Uchtála for the year ended 31st December, 1962* (Dublin, 1962) Pr. 7008 and *An Bord Uchtála for the year ended 31st December, 1963* (Dublin, 1963) Pr. 7609.

²⁹ *Ibid*

³⁰ *Ibid*

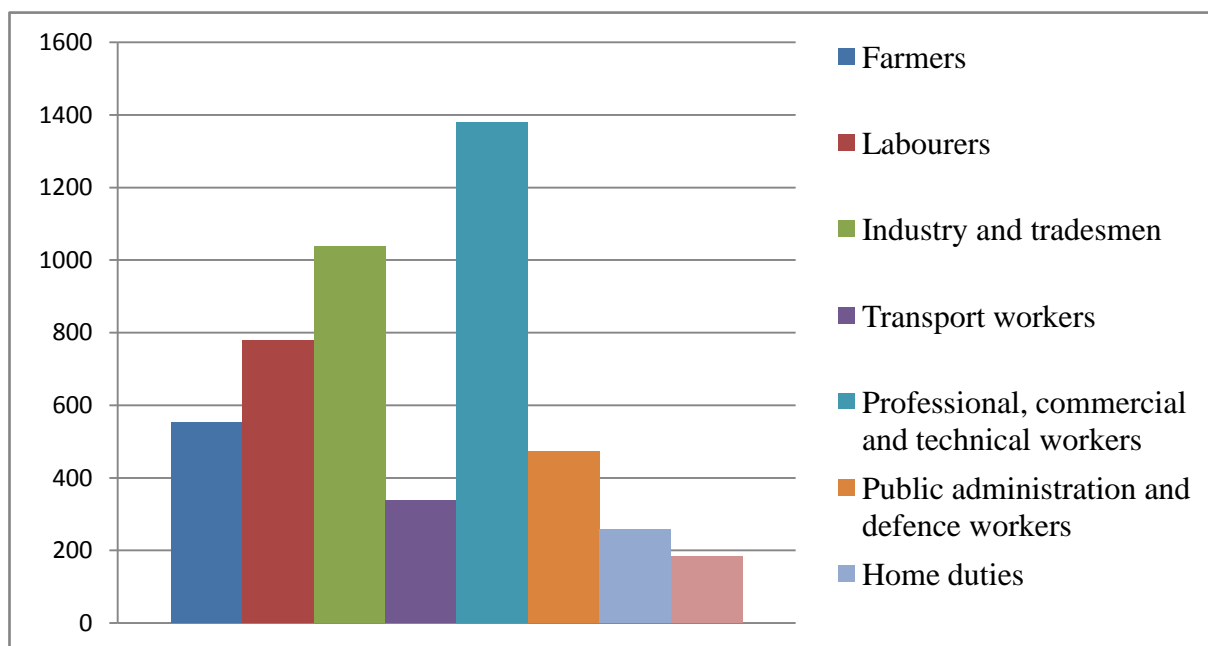
³¹ *An Bord Uchtála for the year ended 31st December, 1956* (Dublin, 1957) Pr. 4284, and *An Bord Uchtála for the year ended 31st December, 1957* (Dublin, 1958) Pr. 4421.

one per cent of all adoptions over the seven-year period from 1957 to 1963. Those who had adopted one child may have been inclined to adopt further children; it is also possible that those who had a de facto adopted child may have been likely to adopt more children.

During this eight year period from 1956 to 1963, there were 958 adoptions arranged by the Catholic Protection and Rescue Society of Ireland and 752 adoptions arranged by St. Patrick’s Guild. These two agencies arranged thirty-four per cent of the adoption orders granted by the board. Both of these agencies had been arranging adoptions prior to 1952 and it is possible that they arranged as many adoptions before legislation.

As can be seen in fig 5.2 below the group that had adopted the most children between 1956 and 1963 were professional, commercial and technical workers. This demonstrates a change in the background of adopters. Labourers became only the third largest group of adopters. This change will be discussed further in the chapter.

Fig 5.2 Occupations of adopters 1956-63



(Source: Adoption Board reports 1956-1963)³²

³² *An Bord Uchtála for the year ended 31st December, 1956 – 1963* (Dublin, 1957 -1964).

In the Adoption Board reports from these years a number of recommendations were put forward. It was suggested that children over the age of seven should be eligible for adoption and that widowers should be allowed to legally adopt children whom they had already informally adopted before they were widowed. The issue concerned with widowers had been raised in the previous reports and had been the subject of a dáil question in 1955. It remained an unresolved issue.

The board, which consisted of seven members including the chairman, changed its membership twice during this period in 1958. Changes to the board were as follows: District Judge Donnchadh Ua Donnchadha remained as chairman of the board. William J. Fallon also remained on the board, as did Mrs Hugh McNeill Macauley. The new members of the board were Mrs Philip T. Brooks, Mrs. William I. Hamill, John G. McConnell and John Saunders. In 1963 as the term of office was for five years, a new board consisting of District Judge Alfred A. Rochford, Mrs. Philip T. Brooks, Edward Duffy, Mrs William I. Hamill, Laurence S. McDermott, Mrs Michael A. Moriarty and Dr. John C. Saunders was appointed. Thus, four members changed between 1958 and 1963. It can be argued that these personnel changes led to a lack of continuity in the decisions of the board.

In 1956 another article appeared in the journal *Child Adoption*; this article contained a discussion on unmarried mothers and their babies in Ireland. The article was a review of the book *Irish journey* by Dr. Halliday Sutherland. In this book, Sutherland included one chapter on 'children's homes, the care of mothers and babies and the self-exportation of the Irish mother to be.'³³ Sutherland visited a home in Galway where unmarried women were sent to give birth. In the review it was claimed that women were required to stay in the home for a year. At the end of that year the women were free to

³³ Unattributed, 'Mothers and babies in Ireland' in *Child Adoption*, xxi (1956) pp 13-14. p. 13

go. If a woman had two children, at the end of her second year she was sent to a Magdalene laundry. In the book Sutherland went into more detail about adoption and the children in the home he visited: ‘then I realised that that to these children I was a potential adopter who might take some boy or girl away to a real home ... At the dogs home, Battersea, every dog barks at the visitor in the hope that I [sic] will be taken away.’³⁴ While the book and the associated review in *Child Adoption* provides an interesting insight into international perspectives on the adoption process in Ireland, the author never identified the ages of the children or how long they had been in the home.

Child Adoption carried an article in 1957 on non-Roman Catholic adoption in Ireland.³⁵ The article was written by Beatrice Odlum, who was at that time secretary of the Protestant Adoption Society.³⁶ The article consisted of a synopsis of the regulations in the adoption act 1952 in regard to religion. Odlum was of the opinion that there were certain elements of the adoption act that needed to be altered. A mother marrying the father of her child before an adoption order was completed would mean that the child was then legitimate and could not be adopted; this was identified by Odlum as one of the faults with the act. Odlum argued that biological parents who married might still wish the child to be adopted, but owing to their marriage that child would become ineligible for adoption. She argued that the legitimacy act of 1931 should not apply to children placed for adoption.³⁷ There are a number of possible reasons why a couple who married might not have been in a position to care for a child they had placed for adoption: one possible reason was that the couple were not in a financial position to

³⁴ Halliday Sutherland, *Irish Journey* (London, 1956) p. 77

³⁵ Beatrice Odlum, ‘Non-Roman Catholic adoption in Eire’ in *Child Adoption*, xxiii (1957) pp 10-12

³⁶ Protestant homes and organisations that practiced adoption before legislation including the Bethany Home and the Cottage Home for Little Children became part of an umbrella adoption society known as the Protestant Adoption Society. It was established in 1952 and was located at 39 Molesworth Street Dublin. The organisation still exists and is now known as Pact see (<http://www.pact.ie/v2/index.php?page=records-and-archives>) (6 Oct. 2013).

³⁷ The legitimacy act 1931 made children who were born to unmarried parents legitimate when their parents married. see chapter 4 p. 189.

raise the child, another possible reason was that the birth of the child had not been revealed to family and friends and it was not possible for the parents to explain the presence of the child. The second area in which Odlum wanted to see change was in the age requirement placed on adopters. Adopters had to be thirty years of age or older. Odlum thought that this age limit should be reduced. She suggested that most illegitimate children were born to teenage mothers and that it was common practice in other countries to place the child with people who were close to the biological mother's age. The third suggestion made in this article was that the section of the act that stipulated that children older than seven could not be adopted should be changed and the age limit should be increased to twenty-one. The reason given for this was to enable older children, especially those in institutions, to be eligible for adoption. According to the act, no man could adopt a child on his own and, in this article, Odlum raised the issue of children placed with de facto adoptive parents, before the introduction of the adoption act, where the mother subsequently died and the adoptive father was unable to legally adopt the child. Given that there had been a reduction in the number of Protestant adoptions arranged, it is possible that such changes would allow the Protestant Adoption Society to arrange more adoptions.

Odlum wrote on behalf of the Protestant Adoption Society to the private secretary of the minister of justice to request reform of adoption laws.³⁸ Reflecting the points made in the *Child Adoption* article, the society thought that there should be reform of the adoption laws in a number of areas; these included changing the age limitations applied to adopters, as well as to adopted children, and that a law allowing widowers to legally adopt their de facto adopted children should be introduced.

There was another article in 1958 on adoption in Ireland in *Child Adoption*. This article was unattributed and gave a general summary of adoption in Ireland in the

³⁸ A.B. Odlum to the private secretary of the minister for justice, 26 Mar. 1958 (N.A.I., MS 90/93/31)

previous five years. The article referred to the fact that the Adoption Board was five years old and that a new committee had been appointed. Three women had been appointed to the board. The author claimed that ‘adoption has become “significantly popular” with the upper middle and middle classes’.³⁹ This reflected the changes noted in the Adoption Board reports where it was indicated that professional, commercial and technical workers were the largest group adopting children. It is possible that the legal safeguards that had been introduced by the 1952 act had encouraged more middle class couples to adopt children. The fear that children would be reclaimed by their mothers was no longer a threat to adoption arrangements.

Later in 1958 another article appeared on adoption in Ireland.⁴⁰ The unidentified author had recently been to Ireland and had discussed adoption reform with Beatrice Odlum, and, as a result of this, a number of points were re-emphasised in this article. These were that: children over seven could not be adopted; if the mother married the putative father the child could not be legally adopted; adopters had to be at least thirty years of age; and a girl of twelve could legally be married in Ireland but had to wait until she was thirty to adopt a child. On this last point, the law did indeed state that anyone under the age of twenty-one could be married, but only with the consent of their legal guardian. It was claimed in this article that the Protestant Adoption Society had applied pressure to the Adoption Board to make the following amendments to the adoption act: that widowers who had children in their care during the lifetime of their deceased wife should be allowed to adopt those children, that the upper age of seven for an adopted child should be raised, and the age of thirty for adopters should be reduced. However, applying pressure to the board would have been pointless as the board had no power to change the adoption law. Adoption continued to be a political issue between 1956 and 1963.

³⁹ Unattributed, ‘The Irish act is five years old’ in *Child Adoption*, xxvi (1958) p. 23

⁴⁰ Unattributed, ‘Adoption difficulties in Ireland’ in *Child Adoption*, xxviii (1958) p. 20

Politically, international adoptions continued to be a subject of scrutiny. As has been shown from the Adoption Board reports there were 167 children coming into Ireland for adoption between 1953 and 1955, yet this received no attention in the *dáil*. Donogh O'Malley, a Fianna Fáil T.D. for Limerick East, asked the minister for justice, James Everett, a Labour party T. D. for Wicklow, if he was aware whether any children temporarily placed in the county hospital, Croom, County Limerick, had been adopted by American citizens.⁴¹ The minister replied that his enquiries were not yet complete and that he hoped to be able to answer the question in a week. Over a week later on 10 April 1956 Donogh O'Malley again posed the question to James Everett. Concerning the children in Croom Hospital he was told that some children had been taken out of the country with a view to adoption but that the minister was 'satisfied that there was nothing irregular or unlawful about this.'⁴² It is clear from the minister for justice's response that children were still leaving the country to be adopted abroad. This practice was not stopped by the adoption act of 1952 and the department of justice was aware that it was happening.

The Adoption Board also showed an interest in this issue. In 1957 the board asked the department of justice about the number of children under the age of seven who were either illegitimate or orphans and had left the state to be adopted abroad in the years 1953-6.⁴³ The board also wanted to know the names of the societies that were sending these children abroad for adoption. The reply that the board received from Peter Berry stated that if the board wanted to ask the department of external affairs for that information, the department of justice would have no objection, however, the department of justice would not request the information on the board's behalf. Berry was the opinion that the board lacked:

⁴¹ *Dáil Éireann deb.*, clv, 866 (21 Mar. 1956).

⁴² *Dáil Éireann deb.*, clvi, 8 (10 Apr. 1956).

⁴³ Registrar of the Adoption Board to the secretary department of justice, 27 May 1957 (N.A.I., Department of justice, enquiry from Adoption Board requesting number destination etc of children leaving the state during 1953-1956 with a view of adoption, MS 90/93/90)

an adequate reason for making a request which involves not merely a certain amount of work in compilation but also the divulging of information about individual voluntary organisations in relation to an aspect of their work which has no apparent connection with either the board or this department.⁴⁴

From this excerpt it is clear that Berry was not suggesting that international adoptions were not taking place but simply that the board had no right to know about them. He did not consider international adoptions relevant to the board's work: it only had jurisdiction in Ireland.

Apart from children leaving the country for adoption, children brought into the country for adoption were discussed in the department of justice. One organisation that repatriated children for adoption was St. Anne's Adoption Society in Cork. Father James Good⁴⁵ of St. Anne's Adoption Society wrote to the minister for justice on behalf of the bishop of Cork, Dr. Cornelius Lucey⁴⁶ on 14 October 1956.⁴⁷ The bishop was sending the minister a memorandum prepared by the society, with a view to discussing it. The date of 23 October 1956 was given as a day that was convenient for the bishop. The memorandum that was attached discussed the difficulties that the society faced as it repatriated children of Irish mothers born in England. The society had issues with the way in which the matter of consent was dealt with by the board. The society found it difficult to get consent at the times that the board required it. There was included with the memorandum a circular letter from the board.⁴⁸ In this letter the board stated that in accordance with the law it would only consider an application for an adoption order after the child had been with its adopters for six months. An application could be made at any time after the child was placed with the adopters but the board was refusing to consider these applications until the child had been with the adopters for six months. To

⁴⁴ Copy P. B. (most likely Peter Berry) to the Registrar of the Adoption Board, 25 Jun. 1957 (N.A.I., MS 90/93/90)

⁴⁵ Fr. James Good was the secretary of St. Anne's Adoption Society in Cork.

⁴⁶ Bishop Lucey was chairman of St. Anne's Adoption Society and the bishop of the diocese of Cork, he had also previously advised the government on adoption legislation see chapter 3 p.119

⁴⁷ James Good to the minister for justice, 14 Oct. 1956 (N.A.I., Department of justice, Interview of the Adoption Board by the minister for justice, April 1957, MS 90/93/67) .

⁴⁸ Registrar of the Adoption Board to James Good, 15 Jun. 1956, (N.A.I., MS 90/93/67)

avoid any danger of a legitimate child being adopted, the board wanted the consent of the mother when the board was ready to make a decision, that is, at least six months or more after the child had been placed for adoption. This was causing problems for St. Anne's Adoption Society as it dealt with babies that were repatriated; it caused difficulties for them to trace the mothers to obtain their consent so long after the adoption had been arranged.

The civil servant who dealt with the letter from Fr. Good was Peter Berry. He informed Fr. Good on 25 October that he had prepared a note based on the meetings of 23 October with Dr. Lucey in relation to St. Anne's Adoption Society.⁴⁹ Berry was to have an informal meeting on 29 October with the chairman of the Adoption Board to discuss the issues raised by the society. Following this meeting,⁵⁰ the board was to hold a meeting on 12 November to discuss administrative procedures. Berry also suggested that Fr. Good should examine certain proposals. One was that an application for an adoption order could be made at any time after a child was placed for adoption, as opposed to the situation where the child had to be with the adopters for six months. Berry also suggested that more Adoption Board meetings be held in Cork to facilitate the work of the St. Anne's society. Fr. Good informed Berry that Dr. Lucey thought that while his suggestions were useful, some children spent time in a nursery before they were placed for adoption and this meant that between the mother consenting to an adoption and an adoption order going through there could be a long delay.⁵¹ The bishop wanted the consent given by the mother to represent the valid consent accepted by the board even if it was given months before the adoption application was decided on by the board.

⁴⁹ Copy P. Berry (most likely Peter Berry) to James Good, 25 Oct. 1956 (N.A.I., MS 90/93/67)

⁵⁰ Ibid

⁵¹ Copy James Good to Peter Berry, 8 Nov. 1956 (N.A.I., MS 90/93/67)

On 21 November 1956⁵² Berry expressed the minister for justice's gratitude to the chairman of the board for agreeing to a modification of the board's administrative procedures. Berry asked the chairman to consider the possibility of accepting the consent of a mother to adoption if the consent was given a month after the child had been placed with adopters and when the child was over six months old. On 23 November 1956 St. Anne's Adoption Society wrote to Berry to say that it was pleased with the new arrangement.⁵³ This would suggest that the society's recommendations were accepted by the board. This incident demonstrates that the department of justice was willing to accommodate the requests of a Catholic group.

Issues with the adoption act were not limited to Catholic organisations. On 1 May 1957 the Salvation Army wrote to the department of justice seeking guidance concerning the 1952 act.⁵⁴ The Salvation Army was not one of the Protestant denominations listed in the adoption act and therefore members of the organisation were unable to adopt or be adopted under the current law. The Salvation Army was lobbying to be included in the terms of the act. This was five years after the act had been passed. The department of justice did not consider the request by the Salvation Army very favourably: 'it would not be open to the minister to propose, in an amending bill, that members of any other particular religion should be added to those already covered by the subsection merely because the representatives of that religion had so requested.'⁵⁵ The Salvation Army acknowledged receipt of this reply and thanked the minister for making his position clear.⁵⁶

⁵² Copy Berry (most likely Peter Berry) to Donnchadh Ua Donnchadha, 21 Nov. 1956 (N.A.I., MS 90/93/67)

⁵³ James Good to P. Berry (most likely Peter Berry) 23 Nov. 1956 (N.A.I., MS 90/93/67)

⁵⁴ Arthur E. Carr (international secretary, parliamentary affairs, Salvation Army) to the secretary of the department of justice, 1 May 1957 (N.A.I., Department of justice, adoption act: suggestions for amendment 1955-1960, MS 90/93/31)

⁵⁵ Copy P. Berry (most likely Peter Berry) to Arthur E Carr, 16 May 1957 (N.A.I., MS 90/93/31)

⁵⁶ Arthur E. Carr to the secretary of the department of justice, 21 May 1957 (N.A.I., MS 90/93/31)

In November 1957 the Salvation Army again petitioned the government to reform the adoption laws to include the Salvation Army as one of the Protestant denomination permitted to adopt children. This petition was written by the head of the Salvation Army in Ireland, Spencer Smith.⁵⁷ Attached to his petition were resolutions passed by the Presbyterian Church in Ireland, the Methodist Church in Ireland, the Religious Society of Friends in Ireland, the Baptist Union, the Plymouth Brethren and the Church of Ireland, all endorsing the inclusion of the Salvation Army as one of the Protestant denominations recognised by the adoption act.

The department of justice, again, replied unfavourably to this request.⁵⁸ The Church of Ireland said that it would not object to the inclusion of the Salvation Army, this was taken by the government as a reason not to reform the law:

The minister does not consider that this is a matter in which he can take the initiative in approaching the authorised representatives of any particular religion nor does he consider that it would be proper for him to act on the basis of a statement that the authorised representative of a particular religion will 'raise no objection'.⁵⁹

The minister would not be moved on the issue until a request to change the law was made from all of the religions groups included under the umbrella term 'Protestant' in the 1952 legislation requested a change in the law. From the response given to the Salvation Army it appears that the minister was unwilling to co-operate or accommodate the Salvation Army in any way. In its response to the minister, the Salvation Army stated that they were being discriminated against: 'we respectfully maintain that by denying to a minority the concessions made to the majority the act is discriminatory'.⁶⁰ The department of justice was limited in what it was able to do and the above comment by the Salvation Army reflects the frustration they must have felt toward the government.

⁵⁷ Spencer Smith (head of the Salvation Army in Eire[sic]) to the minister for justice, 29 Nov. 1957(N.A.I., MS 90/93/31)

⁵⁸ Copy ? Boland to Spencer Smith, 18 Dec. 1957 (N.A.I., MS 90/93/31)

⁵⁹ Ibid

⁶⁰ Spencer Smith to the minister for justice, 3 Jan. 1958 (N.A.I., MS 90/93/31)

The petition to the department of justice from St. Anne's Adoption Society and the Salvation Army demonstrate that there were problems with the adoption act and the procedures of the Adoption Board. While the department of justice seemed willing to assist the St. Anne's society, it appeared to be hostile to the Salvation Army. St. Anne's Adoption Society may have been treated more favourably by the department of justice because it was a Catholic organisation; however, the Salvation Army's request would require legislation and the department of justice might have wanted to avoid introducing further adoption legislation at this stage.

Since the Adoption Board had a five-year term, the first term ended in 1958. When the second board was formed in 1958 it called on the minister for justice and brought two key issues to his attention: that the age limit of seven years was too low and that the law did not enable widowers who had adopted children de facto while their wives were alive to legally adopt those children after their wives had died, points raised in previous reports and articles on adoption in Ireland. But according to the department the board did not offer any 'substantial reasons why the law might be changed.'⁶¹ In discussing the recommendations of the board, the historical aspect to the adoption law was mentioned to the minister: 'As you are aware the enactment of the adoption act 1952 was held up for several years owing to the reluctance of Catholic bishops'.⁶² If the minister wished to press for the introduction of these measures then Peter Berry was willing to discuss the matter with Fr. Cecil Barrett, who was 'his Grace's protégé in adoption work'⁶³ (his grace was most likely John Charles McQuaid). In a handwritten note, Berry stated that he was well known to Fr. Barrett, because Fr. Barrett's sister was Berry's landlord.

⁶¹ P. B (most likely Peter Berry) to the secretary of the department of justice, 29 Jan. 1958 (N.A.I., MS 90/93/31)

⁶² Ibid

⁶³ Ibid

Peter Berry did communicate with Fr. Barrett, and in a letter 11 February 1958 indicated that it was likely that adoption legislation could be introduced in the coming year.⁶⁴ Peter Berry wanted to know the church's position on the age at which children could be adopted and on widowers being able to adopt children who had been de facto adopted. While these communications were taking place, the synod of the Church of Ireland wrote to the secretary of the department of justice to request that the 1952 adoption act be amended to include the Salvation Army.⁶⁵ This was what the minister for justice had indicated would be required. Two weeks later another letter was received from the synod of bishops, it appeared that the department had not acknowledged receipt of its previous letter and the synod was writing to discover the reason.⁶⁶ The correspondence highlights the fact that the department of justice was actively seeking the input of the Catholic church but (for the moment) ignoring requests from Protestant groups when it came to adoption legislation.

As with the first adoption act there was resistance to reform expressed by the archbishop of Dublin, John Charles McQuaid. Fr. Barrett wrote to Peter Berry on 28 April 1958, informing him that the archbishop did not think that it was an appropriate time to change the adoption law: 'the act was a very good one and...we should allow it to operate for a much longer period before we begin to introduce amendments.'⁶⁷ In a memo to the assistant secretary of the department of justice there was further discussion on reform of the adoption law.⁶⁸ The department of justice had no plans to implement the reforms suggested by the Adoption Board or the Protestant Adoption Society. Again the department of justice placed more emphasis on the opinion of the Catholic church

⁶⁴ Copy Peter Berry to Fr. Barrett, 11 Feb. 1958 (N.A.I., MS 90/93/31)

⁶⁵ John G. Briggs to the secretary department of justice, 12 Feb. 1958 (N.A.I., MS 90/93/31)

⁶⁶ ? Briggs to the secretary of the department of justice, 26 Feb. 1958 (N.A.I., MS 90/93/31)

⁶⁷ Cecil Barrett to Berry, 28 Apr. 1958 (N.A.I., MS 90/93/31)

⁶⁸ A.W. (most likely Andrew Ward Andrew Ward was a civil servant in the department of Justice) to the assistant secretary, 23 Jun. 1958 (N.A.I., MS 90/93/31)

than on the Protestant organisations, and the advice of those involved with adoption arrangements.

Further external pressure was placed on the department of justice to reform the adoption act. On 17 December the children (amendment) act 1957 was passed. This act was an extension to the 1908 children's act. The minister for education had put in a subsection relating to illegitimate children without consulting the minister for justice.⁶⁹ Under section 2, subsection 7 of this act any person who undertook the nursing and maintenance of an illegitimate child with or without reward had to give notice to the health authority seven days prior to the placing of the child.⁷⁰ This notice was to include the name, sex and place of birth of the child as well as the name and address of the person from whom the child was received. This would include children placed for adoption. Before this it was only people who took children in for money who had to notify the local authority. Fr. Barrett considered this subsection 'exceptionally harmful'.⁷¹ Barrett was in favour of having this amendment removed or changed. The civil servant communicating with Barrett was of the opinion that an amending law should include the Salvation Army as a recognised religion and that the children act should be amended, but considered that the introduction of a new bill should not be a rushed decision. It was the actions of the minister for education that placed pressure on the department of justice to reconsider the adoption laws.

Civil servants from the departments of health and justice met and discussed reforming the children and adoption acts. The department of justice was in favour of an amendment to the adoption law. This was rejected by the minister for health; he felt that the amendment(s) being proposed by the department of justice did not have sufficient

⁶⁹ Ibid

⁷⁰ Children (amendment) act, 1957 (1957/28 [R.I.]) (17 Dec. 1957)

⁷¹ A.W. (most likely Andrew Ward) to the assistant secretary, 23 Jun. 1958

provisions to protect children.⁷² The minister for health wanted more safeguards in place to protect illegitimate children, including those placed for adoption. The two departments continued to discuss the matter. On 28 November 1958, Fr. Barrett wrote to Andrew Ward⁷³ asking about the progress in regard to amending the children's act.⁷⁴ There appeared to be movement on 10 December 1958 when the department of justice had a draft head of a bill to reform that act.⁷⁵

Pressure groups such as the Adoption Society and the Joint Committee of Women's Societies and Social Workers (J.C.W.S.S.W.) continued to contribute to the debate on adoption legislation. When it appeared that there was a possibility of further reforming the adoption laws these bodies wrote to the department of justice to give their opinions.⁷⁶ They were not necessarily in favour of amending the 1957 children's act. In correspondence between the department of justice and health it also became apparent that the J.C.W.S.S.W was causing difficulties:

the 'joint committee of women's societies' was strongly canvassing against any modification of the provisions of section 2(7) of the 1957 Act and...were circulating a document in support of their views which were regarded by Fr. Barrett and the Catholic adoption societies in Dublin as untruthful and strongly libellous of them.⁷⁷

The issue of the amendment of the children's act appeared to be quite contentious and reflected the tensions that existed in relation to the best option available for illegitimate children. It also appears that the J.C.W.S.S.W. got its way. The Adoption Board passed a resolution stating its objection to adoption societies being exempt from section 2(7) of the 1957 children's act. Noted by the department of justice was the influence of the Adoption Society. In the words of Peter Berry, the society was an organisation 'which

⁷² Copy secretary department of justice to Ó Muireadhaigh (secretary department of health), 13 Oct. 1958 (N.A.I., MS 90/93/31)

⁷³ Andrew Ward was a civil servant in the department of Justice.

⁷⁴ ? Barrett to A. Ward, 28 Nov. 1958 (N.A.I., MS 90/93/31)

⁷⁵ A.W. (most likely Andrew Ward) to unknown assistant secretary, 10 Dec. 1958 (N.A.I., MS 90/93/31)

⁷⁶ E. C. Penny to the minister for justice, 22 Jan. 1959. and W.R.O. Hegarty to the minister for justice, 27 Jan. 1959 (N.A.I., MS 90/93/31)

⁷⁷ Copy P. Berry to Murray(O'Muireadhaigh), 29 Jan. 1959 (N.A.I., MS 90/93/31)

managed to rise from the dead for the occasion'.⁷⁸ Owing to the opinions of the J.C.W.S.S.W., the Adoption Society and the Adoption Board, the department of justice did not initially try to change the children act of 1957. This suggests that the department did not invariably fall in line with the wishes of the Catholic church.

Two months later, on 23 April 1959, the Adoption Board, after some correspondence with the department of justice appeared to change its position on the children act.⁷⁹ The board now decided that when children were placed for adoption the health authority should not have to be notified. This decision was a positive step in reforming adoption law. However, the endorsement was not unanimous. Those who had opposed reform of section 2(7) of the children act, Mrs. Brookes, Mrs. Hamill and Mrs. Macauley, sent correspondence to the department of justice outlining their concerns.⁸⁰ This appeared to be of no avail and, on 2 June 1959, a letter from Fr. Barrett to the minister for justice made it apparent that the department of justice was pressing ahead with reform of the act.⁸¹ Fr. Barrett was writing to the minister to let him know that the Catholic adoption societies which Barrett represented would welcome the reforms. As can be seen from the above correspondence, there many different views on the 1957 children's act. There also appears to have been very little consensus on the best way to deal with the issues that arose as a result of the act.

Adoption continued as a political topic and three and a half years after the last question on adoption was asked in the dáil, Sir Anthony Charles Esmonde, a Fine Gael T.D. for County Wexford, asked the minister for justice, Charles Haughey (Fianna Fáil), who was a T.D. for Dublin North Central, why some adoptions were taking so long as this was causing hardship and frustration for those intending to adopt children.⁸²

⁷⁸ Copy P. Berry to O'Muireadhaigh, 10 Feb. 1959 (N.A.I., MS 90/93/31)

⁷⁹ John C Saunders and J M Farrell to the minister for justice, 23 Apr. 1959 (N.A.I., MS 90/93/31)

⁸⁰ Mrs. Brookes, Mrs. Hamill and Mrs. Macauley to the minister for justice, 22 Apr. 1959 (N.A.I., MS 90/93/31)

⁸¹ Cecil Barrett to the minister for justice, 2 Jun. 1959 (N.A.I., MS 90/93/31)

⁸² *Dáil Éireann deb.*, clxxv, 571 (1 Dec. 1960).

Haughey replied that he had no evidence that there had been any unnecessary delays in the work of the Adoption Board. Haughey went further and defended the board: ‘on the contrary, all the evidence goes to show that the board are doing fine work with commendable despatch.’⁸³ Sir Anthony Esmonde asked if Haughey would accept that he knew of one case where there was a delay of seven years. He asked Haughey if, given details, he would be able to look into the case. Haughey replied that it was not necessary and that the case had been before the board and that there had been no delay. Instead, he claimed that the board was ‘not in a position to decide it.’⁸⁴ The discussion ended with Sir Anthony Esmonde accepting that the Adoption Board could do nothing in this instance but suggesting that this was why the law should be changed. This was eight years after the introduction of the adoption act, and was the second request made in the dáil for changes in the law.

A year following this question, Sean Casey, Labour T.D. for Cork Borough asked Haughey, in 1961,⁸⁵ if he intended to introduce proposals for the amending of the adoption act. Haughey replied that the Adoption Board had from time to time made suggestions about amending the act; Haughey had suggested to the board that it should now review these recommendations. Any recommendations that the board made would be taken into consideration by the minister. There was still no sign of introducing the adoption bill that had been prepared by the department of justice in 1958.

In February 1962 there were further questions on the introduction of an amendment bill.⁸⁶ Brendan Corish, a Labour T.D. for the Wexford constituency, asked Haughey if he was willing to amend the adoption act and if so what these changes would entail. Haughey stated that he had already replied to a similar question in December; he was awaiting the recommendations of the Adoption Board. He stated that

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ *Dáil Éireann deb.*, cxcii, 1477 (7 Dec. 1961).

⁸⁶ *Dáil Éireann deb.*, cxciii, 702-3 (22 Feb. 1962).

these recommendations would take time to examine; therefore he would not be in a position to make any statement on the matter in the near future. This was possibly a delaying tactic by the minister of justice, who had been in receipt of the Adoption Board reports since 1953 and would have been aware of the possible recommendations that the board would now make.

On 26 January 1962 there appeared in the *Irish Times* a news article on the hopes for reform of the adoption act. The article stated that the Adoption Board had been pressing for changes to the legislation for the last number of years; the newspaper article believed that reform of the adoption law would be introduced shortly. The article suggested that the minister for justice, (Haughey) was sympathetic to adoption reform. The article also stated that there had been a change in the attitude toward adopted children: ‘the national outlook in regard to adoptions has undergone complete transition, in that there is no longer any stigma attached to adoptions.’⁸⁷ According to the Adoption Board reports the numbers of adoptions were rising, indicating that adoption was in fact growing in popularity.

Nearly a full year after this question Richie Ryan, a Fine Gael T.D. for Dublin South-West, asked the minister for justice if he proposed to amend the adoption act and when he intended to do this. Haughey stated that he had received the recommendations of the Adoption Board in December and that those recommendations were being considered.⁸⁸ In May 1963 there was another question on a possible amendment to the act; this question was asked by James Joseph O’Keeffe, another Fine Gael T.D for Dublin South-West.⁸⁹ Haughey stated that he had been given approval by the government for the drafting of a bill and that a bill was being prepared. It had taken three years from the initial dáil debates to the introduction of the bill in 1963, just as

⁸⁷ *Irish Times*, 26 Jan. 1962.

⁸⁸ *Dáil Éireann deb.*, cxcix, 1533 (14 Feb. 1963).

⁸⁹ *Dáil Éireann deb.*, ccii, 246 (28 May 1963).

with the initial 1952, the government took its time in dealing with issues surrounding adoption.

The bill for the second adoption act was introduced to the dáil on 11 July 1963. On the second reading of the bill in November 1963, Haughey stated that there was nothing radical in the new legislation: ‘the amendments that it proposes are not radical, and indeed are entirely in the nature of modifications to a statute which has worked remarkably well and which has already, in the ten years of its existence, brought its benefits to nearly seven thousand adopted children.’⁹⁰ The bill addressed some of the criticisms that had been placed before the department of justice; section one of the bill stipulated that children who became legitimate when their parents married could still be adopted in certain circumstances, if their birth was not re-registered, (under the legitimacy act of 1931 a child could be re-registered as legitimate after his or her parents were married). Section three of the bill raised the age after which a child could be adopted. Under previous legislation a child could not be adopted after the age of seven, but the bill proposed to raise the age limit to nine years of age, on the condition that the child was placed with the adopters before the age of seven. Section five of the bill lowered the age of adopting parents from at least thirty years of age to twenty-five years. This section also stipulated that an adopter no longer had to be an Irish citizen. Section six of the bill included the Salvation Army as one of the Protestant religions recognised by the act. Section nine of the bill dealt with the contentious issue of the Children’s (amendment) act 1957 that required the health authority to be notified when children were placed for adoption.

Haughey argued that the introduction of the new legislation was not a failure on the part of the initial act or the workings of the Adoption Board. Instead, the 1952 adoption act was viewed as a success, partly due to the ‘sound principles’ of the

⁹⁰ *Dáil Éireann deb.*, ccv, 854 (5 Nov. 1963)

adoption act and partly owing to the board itself, to whose membership Haughey found it ‘difficult to express adequately the gratitude we as a community owe to them.’⁹¹ Haughey then went on to praise the various adoption societies in Ireland and, following this, he reiterated his praise for the initial legislation: ‘the 1952 act, as it stands, has been a remarkably successful piece of social legislation.’⁹² It is significant that, even during the introduction of a law to further strengthen legal adoption, the minister for justice was still encouraging the practice of de-facto adoption: ‘the fact that legal adoption, which involves the permanent and irrevocable vesting of parental rights in the adopters, is not permitted in a particular case does not mean that the child cannot be adopted informally and given all the ordinary benefits of family life.’⁹³ This statement by Haughey almost dismissed the need for an adoption law.

The following day the debate was resumed. Michael Joseph O'Higgins, a Fine Gael T.D. for Wicklow, in general agreed with the proposed changes.⁹⁴ But, he objected to the change in the citizenship clause that no longer required the adopter to be an Irish citizen. Sir Anthony Esmonde also contributed to the debate and, while questioning the minister for justice on the implications of the new adoption bill, he recounted a case of which he was aware. This was the case of a child who had been placed for adoption (her mother had signed a consent form but this form was not witnessed by a commissioner for oaths) and the mother had then left the country. There was no proof that she was still alive; the board had been informed by the woman’s grandmother that she was in the ‘new world’, but there was no evidence of this. As a result of the consent issue the case was held up for ten years, this may have been the case mentioned previously by Esmonde in the dáil. Interestingly, Esmonde’s account of how the issue

⁹¹ *Dáil Éireann deb.*, ccv, 855 (5 Nov. 1963)

⁹² *Dáil Éireann deb.*, ccv, 856 (5 Nov. 1963)

⁹³ *Ibid*

⁹⁴ *Dáil Éireann deb.*, ccvi, 961-9 (6 Nov. 1963)

was resolved suggests something of how the Adoption Board worked and how the adoption act 1952 was being interpreted:

In this case I believe that what happened ultimately was that the chairman who administered the law very vigorously – I think he was a retired district justice – said that within the act there was nothing he could do, but he was succeeded by another man, who I think was also a lawyer, who took another look at the act and said that this was an impossible case, but they must do something about it and the unfortunate child was permitted to be adopted.⁹⁵

Although anecdotal evidence was a feature of the dáil debate on adoption, the above case suggests that the change in the Adoption Board's membership may have had an effect on the board's interpretation of the act.

Much of the debate in the dáil and séanad about the new adoption bill focused on the upper age at which a child should be adopted. The minister for justice was of the opinion that it was the adoption of infants and young children that the act should be concerned with. He considered that adoption of older children was not advisable as the child was not as likely to integrate into the family structure.⁹⁶ He argued that adoption was purely for infants and that there were to be no exceptions to this. It is interesting to note that psychologists now consider that: 'in general it has been found that the younger the child is placed at the age of adoption, the more successful the adoption will be.'⁹⁷ Various members of the dáil made arguments in favour of extending the age at which children could be adopted to over nine years; however, this was to no avail.⁹⁸

1964-1971

The adoption bill was passed on 5 February 1964. The act included the following clauses: section one of the act outlined its terms. Section two laid out the

⁹⁵ *Dáil Éireann deb.*, ccv, 974 (6 Nov. 1963)

⁹⁶ *Dáil Éireann deb.*, ccvi, 897-934 (10 Dec. 1963)

⁹⁷ Lisa m. Ware and Cheryl b McNeil 'Adoption' in Thomas H. Ollendick and Carolyn S. Shroeder (eds), *Encyclopaedia of clinical child paediatric psychology* (New York, 2003), pp 26-27 p. 26

⁹⁸ *Dáil Éireann deb.*, ccvii, 172-77 (30 Jan. 1964)

limitations that were to apply to adoptions. A child that was illegitimate, but whose parents had subsequently married making the child legitimate, could still be adopted if the child's birth had not been re-registered (the birth could be re-registered to make the child legitimate) and the biological father agreed to the adoption. If a child was illegitimate when the consent for adoption was given, and the Adoption Board believed the child to be illegitimate, when an adoption order was made, that adoption order was valid even if later it was proved that the child was in fact legitimate at the time of the making of the order. Part four of section two backdated this clause and applied it to all adoption orders passed previously,⁹⁹ indicating that this may have been an issue with previous adoptions by the board.

Section three of the act extended the age at which a child could be adopted. A child could be adopted after the age of seven if the child had been in the adopter's care since before the age of seven and the child was not yet nine when the application was made. The age limit did not apply if the child was the biological child of the adopting mother or father.

In section five of the 1964 act the age limit applied to adopters was reduced. A married couple could apply for an adoption order if the couple had been married for at least three years and both had reached the age of twenty-five. Section six of the act included the Salvation Army in the list of Protestant denominations recognised for adoption purposes. Section eleven of the 1964 act repealed section 19 of the adoption act 1952; this was the section of the 1952 act that dealt with de facto adoptions before 1952, it was no longer an issue. The adoption act of 1964 did not offer major changes to the 1952 act but instead reflected the changes requested by the Adoption Board in the first ten years of the operation of the act.

⁹⁹ Adoption act, 1964 (1957/2 [R.I.]) (5 Feb. 1964)

It was during the period from 1964 to 1971 that the number of adoptions increased dramatically. During this eight year period, it may be noted that the number of illegitimate children born in the state continued to rise each year, thus making more children available for adoption. In all there were 12, 422 illegitimate births in the state and there were 10,010 adoption orders made.¹⁰⁰ From these figures it is apparent that adoption became the primary way in which illegitimate children were cared for. Adoption had been legislated for ten years previously and had become an acceptable social practice. It is also likely that following legalisation, adoption practices had become more regularised and as such it became the most socially acceptable option available for mothers of illegitimate children and for prospective middle-class adopters.

In 1964 the board claimed that owing to the 1964 act, 125 adoptions that it was unable to approve under previous legislation could now be approved.¹⁰¹ The average number of adoptions per year from 1964 to 1971 was 1,251. This was a dramatic increase on the average of 625 adoptions for the previous eight years. There were 110 adoption applications rejected; this was a decrease from the previous years; the percentage of applications rejected had dropped from four percent to just under two percent. In this eight-year period there was an average of thirteen rejections per year. There could be a number of reasons for this decrease. It is probable that adoption societies were more aware of the board's rules, and were putting fewer cases before the board where it was possible that the board would reject the adoption. It is also possible that unlike the first eleven years of the board there was a greater standardisation of adoption practices in Ireland. The people who were adopting were slightly older married couples with steady incomes. Also, the number of people who were adopting their second or additional children would suggest that these applicants were less likely to have their adoptions rejected as they already had one adoption approved.

¹⁰⁰The Adoption Authority, *The Adoption Authority of Ireland annual report 2011* (Dublin, 2012) p.19

¹⁰¹ *An Bord Uchtála for the year ended 31st December, 1964*(Dublin, 1965)

In 1964 eight adoption applications were rejected. The reason given in four cases was the child that was ineligible on the grounds of age. There were three applicants that were unsuitable and one child was legitimate and not an orphan. After 1964 there was no reason given as to why adoption applications were rejected. This was the last time that the reason that adoptions were rejected was given by the board.

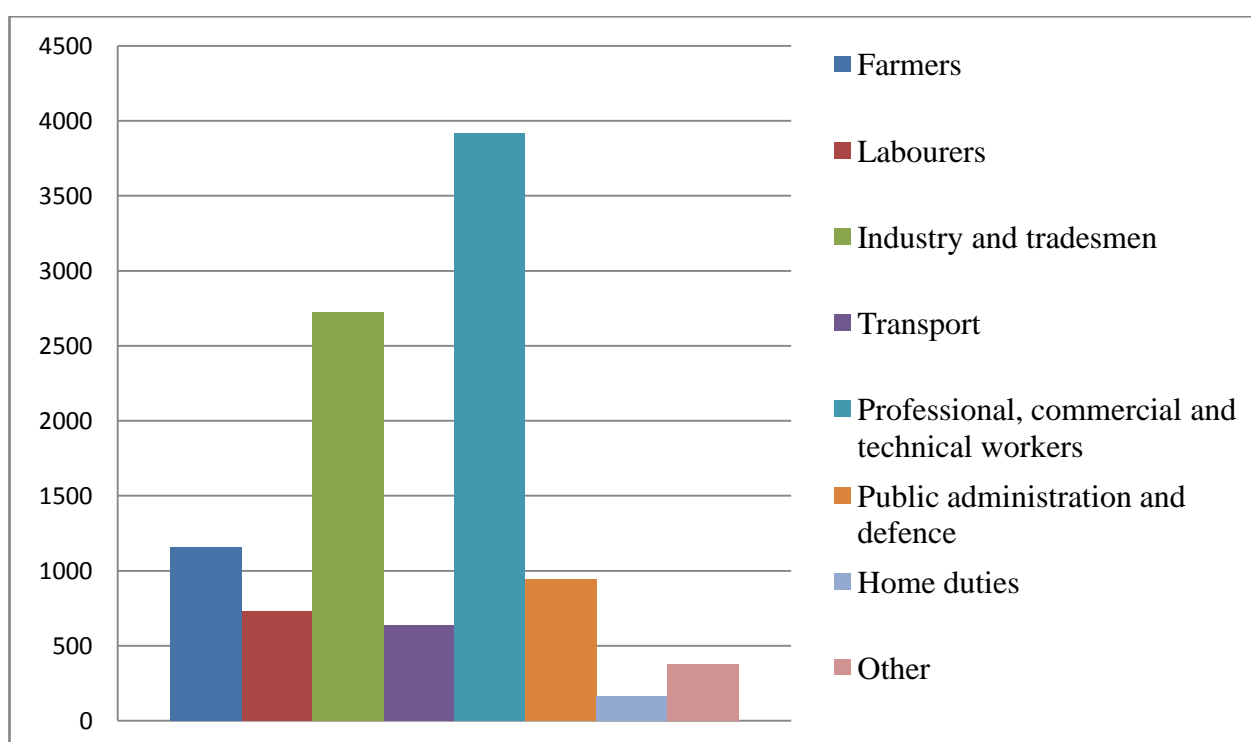
Catholics continued to be the religious group adopting the majority of children, with 9,662 Catholic children adopted over these eight years. Protestant children accounted for 344 adoptions and there were four Jewish children adopted. This averages as 1,207 Catholic adoptions per year and forty-three Protestant adoptions per year. This was an increase in the average number of Protestant adoptions, but it did not correlate to the general increase in adoption numbers.

In 1968 the fourth Adoption Board was appointed. Alfred A. Rochford remained on as chairman of the board. Mrs. K. Watson was appointed to the board, as was James Beggs, Gerard Connolly, Laurence S. McDermott, Mrs K. Moriarity and David Gleeson.

There were 721 children adopted by relatives during this period. Of these between 1964 and 1966 there were eighty-seven children adopted by a married couple where the mother in each case was the biological mother of the child, and twenty children were adopted solely by their mothers. After 1966 the number of children adopted by their mothers was no longer recorded. This information was no longer deemed important to the board. St. Patrick's Guild arranged 1,343 adoptions over this eight year period and the Catholic Protection and Rescue Society arranged 1,715 adoptions, the highest number by any one agency. These two agencies arranged thirty-one percent of the adoptions from 1964 to 1971. While this figure was slightly down on the previous eight years it still represented a significant proportion of the overall number of adoptions and reflects the dominance of these two agencies.

Fig. 5.3 demonstrates further shifts in the occupations of adopters. Professional, commercial and technical workers were still the group adopting the most children. However, labourers had declined to only the fifth largest identifiable group of adopters. The increased numbers of adoptions taking place and the growth in professional, commercial and technical workers adopting would support the argument that adoption was becoming more popular among middle class couples.

Fig 5.3 Occupations of adopters, 1964-71



(Source: Adoption Board reports 1964-1971)¹⁰²

In 1966 there was an article in *Child Adoption* written about adoption in Ireland.¹⁰³ The article was not attributed but according to the author the information on which the article was based came from Fr. James Good, the secretary of St. Anne's Adoption Society in Cork. The article was titled 'An Irish father loses his appeal'. The

¹⁰² *An Bord Uchtála for the year ended 31st December, 1964-1971* (Dublin, 1965-1972).

¹⁰³ Unattributed, 'An Irish father loses his appeal', in *Child Adoption*, 1 (1966) pp 13-16

case to which the article was referring was *Nicolaou vs the Adoption Board*.¹⁰⁴ In this case, the father of an illegitimate child wanted the child returned to him as the child had been placed for adoption by its mother and was legally adopted against the father's wishes. The parents of the child had been living together in London. The mother found herself pregnant and the father and mother agreed to marry on the condition that the father, who was a member of the Greek Orthodox Church, converted to Catholicism. A daughter was born while the couple were awaiting the documentation to show that the father was free to marry. The mother did not want to continue living with the father if they were not married and did not want to leave the child with the father. She contacted the C.P.R.S.I. and was admitted to a home. The child was placed for adoption when it was seven months old. The father, on finding that the child had been legally adopted, sought to have the adoption quashed. The adoption was upheld. The inclusion of this article in the journal reflected the importance of the case; it was the first time that the biological father of an adopted child had taken a legal case against the Adoption Board.

Adoption situations were also represented in a documentary film titled 'Adoption Day'.¹⁰⁵ The film was made by a group of film makers called Radharc.¹⁰⁶ This particular film explored the day in which an adoptive child was placed in the home of its new family. There were three biological children in the family. The house in which the family lived was presented as comfortable. It was detached and the new baby's room appears to be for the adoptive child's own use. The mother was described as a 'housewife'. This image of the ideal adoptive mother was in keeping with what was expected of mothers in general at the time. The image presented in this film was that

¹⁰⁴ For further information see *The State (Nicolaou) v An Bord Uchtála* [1966] IR 567. Available from the Supreme court website (<http://www.supremecourt.ie/supremecourt/sclibrary3.nsf/pagecurrent/9FA0AA8E8D261FC48025765C0042F6B3?opendocument&l=en>) (21 Jun. 2013)

¹⁰⁵ 'Adoption Day', (*Radharc Productions*) aired on RTÉ One on 26 Nov. 1968 videocassette in the Irish film archive ref. AA009

¹⁰⁶ This organisation was made up of a group of diocesan priests under John Charles McQuaid. They were interested in promoting Catholic values through the media.

adoptive parents were middle-class. The subject of this film was not a working class family.

The next article to appear in *Child Adoption* in relation to Ireland and adoption was in an edition of the journal from 1970.¹⁰⁷ The article by the Fr. James Good was entitled 'A Cork society's adoption survey'. He was no longer the secretary of the St. Anne's society but was still involved with it. He had conducted a survey on adoptions arranged by St. Anne's between the years 1954 through to 1964, beginning and ending in October. He had sent a questionnaire out to families whose adoptions had been arranged in this period. Of the questionnaires sent out, nearly seventy-nine per cent of questionnaires were returned. Fr. Good noted that a number of adopting parents had died in this period, and he suggested that there was a need for more exacting measures when it came to the medical fitness of adopting parents. He also noted that the average family with an adopted child had more than one child, indicating that a number of families adopted several children or had other biological children. The questionnaire included questions in regard to the adopted child's intelligence and health. Thirteen adopted children were reported to have cases of 'emotional disturbance.'¹⁰⁸ Two parents responded to a question on the state of their parent-child relationship, describing it as unsatisfactory, while 500 reported satisfactory relationships. In a question regarding whether the parents had told the child they were adopted, seventeen had not. This article provided evidence that some adoption placements did not work out and that some adopting parents may have been too old to adopt. There was no upper age limit on adopters.

In 1971 there was a further discussion of adoption in Ireland in *Child Adoption*. This article was prompted by the publication of J.H. Whyte's *Church and state in modern Ireland*. The article was again written by Fr. James Good. The argument made

¹⁰⁷ James Good, 'A Cork society's adoption survey', in *Child Adoption*, lx (1970) pp 31-34

¹⁰⁸ Ibid

in this article was that adoption legislation was not child-centred but was instead mother-centred. He made the point that if a biological mother of an adopted child wanted the child back she merely had to say that she wanted the baby and did not have to prove that the child returning to her custody was in the child's best interest. The issue of consent was also discussed; consent for an adoption could not be given until the child was over six months. In some cases this meant having to track down biological mothers after the children had been placed for adoption. Mixed marriage was also discussed as one of the aspects of Irish adoption that needed reform. There was also a note on the foundation of the first non-denominational adoption society in the Republic of Ireland in December 1970, the name of this society was not given and it was not reported in the Adoption Board report the following year. Good's article re-iterated some of the points made in his letter to the department of justice in 1956. The adoption society that he was involved, St. Annes, arranged adoptions for children of unmarried Irish mothers who were born in England. Clearly consent was a problem for adoptions of repatriated children. Possibly suggesting a negative attitude toward biological mothers, Good appeared to believe that biological mothers who objected to adoptions did not necessarily have the best interests of their children at heart.

In the dáil, there was also ongoing criticism of adoption practices. In 1969 further questions were raised about the possibility of amending adoption legislation.¹⁰⁹ Thomas Anthony Kyne, a labour T.D. for County Waterford, asked the minister for justice if he intended to amend the 1952 and 1964 adoption acts. The minister for justice Michael Moran, a Fianna Fáil T.D. for Mayo-West, answered in the negative. On 17 February 1970 Barry Desmond, a Labour T.D. for Dún Laoghaire, asked the minister if he had any information on the number of cases where the adoption of a child was not

¹⁰⁹ *Dáil Éireann deb.*, ccxl, 901 (8 May 1969)

possible because of a mixed marriage¹¹⁰ and if he would consider introducing legislation to allow a child of a mixed marriage to be adopted. The minister stated that only illegitimate and orphaned children could be placed for adoption. He stated that given the age restriction on adoption and the limited number of orphans of mixed marriages available for adoption ‘the number of children who could possibly be affected must be extremely small.’¹¹¹ Desmond argued that the number was not insignificant; he argued instead that it was an issue that caused hardship in a very small number of cases. In reply to this the minister argued that the act was the best possible act, in the circumstances.

Questions on adoption reform continued and in June 1971 Stephen Coughlan asked the minister for justice about the number of children available for adoption and the number of applications currently under consideration. The minister for justice, now Desmond O’Malley, a Fianna Fáil T.D. for Limerick East, stated that he was not in a position to give such figures. There was then a question posed by Michael Pat Murphy, a Labour T.D. for Cork South-West, who asked whether ‘couples in the lower income group who apply to the board feel that they are discriminated against because of their income, or lack of it?’¹¹² The minister stated that there was no evidence for the claim and that everyone was treated equally before the Adoption Board.

In November 1971 two members of the dáil, Godfrey Timmins,¹¹³ a Fine Gael T.D. for Wicklow, and Patrick Donegan, a Fine Gael T.D. for Louth asked the minister about the reform of the adoption laws. They wanted to know if the minister intended to change the adoption laws. They were informed by O’Malley that a private member’s bill was going through the séanad, and the minister thought it better not to comment on

¹¹⁰ *Dáil Éireann deb.*, ccxliv, 897-934 (17 Feb. 1970)

¹¹¹ *Ibid.*

¹¹² *Dáil Éireann deb.*, ccliv, 1099-1101 (03 Jun. 1971)

¹¹³ *Dáil Éireann deb.*, cclvi, 1251-2 (04 Nov. 1971)

the topic. The bill mentioned was a private member's bill introduced to the séanad by Senator Mary Robinson.¹¹⁴

In March 1971 another question on adoption was asked in the dáil. Stephen Coughlan, a Labour T.D. for Limerick-East, asked the minister if he intended to introduce legislation to enable a married couple who were not of the same religion to adopt children. The minister stated that he did not intend to introduce such legislation. Patrick M. Cooney, a Fine Gael T.D. for Longford-Westmeath, asked the minister in May 1971 if he was aware of the criticism that had been expressed about the adoption acts.¹¹⁵ The minister replied:

The deputy will appreciate that, as a general principle, I cannot undertake to disclose what legislative proposals I may have under consideration at any particular time, either in relation to legal adoption or any other matter.

If the deputy wishes to support the criticism of the adoption acts to which he presumably refers and consequently to recommend that the legal rights of mothers of illegitimate children should be reduced, I am of course prepared to consider what he has to say, though I think I should make it clear that, so far, I have seen no argument to convince me that the existing law ought to be changed and the rights of mothers of illegitimate children reduced.¹¹⁶

Cooney was interested in changing the law in relation to a couple in a mixed marriage, currently unable to adopt suitable children. The minister stated that there were more children available for adoption than there were adopters so he had no intention of changing the law.

In April 1971 an article appeared in the *Irish Times* that reported on a speech given by Fr. Good in Limerick. In the speech Fr. Good took up his earlier theme:

When we look at our adoption acts we find that they are not child-centred but mother-centred. Right through the adoption law of this country, the dominant idea is that the child is the property of the mother, and short of killing it or physically harming it, she can do what she likes with it.¹¹⁷

¹¹⁴ Mary Robinson was a barrister, who was elected as a representative of the University of Dublin in Séanad Éireann between 1969 -89. She was the seventh president of Ireland from 1990 – 1997.

¹¹⁵ *Dáil Éireann deb.*, ccli, 1208-1211 (5 May 1971).

¹¹⁶ *Ibid*

¹¹⁷ *Irish Times*, 23 Apr. 1971

He also said that the provision that made it impossible for couples and children from mixed marriages to adopt or be adopted was unconstitutional and he hoped that it would be reformed in the near future.

The *Sunday Independent* also carried an article on the need for reform of the adoption laws. Fr Eamonn McSweeney, a priest from Wicklow,¹¹⁸ had been involved in the placement of two sisters for adoption, while a third girl had remained in the custody of her parents who were subsequently charged with the child's manslaughter. Like Good, Fr. McSweeney made the argument that the law as it stood was mother-centred and that a mother could withhold her consent to adoption for a number of years. It was reported that Fr McSweeney was due to meet the minister for justice to present his views. In both of these articles the biological parents were presented as potentially violent individuals whose children needed to be removed from their care.

During the early seventies the possibility of people of no religion adopting children came to the attention of the department of justice. Correspondence was sent to Tánaiste Erskine Childers on 2 March 1970 from Patricia E. Daly.¹¹⁹ She wanted to know if it was possible for Irish citizens, who belonged to no organised religion, but who subscribed to a rationalist or humanist philosophy, to adopt children. Her letter was forwarded to the department of justice; the response that she received was not particularly helpful. Patricia Daly was informed that the biological mother of the child and the adoptive parents had to be of the same religion.¹²⁰ The secretary to the minister for justice, Liam Daly, was unaware of whether a humanist philosophy of life would be considered in this context a religion. The only body that could determine if this was so was a court. Liam Daly suggested that if a couple who had no religion (and were otherwise eligible to adopt), applied to the Adoption Board for an adoption order; their

¹¹⁸ *Sunday Independent*, 10 Oct. 1971

¹¹⁹ Patricia E. Daly to Erskine Childers, 2 Mar. 1970 (N.A.I., Adoption by persons having no religion, MS 2006 /148 /4)

¹²⁰ Liam Daly to Patricia Daly, 23 Apr. 1970 (N.A.I., MS 2006 /148 /4)

case would then be referred by the board to the high court for a decision on this point of law.

As in the case of the 1952 adoption act it was the introduction of a private member's bill that forced the government to introduce reform. On 22 July 1971 Mary Robinson¹²¹ published a bill with a view to change the adoption laws in Ireland.¹²² The bill contained the following clauses;¹²³ section 4 of the bill stipulated that the welfare of the child was to be the paramount consideration of the board when making an adoption order. Section five of the bill allowed the Adoption Board to make an adoption order in favour of a child that was legitimate and who was under the age of eighteen years. Section six allowed the board to grant an order in cases where consent was withheld and it was in the interests of the child to make the adoption order. An article in the *Irish Times* stated that the bill was intended to remove the difficulties that were present in adoption in relation to denominational problems.¹²⁴ The bill removed the religious clause to the adoption acts and also made it possible to adopt a child up to the age of eighteen years. The bill was due to be read a second time after the summer recess but this did not happen and the bill was not read until the following summer of 1972.

In 1972 the second stage of the private member's adoption bill was read to the séanad. It was being introduced because of a perceived 'urgent need for reform in the law.'¹²⁵ When presenting the bill, Robinson expressed the view that the adoption act of 1964 was merely an amending act.¹²⁶ She also claimed that there had been a public debate about adoption in the previous two years.¹²⁷ In the introductory speech, Fr. James Good was mentioned and his article in *Child Adoption* in 1971 was quoted. The issue of consent also arose in the introductory speech: 'the situation with regard to the

¹²¹ Séanad Éireann deb., lxx, 1987 (22 Jul. 1971)

¹²² *IrishTimes*, 30 Jul. 1971

¹²³ 'Adoption bill 1971' (N.A.I., Adoption bill, 1971 (private member's bill), MS 2003 /16 /460).

¹²⁴ *Ibid*

¹²⁵ Séanad Éireann deb., lxxiii, 130 (29 June 1972)

¹²⁶ *Ibid*, 131.

¹²⁷ *Ibid*, 133.

question of unmarried mothers, whether they have a real choice as to whether they want to have their children adopted or not - are they given this real choice in an economic as well as in a social sense?’¹²⁸ The result of this activity in the séanad was that the minister for justice indicated that he was going to introduce his own adoption measure and this bill was subsequently withdrawn.¹²⁹ It was a similar situation to the previous legislation in 1952, where a private member’s bill had forced the hand of the minister for justice.

To sum up, adoption practices in Ireland changed from 1953 to 1971. Initially adoption was practiced largely by labourers and other members of the working class. It is likely that before the legalisation of adoption the principal issue concerning adoption was the poverty of the biological parents. Very soon after the introduction of the 1952 act, those who were identified as professional, commercial and technical workers became the occupational group adopting the most children. This reflected a shift, as adoption became a more socially acceptable and middle-class practice. It also reflected an era where the driving force for adoption was illegitimacy rather than poverty. In religious terms throughout the later period adoption was practiced particularly by Catholic couples. The C.P.R.S.I and St. Patrick’s Guild arranged about a third of all adoptions. It is interesting to note that throughout the entire period from 1953 to 1971, adoption among Protestant couples never exceeded seventy-two adoptions on average per year.

¹²⁸ Ibid ,140.

¹²⁹ He did in fact introduce a new adoption bill which became law in July 1974 see Adoption Act, 1974 (1974/24 [R.I.]) (29 Jul. 1974). As mention in the introduction p.2 there is unfortunately not enough space in the thesis to consider the changes that occurred within adoption practice in the 1970s in Ireland. This act will not be examined here.

Conclusion

This study has attempted to fill an existing gap in the social history of Ireland concerning the study of child adoption. In the twentieth century in Ireland, adoption grew as a practice and developed organically from a system of fostering and boarding-out that was practiced in the nineteenth century by poor law unions and philanthropic organisations. There was no legislation governing adoptions. Boarding-out and fostering were usually accompanied by a financial transaction. It was usually labourers' wives who took in children for a fee. There was a strong working class element to de facto adoptions at the turn of the twentieth century. According to the study of the census of 1911 conducted in this thesis, thirty-four percent of children recorded as 'adopted' were adopted by parents who were labourers.

The philanthropic organisations that arranged adoptions operated along religious lines, and adoption practice in the twentieth century reflected these divisions. The main organisations that were examined in the present work were the Catholic Protection and Rescue Society of Ireland, Saint Patrick's Guild and the Cottage Home for Little Children. The first two organisations examined were Catholic organisations established in 1913 and 1910, respectively. The third organisation was Protestant and had been operating since 1879. None of these organisations were established to arrange adoptions. The C.P.R.S.I. was established as an anti-proselytism organisation. Saint Patrick's Guild was established as an aid society for pregnant single women. The Cottage Home was originally a crèche.

From the examination of these organisations a number of points can be made in relation to de-facto adoption in the 1930s and 1940s. Firstly, religion was an important factor when it came to adoption. Adoptive assistance was given along denominational lines. An application for support by at least two of these organisations was usually accompanied by the recommendation of an appropriate religious figure. Secondly,

adoption as a practice grew in the period under examination. The oldest organisation, the Cottage Home, was arranging adoptions in the late nineteenth century. All three organisations experienced an increase in adoption, especially in the 1940s. Thirdly, both Catholic and Protestant organisations arranged international adoptions. Interestingly up until 1950 most of the adoptions that these organisations arranged were not for new-born children. It was usually children who were slightly older that were adopted. Adoptions during this time period, and later, were usually cloaked in secrecy. In some cases the adopted child did know he or she was adopted and in other cases the identity of the biological parents was withheld. In the earlier years of the twentieth century children of married parents were placed for adoption most likely owing to poverty. By the 1940s most of the adoptions that were arranged were for children of unmarried parents and with legalisation it became impossible for children of married parents to be adopted.

Unmarried mothers were viewed in a particularly negative way in Ireland in the 1930s and 1940s. This was a period when the influence of the Catholic church was at its height. Children who were born to unmarried women were consequently also viewed in a negative light. The language that informed adoption often stigmatised the children and their mothers. Children who were placed for adoption were generally described as ‘unwanted’. It is impossible to know if this was the case but it is likely that as a result of economic and social stresses some mothers were forced to relinquish their children’s care. Yet, by describing children as ‘unwanted’ a very specific prospect was offered of benevolent couples taking in children who were in need of a home. Therefore the couple who adopted the child was acting out of kindness.

The adopters were nearly always described as providing a better home for the adopted child. Whether or not this was the reality was never assessed. The biological mother was depicted usually in three ways. The first was as a silent figure. She gave

birth to her child and that was her perceived contribution. After that she was not consulted and her needs were never assessed or considered. The second way she was described was as an uncaring individual. She had no interest in her child or in taking any responsibility for her child but when that child reached the age at which he or she could earn an income she was liable to claim it. This portrayed the mother as having only a monetary interest in her child. The third way in which she was depicted was as the victim of a sexual exploiter or seducer; she was incapable of having entered into a sexual relationship on her own terms.

It has been shown in this thesis that the number of de facto adoptions increased in the 1940s. It was at this time that the Adoption Society was founded. This was not the only group pursuing adoption legislation; during the late 1940s a number of pressure groups campaigned for the introduction of adoption. One such group whose contribution has largely been neglected was the Joint Committee of Women's Societies and Social Workers. There was consistent demand for legislation in the late 1940s, both through dáil questions and a media campaign mounted by the Adoption Society. Through an exploration of the demand for adoption legislation as reflected in the department of justice files a number of points can be made.

Civil servants in the department were not in favour of adoption legislation during the 1930s and 1940s. There was awareness of the resistance of the Catholic church and this contributed to the delay in the introduction of adoption legislation until 1952. Although the department received petitions from Protestant churches and welfare groups requesting adoption legislation, their requests were given less weight than the views of the Catholic bishops.

Ireland's adoption practices need to be placed within an international framework. Modern adoption was first legislated for in America in 1851; it was legislated for in England in 1926 and in Northern Ireland in 1929. There are many reasons why

adoption legislation took so long in Ireland. One reason was that there was not a strong public demand for legislation. While adoption had been taking place in Ireland since at least 1911, it was not practiced with any great frequency until the late 1940s. This was when public demand for legislation began to take on a greater urgency. The department explored adoption measures several times but bearing in mind the views of the Catholic church never acted to introduce legislation.

It was following a nation-wide campaign involving county councils, the press and other bodies and the introduction of a private member's bill that a change began. Under these pressures a Catholic episcopal committee came round to accepting that legislation was needed. The legislation of 1952 reflected the attitudes of the Catholic church towards adoption and the prevailing attitudes to adoption in Ireland. An unmarried mother and her child did not constitute a family in the eyes of the church or government ministers. A family was a married couple and their children. An unmarried mother was not afforded the same rights as a family under the constitution or Irish law.

Legislation was introduced in 1952. The first adoption act in Ireland introduced an Adoption Board that was to administer the granting of adoption orders. This board was a semi-judicial body. The act also had very specific requirements in regard to religion. A child had to be placed with adopters who were of the same religion as its parents. In the act Catholics were treated as one religion, while all those from a number of different Protestant denominations were treated as one religion. The use of a board and the specific religious element to the Irish adoption act is one of the things that made the Irish act different from the acts that were introduced in Britain and Northern Ireland.

After the introduction of legislation there was a growth in the number of adoptions in Ireland. As has been shown in this thesis, after 1964 there was a dramatic increase in the number of adoptions granted by the Adoption Board. Catholic adoptions increased dramatically and followed the general trend. Protestant adoptions did not rise

to the same extent. It is possible to draw a number of conclusions from this; one possible suggestion could be that there were not as many children available for adoption by Protestant couples. The majority of children that were available for adoption were Catholic.

Adoption remained a political topic from the late 1940s through to 1971. It was addressed several times in the *dáil*. It was also a topic that was addressed in newspapers. Owing to the delay in adoption legislation, Ireland lagged behind her neighbours in social legislation, and adoption practice in Ireland suffered as a result. However, the argument can also be made that Ireland enacted adoption legislation when adoption practice needed to be regulated.

By the 1950s and 1960s adoption was becoming more popular among the middle class. The image that remains of adoption today is of middle class couples adopting children born to single mothers. This image was the reality from 1952, but before 1952 this was not necessarily the case, when young and older single women and men adopted children, both legitimate and illegitimate.

The main research questions that were tackled in this thesis were: how did Ireland's adoption practices compare to international standards? What was the role of the various lobbying groups, including Protestants, in securing the introduction of adoption legislation in 1952? How did the acts of 1952 and 1964 affect adoption practices in Ireland?

In answer to the first question Ireland lagged behind international standards when it came to the legalisation and regularisation of adoption practice. While it is impossible to quantify the numbers of de-facto adoptions taking place in Ireland during the 1920s and 1930s, it would appear that the numbers were fewer than the number of adoptions arranged in Northern Ireland and England during the same period. It would be a fair assessment to say that adoption was legalised in Ireland at the appropriate time.

In answer to the second question, adoption was mainly lobbied for through the Adoption Society, the Joint Committee of Women's Societies and Social Workers and Protestant church and welfare organisations. It was continued lobbying from these groups and a change in the public attitude toward adoption that resulted in adoption being legislated for. While these groups, notably the Adoption Society and the J.C.W.S.S.W., did contain Catholics, Protestants were disproportionately represented in them and Protestant-orientated media were also to the fore.

The 1952 and 1964 adoption acts did have an effect on adoption practice in Ireland. The numbers adopting increased, and, as has been shown, adoption was practiced with greater frequency among the middle classes. While children who might be placed for adoption were described by lobbyists as 'unwanted' by their biological mothers, they had adopted parents who actively campaigned for their rights and interests.

The study of adoption in Ireland is incomplete and more work needs to be done. When the records of adoption societies become available it will be possible to see how adopters were selected and what qualities were prized by these agencies. If the Adoption Board records as opposed to its reports were to become available that would also be a great benefit to the history of adoption. It would be possible to see how the board functioned and what the real effect of the changing of the membership of the board had on adoption policy in Ireland. It would also be helpful in providing further comparisons with adoption in other jurisdictions.

Something that was never assessed during the period under consideration was the effect that an adoption order may have had on a child's sense of identity. The history of adoption in Ireland would benefit greatly from an oral history study on the topic. Using this thesis as a basis it would be possible to provide a context and build a clearer picture of adoption practice in Ireland. This would allow for a greater

understanding of the subject in Ireland and give a voice to adopted children and their biological and adoptive parents.

Appendix 1: Children recorded as ‘adopted’ in the 1911 census of Ireland.

The information for this appendix was taken from the original returns for the 1911 census available from the national archives of Ireland website (<http://www.census.nationalarchives.ie/search/>). In the sections that identify religious profession all Roman Catholics have been identified as Catholic, otherwise all information presented here matches the original return. The information is divided into columns and the columns are listed below:

- A. Sex
- B. County
- C. Name of child
- D. Age in years
- E. Name of adoptive father
- F. Age of adoptive father in years
- G. Profession of adoptive father
- H. Age of adoptive mother
- I. Name of adoptive mother
- J. Profession of mother
- K. Number of other adopted children in family
- L. Number of nurse children in family
- M. Number of biological children in family
- N. Religion of child
- O. Religion of head of household
- P. Marital status of the head of the family

	A	B	C	D
1	Sex	County	Name of child	Age in years
2	f	Londonderry	Ida Maria Henry	6
3	f	Antrim	Elizabeth Bicherstaff	3
4	f	Louth	Joy Kathleen Pitcher	1
5	m	Cork	Robert Trim	5
6	f	Kildare	Ruth Shirley	1
7	f	Down	Minnie Brennan	5 months
8	m	Down	James Reid Gilmore	2
9	m	Tyrone	William Bell Hill	1
10	m	Antrim	John McClure	5
11	f	Down	Rosey Bucket	4
12	m	Down	James Guiwn	4
13	m	Tyrone	willie Armstrong	3
14	f	Wicklow	Dorothy Hall	1
15	f	Down	Myrtel McCarter	6 months
16	f	Armagh	Mural Moore	3
17	f	Londonderry	Mary Watherson	9 months
18	m	Londonderry	Thomas J Stockman	1 Month
19	f	Dublin	Mary Elizabeth Lelas	4
20	f	Down	Mary Ellen Presbyteriananton	8
21	f	Down	Hanna Presbyteriananton	6
22	m	Down	Samuel Henry Jones	8
23	f	Down	Aggie Shaw	4
24	m	Down	John Shaw	7
25	f	Antrim	Maggie Tweed	1 month
26	f	Antrim	Lily Bacon	10 months
27	m	Louth	William Charquin Machrell	5
28	m	Down	William Mossey	4
29	f	Cork	Lilian McLoughlin	6
30	m	Cork	William MacWilliam	4
31	m	Leitrim	Robert Hammilton	1
32	f	Armagh	Mary Ellen Bleakley	6
33	f	Tyrone	Sylina Carson	4
34	m	Antrim	Albert Armour	5
35	m	Antrim	William James Booth	2
36	m	Londonderry	James Bronan	5
37	m	Fermanagh	Samuel Bleakley	6
38	f	Antrim	Barbara Marrow	1
39	f	Antrim	Elizabeth Hoy Wallace	7
40	f	Antrim	Martha Wallace	4
41	f	Down	Rona Hamilton	1
42	f	Armagh	Mabel Corner	7
43	f	Armagh	Eva Corner	4
44	m	Armagh	Arthur Corner	17

	A	B	C	D
45	m	Armagh	John Son	1
46	m	Antrim	William Buchanan	3 months
47	f	Antrim	Cecilia Jones	2
48	m	Dublin	Alfred Thomas Carpenter	3
49	f	Down	Norah Waddell	2
50	f	Antrim	Ellis winefred	3
51	f	Wexford	Sarah J Hawkins	5
52	m	Antrim	Walter Harbison	2
53	m	Dublin	Reginald Rufus Reynard	3
54	f	Down	Violet Dorothy Brown	6
55	m	Dublin	Joseph Bagliss	4
56	m	Waterford	Mathew george Groves	3
57	f	Antrim	Mary Ellis	3
58	f	Antrim	Violet Ellis	5
59	f	Antrim	Mary Glendimming	6
60	f	Cork	Kate Fitzsimmons	6
61	m	Antrim	Francis Crawford	4
62	m	Antrim	Joseph Kirkwood	2
63	f	Antrim	Jane Stewart	8
64	f	Antrim	Margaret McLeon	6
65	f	Antrim	Mary Stewart	4
66	f	Antrim	Isabella Stewart	3
67	m	Antrim	Joseph Stewart	7
68	f	Antrim	Jane Grant	3
69	m	Antrim	James Jamieson	4
70	f	Londonderry	Connie Nicholl	4
71	f	Louth	Florence McCalester	5
72	m	Antrim	Robert James Matchett	3
73	m	Antrim	Richard s. Clarke	4 months
74	f	Dublin	Ellen Bennett	1
75	m	Down	John Archer	5
76	m	Londonderry	Robert Alex Oliver	3
77	f	Antrim	Eva Eaton	4
78	m	Antrim	Harold J Taylor	3
79	m	Antrim	Joseph Hamilton	5
80	f	Down	Mary Highlands	1
81	m	Tyrone	Marshall Hunter	2
82	m	Down	William Neill	3
83	m	Antrim	Herbert Farr	6
84	f	Antrim	Emily Stewart	14
85	f	Antrim	Ethel Dixon	7
86	f	Antrim	Eveline M Kennedy	6
87	f	Antrim	Frances Ferguson	4
88	m	Antrim	Edward Faullkner	9
89	m	Antrim	Robert Galbraith	8

	A	B	C	D
90	f	Londonderry	May Thorpe	1
91	f	Cork	Fanny M Williams	5
92	m	Cork	John George Williams	15
93	m	Tyrone	Albert Ernest Hughes	6
94	f	Armagh	Mary McDonald	2
95	m	Dublin	Robert J Wilson	3
96	f	Londonderry	Sarah Caroline Galbraith	5
97	m	Wicklow	Frederick Byrne	4
98	f	Armagh	Margt Ann Speirs	5
99	f	Antrim	Sarah Davison	2
100	m	Antrim	John Waring	1 month
101	m	Antrim	Alber Robert Chambers	9 months
102	f	Antrim	Sarah Tracey (niece)	10 months
103	f	Antrim	Anne Duley	11
104	m	Antrim	Henry Marsden	4
105	m	Armagh	Henry M Cormac McNeill	3
106	f	Antrim	Sarah M. Dickie	3
107	f	Down	Elsie Moore	3
108	f	Antrim	Adeline Petrie	4
109	f	Armagh	Eno Hanison	4
110	m	Dublin	John Williamson	2 months
111	m	Antrim	William John McLoughlin	1
112	f	Antrim	Josephine Magannon	1
113	f	Down	Lizzie McKechnie	4
114	m	Antrim	Robert Burns Wilson	2
115	f	Monaghan	Hannah Ross	12
116	m	Monaghan	Willie Norman	9 months
117	f	Dublin	Beatrice Byrne	5
118	m	Londonderry	Stephen James McElvanna	6
119	f	Londonderry	Jinnie Cahoon	4
120	f	Dublin	Ellen Eileen Toft	4
121	m	Antrim	Reginald Williamson	5
122	f	Antrim	Polly Johnston	2
123	m	Antrim	Archibold Hamill	5
124	f	Antrim	Edna Gordon	1
125	m	Down	William Pearson	3
126	f	Antrim	Doreen McKinstry	1
127	f	Down	Annie Lennon	3
128	f	Antrim	Elizabeth Coburn	5
129	f	Armagh	Martha Menany	6
130	f	Down	Gadys May Wilson	3
131	m	Down	Henry Montgomery	1
132	m	Antrim	Arthur Magee	5
133	f	Londonderry	Elsie Rudkin	6
134	m	Antrim	Harold Bell	6

	A	B	C	D
135	f	Down	Mary Jordan	2
136	f	Londonderry	Maggie Winton	4
137	m	Antrim	Robert Todd Waters	6 months
138	m	Antrim	Hugh McMullan	8
139	m	Antrim	Neil McMullan	6
140	m	Antrim	Alexander McMullan	3
141	m	Antrim	Denis McMullan	2
142	m	Antrim	Robert Taylor	5
143	m	Tyrone	James Orr	3
144	m	Antrim	Thomas Rea	3
145	m	Down	Joseph Cowan	6
146	f	Antrim	Grace Ardis	6
147	f	Antrim	Lizzie Taylor	5
148	f	Londonderry	Doris Iris Grayson	2
149	m	Antrim	Marcus Jarvis Johnstorn	1
150	m	Antrim	Reginald Edwin Gee	6
151	m	Down	John McCulloch	3
152	f	Londonderry	Maggie Walls	3
153	m	Tyrone	William James Millar	4
154	m	Antrim	John Mullholland	4
155	m	Antrim	William Scott McCullough	5
156	m	Antrim	Fred Casement	3
157	f	Antrim	Annie Parker Clegg	3
158	f	Antrim	Lilly Murphy	9
159	f	Antrim	Sadie Murphy	6
160	f	Down	Alicia Pedar	2
161	f	Antrim	Elizabeth Megan Dunlop	4
162	f	Antrim	Margarette Millar	4
163	f	Londonderry	Lilliam Lynch	5
164	m	Antrim	Harold Morley	3
165	f	Down	Rosina Farrell	2
166	m	Down	James H. McCulloch Ferrier	1 month
167	f	Antrim	Rosetta Jane Kelly	3
168	m	Antrim	James Simpson	5
169	f	Antrim	Sarah McCelland	1
170	m	Antrim	Ernest Sharpe	2
171	f	Antrim	Lucinda Moore	2
172	m	Londonderry	Richard Holland	1
173	m	Down	Fred M. Tweedie	3
174	f	Down	Mary Duff	4
175	m	Antrim	John Donnelly	5
176	m	Antrim	John King	1
177	f	Down	Maggie McGimpsey	2 months
178	m	Down	Harold McMahan	3

	A	B	C	D
179	f	Monaghan	Eileen M. Smyth	4
180	f	Down	Mary Elizabeth Harrison	2
181	f	Antrim	Mary Wilson	2
182	f	Antrim	Ellen Dunn	3
183	f	Antrim	Lilly Cahoon	11
184	f	Antrim	Sarah Loughaus	3 months
185	m	Down	William Calvin	5
186	f	Londonderry	Jennie Drew	1
187	f	Antrim	Floria Margaret Charleton	6
188	f	Antrim	Ruby May Dunmoody	6
189	f	Antrim	Anna Rae Morrison	3
190	f	Down	Agnes Stewart	2
191	f	Antrim	Martha (McKee) Stewart	1
192	f	Down	Winifred Moyers	4
193	f	Donegal	Hannah Elizabeth Colhoun	5
194	f	Antrim	Eva Watson	5
195	m	Antrim	Thomas Johnston	6
196	f	Londonderry	Sarah Kelly	4
197	f	Tyrone	Mary Ann Bell	32
198	m	Tyrone	William John Bell (adopted	1
199	m	Down	James Brabazon	3
200	m	Londonderry	John McKee Mcilpatrick	2
201	f	Antrim	Mary Florence McCleary	5
202	f	Antrim	Ruth Eveline Gough	2
203	f	Antrim	Jane Connelly	15
204	f	Down	Liliann Jane Curry	3
205	f	Antrim	Marion Watson Long	6
206	f	Down	Mary Haneas Malcomson	2
207	m	Antrim	James M McAlister	1
208	f	Antrim	Joan McKee	4
209	f	Down	Sarah Patterson	4
210	f	Londonderry	Rubery Hanlon	4
211	f	Tyrone	Mary Josephine Patten	11 months
212	m	Londonderry	Norman Robson	4
213	f	Antrim	Matilda Allen	4
214	f	Antrim	Martha Barrett	2
215	m	Antrim	John Robisnson	6
216	m	Antrim	Boyd Donal Stukes	6 months
217	f	Tyrone	Sarah Black	6
218	m	Londonderry	Mathew Drips	4
219	f	Donegal	Kathleen Robinson	1
220	f	Antrim	Mary Blair	5
221	f	Antrim	Sarah Edith McAllen	3
222	m	Antrim	John Smith	2

	A	B	C	D
223	f	Antrim	Lousie L Foster	1
224	f	Londonderry	Annie Smyth	4
225	f	Antrim	Mary Ross	3
226	m	Donegal	George Latta	1
227	m	Donegal	Hector Furner	3
228	m	Antrim	Albert Clugston	4
229	m	Antrim	John Esker	4
230	f	Londonderry	Essy Mary Hepburn Lorraine	4
231	f	Down	Mary E. Orr	4
232	m	Antrim	Samuel McBride	1
233	f	Antrim	Violet Nesbitt	2 months
234	m	Londonderry	Andrew McLean	1
235	m	Londonderry	Albert Savage	9 months
236	m	Antrim	George Makie	4
237	m	Antrim	Robert Wilson	2
238	m	Louth	John Thoupouou	6
239	f	Dublin	Anne Earls	5
240	m	Dublin	Andrew rn	5
241	m	Dublin	William J O'Callaghan	5
242	f	Dublin	Bridget O'Brien	5
243	m	Dublin	Patrick Callaghan	3
244	f	Dublin	Mary Mulrooney	5
245	f	Dublin	Molly McDonald	4
246	m	Dublin	Patrick Sommers	4
247	m	Dublin	Gearge Farmer	3
248	m	Dublin	Wiliam Rourke	5
249	m	Dublin	John Francis Howard	4
250	f	Dublin	Winifred Kelly	4
251	f	Dublin	Catherine Boyle	15
252	f	Dublin	Madeline Kelly	3
253	m	Fermanagh	Patrick Smith	2
254	f	Dublin	Aileen McMullen	4
255	f	Dublin	Mary Sullivan	4
256	f	Dublin	Mary O'Reilly	4
257	f	Dublin	Maggie Shiels	4
258	f	Dublin	Julia Kehoe	3
259	f	Dublin	Mary Byrne	3
260	f	Dublin	Christina Callaghan	4
261	f	Dublin	Gertie Aubrey	5
262	f	Dublin	Mary Power	4
263	m	Dublin	John Doran	8
264	m	Dublin	Thomas Sheehan	5
265	m	Dublin	John O'Rielly	3
266	m	Dublin	William Murphy	5

	A	B	C	D
267	f	Dublin	Eileen Mary Ashmore	5
268	f	Dublin	Louisa Doyle	4
269	f	Dublin	Mary Stokes	3
270	m	Dublin	Joseph Byrne	16
271	m	Dublin	John Butler	3
272	m	Down	Charles Buddle	1
273	f	Antrim	Kathleen Watson	6
274	f	Antrim	Casey Curley	6
275	f	Antrim	Josephine Dickson	4
276	m	Tyrone	Patrick Colleran	3
277	m	Antrim	Patrick Murphy	5
278	f	Londonderry	Catherine Gallagher	6
279	f	Antrim	Mary Montgomery	4
280	m	Cork	John Twomey	4
281	f	Tyrone	Bridget Bushell	10
282	f	Antrim	Ellen Maguire	1
283	f	Londonderry	Mary McLoughlin	3
284	f	Queens Co.	Sheliagh Bywaters	6 months
285	f	Donegal	Gabrielle Gilbride	5
286	m	Wexford	Robert Denbigh	1
287	m	Tyrone	John Moffitt	3 months
288	f	Londonderry	Belle Duggan	5
289	m	Tyrone	Thomas McElhill	3
290	f	Tyrone	Bridget Gallagher	5
291	f	Londonderry	Rose McIvor	4
292	m	Londonderry	James Molloy	10 months
293	m	Tyrone	Patrick Conway	1
294	f	Down	Cathern Dagger	3
295	m	Wicklow	James Byrne	4
296	f	Queens Co.	Anne Partridge	6
297	m	Dublin	Patrick Bell	2 months
298	m	Waterford	Johnny Reirdon	2
299	m	Tipperary	James Regan	7 months
300	f	Dublin	Annie Clary	11 months
301	m	Dublin	John Taylor	5
302	f	Dublin	Lizzie Kirwan	6
303	f	Antrim	Rose Kane	2
304	m	Fermanagh	Robert Richercoin	3
305	m	Dublin	William Collins	8 months
306	f	Antrim	Martha Magee	6
307	m	Antrim	John Dates	4
308	m	Antrim	Joseph McKillen	6 months
309	m	Antrim	Vincent O'Neill	6
310	f	Armagh	Catherine Lamb	2

	A	B	C	D
311	f	Dublin	Elizabeth Maguire	3
312	f	Cork	Eveline Ryan	4
313	m	Londonderry	John O'Doherty	4
314	m	Kilkenny	Patrick Breen	5
315	m	Dublin	Dermot O'Brien	8 months
316	f	Tyrone	Mary Donoghue	1
317	m	Antrim	John Millar	2
318	m	Queens Co.	James Kelly	4
319	f	Fermanagh	Ellen Trainor	1
320	f	Dublin	Dinah O'Halloran	1
321	f	Dublin	Elizabeth Naud	3
322	m	Dublin	Patrick Naud	6
323	f	Dublin	Henrietta Rocke	1
324	m	Donegal	Stephen Deveney	5
325	m	Antrim	Patrick Canavan	24
326	m	Cork	Patrick Joe Moynihan	19 months
327	m	Armagh	John James Blevins	3
328	f	Antrim	Annie Lowry	5
329	f	Antrim	Mary Green	14
330	m	Antrim	Hugh O'Rourke	5
331	f	Londonderry	Margaret Coyle	4
332	f	Limerick	Nora Biggane	2
333	m	Limerick	Edwar Nash	6
334	f	Limerick	Christina Fitzgibbons	2
335	f	Londonderry	Ellen Powers	4
336	m	Fermanagh	Andrew Maguire	40
337	m	Mayo	John Walsh	4
338	f	Cork	Louise Lauder	2
339	f	Dublin	Mary Murtagh	3
340	f	Cork	Hannah McCarthy	3 months
341	f	Antrim	Annie Fault	8
342	f	Dublin	Elizabeth Keenan	1
343	f	Antrim	Sarah Jane Cairns	4
344	m	Antrim	Charles McGrath	5
345	f	Kildare	Dorothy Byrne	5
346	f	Down	Eileen Wenoir	4
347	m	Antrim	Patrick Joseph McKiernan	8 months
348	m	Kildare	Richard Farmer	4
349	m	Kerry	Patrick Moran	2
350	m	Cork	Arthur Brown	3
351	f	Meath	Annie Smith	6
352	m	Antrim	James Penrose	1
353	m	Armagh	Arthur Irwin	1
354	m	Donegal	William Devine	2

	A	B	C	D
355	f	Queens Co.	Mary Drennan	5
356	f	Antrim	Lizzie Hart	4
357	m	Fermanagh	James Edward Nolan	5
358	f	Antrim	Charlotte Donaldson	6
359	m	Dublin	John Nugent	1
360	m	Wicklow	Micheal Plunkett	13
361	m	Wicklow	Walker Carroll	3
362	m	Kilkenny	Patrick Brennan	2
363	m	Fermanagh	Charles Joseph Reilly	3
364	f	Wexford	Masie Barry Stephenson	6
365	f	Westmeath	Lily Carroll	3
366	m	Dublin	Joseph Dunne	8 months
367	m	Londonderry	Patrick Kearns	2
368	f	Antrim	May Woods	5
369	m	Tyrone	John Mullen	1
370	m	Monaghan	James Burke	2
371	f	Londonderry	Elizabeth McIntyre	2
372	f	Dublin	Eliabeth Dunne	6
373	m	Dublin	William Moor	5 months
374	f	Antrim	Kathleen Nearnly McGuchian	5
375	m	Dublin	James Frederick Connolly	3
376	m	Antrim	James Griben	2
377	m	Down	Thomas Joseph Forth	5
378	m	Cork	William Kelly	2
379	f	Londonderry	Catherine Barr	1
380	m	Londonderry	Eugene Gilgunn	4 months
381	f	Londonderry	Mary McGovern	5
382	m	Antrim	Gerard Hanna	4
383	f	Dublin	Mary O'Brien	6
384	f	Cork	Mary Bridget Mooney	9 months
385	m	Dublin	Thomas Moran	6
386	f	Dublin	Margaret Mary Butler	6
387	m	Dublin	John Hudson	1
388	f	Down	Moas Anne Flannigan	34
389	m	Down	Robert Flannagan	5
390	m	Down	John Flannagan	8
391	m	Down	James Flannigan	11
392	m	Down	Gerald McGivern	2
393	f	Down	Rose Ellen Mulligan	3 months
394	f	Antrim	Elizabeth Moran	3
395	f	Armagh	Gertrude Elizabeth Kilpatric	3
396	m	Antrim	Frederick Redmond McGuig	3
397	m	Armagh	Thomas McSravick	13
398	m	Armagh	James McStravick	11

	A	B	C	D
399	m	Armagh	John McStravick	6
400	m	Dublin	William Allen	1
401	m	Tyrone	Joseph Gallagher	6
402	f	Armagh	Carrie Murphy	16
403	f	Armagh	Mary Murphy	5
404	m	Armagh	James Murphy	8
405	m	Dublin	Gonzalo Hyland	3
406	f	Antrim	Mary O' Loane	4
407	f	Antrim	Josephine O'Hare	8
408	m	Antrim	James Moreland	8 months
409	m	Dublin	Francis O'Donoghue	3
410	m	Cork	Dick Welsh	4
411	m	Antrim	James Carrol	5 months
412	f	Cork	Delia Garrang	10 months
413	f	Down	Annie Kerr	18
414	m	Down	Patrick Dowds	10 months
415	f	Dublin	Margaret Louise Wilson	6
416	m	Londonderry	John Deering	6
417	m	Dublin	Thomas Trenor	6
418	f	Antrim	Mary McGroggan	4
419	m	Armagh	Patrick Smyth	3
420	m	Tyrone	Joseph Mullen	10 months
421	m	Dublin	Daniel Long	2
422	f	Down	Doleen Carwell	3
423	m	Dublin	Killiam Victor Kay	6
424	f	Down	Mary Small	8 months
425	m	Down	John Joseph McMurrough	5
426	f	Antrim	May Larkin	5
427	f	Antrim	Catherine G Kirkpatrick	3
428	m	Down	Jack Lawson	6
429	f	Antrim	Grace Mullan	3
430	m	Antrim	Edward Coughern	6
431	f	Down	Ethel Cunningham	10 months
432	m	Antrim	William John McClutchin	3
433	m	Down	Willie Buston	5
434	m	Antrim	Robert John Cromwell	4
435	f	Antrim	Margaret Jane Grayson McG	3
436	f	Antrim	Mary Elizabeth Gawn	63
437	m	Antrim	James Gawn	16
438	f	Down	Dorothy Turner Baker	4
439	f	Down	Blance Turner	4

	E	F	G	H
1	Name of adoptive father	Age of adoptive father	Profession of adoptive father	Age of adoptive mother
2	William Henry	75	Farmer	68
3	-	-	-	49
4	Harry Tourney	32	Royal fusilier	25
5	-	-	-	31
6	Alfred Shatford	24	Captain in the army	19
7	James Pintor	38	General labourer	51
8	James Pintor	38	General labourer	51
9	Alexander Millar	78	Farmer	-
10	John McClure	45	Brass finisher	44
11	-	-	-	58
12	James Irwin	50	Labourer	49
13	James Armstrong	49	General labourer	68
14	Noah Hall	44	Motor Driver	34
15	Samuel McCarter	33	Motor man in B.J..C	38
16	William McCauley	29	Railway Porter	36
17	Thomas McGuckin	73	Agricultural labourer	46
18	Thomas McGuckin	73	Agricultural labourer	46
19	Robert Henry Reeves	42	Brewers Dragman [sic]	34
20	John Jones	69	Farmer	47
21	John Jones	69	Farmer	47
22	John Jones	69	Farmer	47
23	Thomas Corhill	23	Blacksmiths assistant	20
24	Thomas Corhill	23	Blacksmiths assistant	20
25	John Diamond	40	Agricultural labourer	40
26	William James Bacon	38	Fisherman	42
27	Horatio Charquin	67	Naval engineer	67
28	Hugh Mossey	44	Quarry labour	44
29	John McLoughlin	70	Land Agent	42
30	Melville MacWilliam	30	Superintendent assurance	29
31	Robert Stephenson	56	Farmer	50
32	Mathew Black	69	Fowl Dealer	50
33	Samuel Carson	40	Farmer	31
34	George Armour	48	Carter	52
35	William Booth	30	Road mender	37
36	-	-	-	78
37	James Heaney	47	Stone mason	44
38	Arthur Mercer	44	General labourer	40
39	James Hoy	46	Fireman in electrical works	45

	E	F	G	H
40	James Hoy	46	Fireman in electrical works	45
41	James McCLure	49	Labourer	48
42	-	-	-	37
43	-	-	-	37
44	-	-	-	37
45	-	-	-	37
46	-	-	-	52
47	-	-	-	59
48	John O'Grady	39	Railway porter	39
49	Richard John Waddell	28	Cabinet maker	28
50	Ellis Edward	44	Machine man in engineering shop	47
51	Nicholas Hawkins	49	Farmer	46
52	Robert A Wilson	46	Bricklayer labourer	46
53	John Ruthland	31	Store keeper	31
54	Alexander Cuthbert	41	Shoe maker	45
55	James William Bagliss	53	Civil servant	56
56	John Christopher Fitzgerald	29	Harness master	22
57	William John Gibson	54	Domestic servant - coach man	50
58	William John Gibson	54	Domestic servant - coach man	50
59	Thomas Glendimming	41	Farmer	31
60	George Thomas Magee	46	Army pensioner	37
61	John Apsley	37	General labourer	32
62	Richard Boyd	60	Farm Servant	46
63	James Stewart	68	Agricultural labourer	51
64	James Stewart	68	Agricultural labourer	51
65	James Stewart	68	Agricultural labourer	51
66	James Stewart	68	Agricultural labourer	51
67	James Stewart	68	Agricultural labourer	51
68	John Grant	73	Musician	15
69	John Jamieson	50	Farmer	37
70	Andrew Nicholl	43	Coachman and domestic servant	40
71	John McCalester	49	Farmer	45
72	Robert James Matchett	29	Engineers machinist in works	28
73	Thomas Stitt	26	General labourer	26
74	-	-	-	44
75	Thomas Archer	48	Coachman	36
76	Robert Wilton	33	Traction engineer	44
77	William Eaton	60	Time keeper	58

	E	F	G	H
78	-	-	-	78
79	John Brown	65	Agricultural labourer	49
80	William Molloy	55	Linen worker	54
81	Alexander Moorehead	52	General labourer	50
82	John Kelly	72	Bricklayer labourer	72
83	William McClean	44	Furniture salesman	49
84	Robert Taggart	46	Gardener and farmer	46
85	Robert Taggart	46	Gardener and farmer	46
86	Robert Taggart	46	Gardener and farmer	46
87	Robert Taggart	46	Gardener and farmer	46
88	Robert Taggart	46	Gardener and farmer	46
89	Robert Taggart	46	Gardener and farmer	46
90	William Thopre	37	Joiner	41
91	Robert Williams	76	Retired gardener	47
92	Robert Williams	76	Retired gardener	47
93	William Hughes	66	Farmer	64
94	John McDonald	43	General labourer	35
95	-	-	-	67
96	James Galbraith	30	Shirt cutter	28
97	George Byrne	75	Farmer	71
98	Thomas Aldridge	57	Farmer	45
99	George Davison	38	Joiner	34
100	John Waring	50	Farmer	36
101	Robert Chambers	34	General labourer	34
102	James McCarthy	46	Mariner	36
103	Edward McComb	25	Agricultural labourer	39
104	Edward McComb	25	Agricultural labourer	39
105	-	-	-	62
106	Robert Moore	52	Baker	52
107	James Moore	45	Carpenter	40
108	David Petrie	69	Blacksmith	-
109	William H Hanna	54	Farmer and fabric weaver	54
110	John Yule	38	Brass finisher	29
111	William John McLoughlin	29	Holder up in ship yard	27
112	Robert Thompson	44	Dock labourer	45
113	Andrew Park	34	Fitter in ship yard	32
114	-	-	-	74
115	-	-	-	50
116	-	-	-	50
117	Talbot Byrne	44	Teacher of dancing	45
118	Robert McElvanna	75	Agricultural labourer	74
119	William John Cahoon	42	Farmer	44

	E	F	G	H
120	-	-	-	38
121	James Dalton	44	Stableman	46
122	Andrew Johnston	39	Baker	38
123	Archibald Hamill	40	General labourer	40
124	Robert McKinstry	40	Paper Maker	40
125	William Robert Pearson	34	Bookbinder	30
126	Edmund McKinstry	47	Farmer	35
127	John Lennon	37	General labourer	39
128	-	-	-	54
129	-	-	-	43
130	Joseph Wilson	42	Yarn dresser	36
131	-	-	-	54
132	Francis Magee	44	Tailor	43
133	-	-	-	65
134	Francis Bell	47	Farmer	36
135	John Jordan	30	Cabinet maker	-
136	-	-	-	56
137	William John Todd	56	Boiler [sic] maker	54
138	John McCaughan	65	Agricultural labourer	60
139	John McCaughan	65	Agricultural labourer	60
140	John McCaughan	65	Agricultural labourer	60
141	John McCaughan	65	Agricultural labourer	60
142	Edward Taylor	37	Rent agents clerk	36
143	James Beattie	53	labourer	52
144	James Rea	69	Carpenter Joiner	25
145	James Horner	36	Fowl dealer	35
146	William Duncan	74	Farmer	-
147	Isaac Taylor	62	Farmer and worker on country roads	-
148	Andrew Pinkerton	42	Farmer	-
149	Robert Wilson	71	Car owner	-
150	Richard d. Park	80	retired farmer	-
151	Josiah Adam	70	Agricultural labourer	-
152	Thomas Gibson	60	Agricultural labourer	-
153	Jacob Anderson	89	Farmer	-
154	-	-	-	59
155	Alexander Scott	58	Car driver	50
156	James Ross	46	Scavenger	45
157	Mathew John Clegg	38	Store Man	35
158	-	-	-	44
159	-	-	-	44
160	Hugh Pedar	42	Blacksmith	39
161	William Dunlop	49	Dock labourer	34
162	Joshua Miller	63	Ex- Constable R.I.C.	63

	E	F	G	H
163	William Lynch	62	General labourer	61
164	Thomas Morley	38	labourer	38
165	James Farrell	33	French polisher	35
166	James Hanna Ferrier	60	Mechanical Engineer	55
167	Robert Kelly	39	Fisherman	40
168	William Reid	58	Engine fitter	46
169	David A Mitchell	49	Ship painter	40
170	Thomas Shannon	54	Dentist traveller	34
171	Robert Logan	66	Cab and car owner	62
172	William Donaghey	56	Farm labourer	54
173	James Martin Tweedie	49	Farmer and school attendance officer	49
174	Thomas Duff	39	Van driver	39
175	James Webster	43	Plumber	42
176	Daniel Carson	30	General labourer	29
177	-	-	-	49
178	William Manus	46	Steam roller driver	41
179	James Markson	64	Farmer	68
180	Robert Hay	58	General labourer	57
181	-	-	-	45
182	Robert Apsley	61	Caretaker	62
183	Thomas Hugh Cahoon	34	Gardener	38
184	Thomas Hugh Cahoon	34	Gardener	38
185	Thomas Calvin	40	Painter	42
186	Thomas Cury	51	Road Contractor	49
187	-	-	-	57
188	William McDonald	72	Retired grocer	46
189	-	-	-	73
190	-	-	-	51
191	James Stewart	29	General labourer	33
192	Thomas Moyers	38	Stoker in gas works	38
193	-	-	-	50
194	Alexander Campbell	39	General labourer	36
195	Thomas Dobbin	42	Boot and shoe maker	37
196	John Kelly	44	Farmer	42
197	David Bell	67	Farmer	74
198	David Bell	67	Farmer	74
199	-	-	-	48
200	Robert McKee	74	Farm labourer	57
201	William Cuthbert	43	Labourer	43

	E	F	G	H
202	William John Gough	39	Labourer	44
203	William John Gough	39	Labourer	44
204	-	-	-	52
205	James Long	70	Yarn dresser	69
206	John Martin	58	Agricultural labourer	48
207	Felix McAlister	28	Salt Miner	39
208	John McKee	55	Assurance agent	54
209	William McKifferck	43	Dock labourer	48
210	Henry Orr	47	General labourer	46
211	Joseph Patten	46	Railway labourer	19
212	Ferguson Robson	50	Farmer	32
213	William Allen	72	Gardener and farmer	66
214	Samuel Wilson	45	Dealer	47
215	John Robinson	37	Farmer	48
216	William Stukes	55	Boot and shoe maker	49
217	John Bell	72	Farmer	50
218	-	-	-	56
219	James McMordie	51	Railway agent	33
220	Samuel Neill	46	Joiner	38
221	Alexander Wilson	34	Farmer	48
222	John Smith	34	Painter	30
223	William R Foster	46	Station assistant	45
224	James Davis	67	General labourer	59
225	William John Ross	48	Labourer	37
226	John Boyd	35	Farm labourer	35
227	John Boyd	35	Farm labourer	35
228	Robert Clugston	54	Hackle setter in an iron works	50
229	Alexander Esker	28	Quarry Labour	39
230	George Hepburn	57	Farmer	55
231	James Kennedy	58	Cabinet maker	51
232	John McBride	39	Agricultural labourer	37
233	Samuel Nesbitt	35	Blacksmith	30
234	Samuel Rutherford	38	Dock labourer	37
235	Samuel Savage	37	Platelay railway	36
236	William Turner	56	Carter	55
237	Samuel Noble	54	Ship engineers helper	50
238	James Devine	63	Army pensioner	44
239	James Kelly	74	General labourer	-
240	Edward Blaney	80	Farmer	-
241	James O'Callaghan	29	Groom valet domestic Servant	27
242	Robert Bennett	54	Bottle maker	49
243	Thomas Jacobs	35	Foundry labourer	30

	E	F	G	H
244	-	-	-	18
245	-	-	-	50
246	Owen Reid	28	Van Man	28
247	-	-	-	56
248	Charles Edward Cooke	39	Labourer	31
249	Thomas Keegan	36	General labourer	42
250	Michael Walsh	48	Drapers Porter	49
251	Michael Walsh	48	Drapers porter	48
252	Laurence Delahunty	46	Printers assistant	43
253	-	-	-	21
254	-	-	-	61
255	-	-	-	57
256	Michael O'Driscoll	37	labourer in a mineral water factory	34
257	John McCormac	53	Insurance agent	53
258	Patrick Guerin	32	Labourer general	29
259	-	-	-	25
260	Christopher Doyle	45	Booker in clothes, boots and Jewellery	41
261	James McEvoy	56	General labourer	49
262	James McGuinness	45	Boiler Mechanic	35
263	James McGuinness	45	Boiler Mechanic	35
264	-	-	-	41
265	Michael O'Flaherty	41	Housepainter	41
266	Patrick Synott	46	Labourer	41
267	Michael Breen	64	Working Tailor	60
268	Michael Doray	37	Van driver	35
269	John McGurk	77	Gardener	50
270	John McGurk	77	Gardener	50
271	James Keating	60	Agricultural labourer	53
272	Charles Buddle	33	General labourer	29
273	William Frazer	47	Stoker in woollen factory	50
274	Alexander Boyd	46	Dock labourer	47
275	Adam Simpson	46	Blacksmith	50
276	Thomas Kavanagh	50	Agricultural labourer	-
277	John Murphy	31	General labourer	-
278	Patrick Bradley	38	Laundry Washman	-
279	Bernard McConville	74	Army pensioner	-
280	Michael Donovan	40	Labourer	-
281	George Gormely	73	Farmer	-
282	-	-	-	38
283	William Irwin	45	Assurance agent	38
284	-	-	-	60

	E	F	G	H
285	John Gilbride	68	Farmer and auctioneer	71
286	Philips Walsh	64	Agricultural labourer	54
287	John Kelly	26	Bricklayer labourer	24
288	John Limerick	50	Railway goods clerk	50
289	Michael McElhill	46	Farmer	34
290	Samuel McGuinness	42	Railway signal man	42
291	George McIver	34	labourer	27
292	Constantine Molloy	50	Driller	51
293	Hugh Kirk	36	Auxiliary postman	36
294	James Robinson	44	Carrier	43
295	James Birmingham	51	Agricultural labourer	41
296	Thomas Kelly	35	shop keeper	38
297	Patrick McKenna	36	Coast Guard	36
298	Richard Nolan	62	Farm labourer	49
299	-	-	-	54
300	John Hackett	42	General labourer	47
301	John Hackett	42	General labourer	47
302	-	-	-	48
303	Archey Crawford	40	Labourer	38
304	-	-	-	63
305	-	-	-	40
306	-	-	-	50
307	James O'Connor	46	General labourer	59
308	Hugh O'Neill	66	Road surfaceman	55
309	-	-	-	19
310	Thomas White	46	Flax Dresser	49
311	-	-	-	47
312	Michael Kenny	38	Pensioner	27
313	Daniel O'Donnell	39	Lamp lighter	40
314	James Kavanagh	35	General labourer	30
315	-	-	-	69
316	Hugh O'Neill	74	Farmer	59
317	Mathew Brady	37	Electrician	28
318	Murtagh Conroy	58	Retired national school teacher	49
319	-	-	-	71
320	Nicholas Darcy	34	Hairdresser	33
321	-	-	-	53
322	-	-	-	53
323	John Hanna	52	Book keeper	37
324	James Martin	52	General labourer	42
325	William Taggart	47	Stoker bleach works	50
326	-	-	-	52
327	John Coleman	50	Agricultural labourer	46
328	Henry Connolly	50	Shipyard labourer	52

	E	F	G	H
329	Henry Connolly	50	Shipyard labourer	52
330	Robert Laverty	39	Stoker in Gas Works	49
331	Daniel McLoughlin	36	Farm labourer	47
332	Thomas Nash	56	Agricultural labourer	40
333	Thomas Nash	56	Agricultural labourer	40
334	John O'Mara	40	General labourer	38
335	William Powers	63	Fish dealer	60
336	-	-	-	70
337	-	-	-	73
338	John O'Connor	48	Cork corporation engine driver	52
339	-	-	-	55
340	Richard Looney	39	Carman	39
341	John McFacer	65	Tailor	55
342	Bernard Walsh	41	General labourer	39
343	Francis Ferran	40	Shop Porter	38
344	-	-	-	46
345	-	-	-	62
346	-	-	-	58
347	-	-	-	49
348	Thomas Donegan	30	Butcher	34
349	Cornelius Connor	86	Farmer	74
350	John Cummins	59	General labourer	59
351	John Nulty	57	shop keeper	44
352	James Penrose	50	Tailor	40
353	Arthur O'Hare	64	House Dealer	33
354	-	-	-	80
355	Bernard Duffy	45	General labourer	36
356	John Erikson	29	Marine Fireman	28
357	Hugh Keenan	49	Agricultural labourer	33
358	-	-	-	50
359	Thomas Lennon	29	General labourer	27
360	John Livingston	50	General labourer	45
361	John Livingston	50	General labourer	45
362	Joseph Pircell	45	Butcher	45
363	William Tiernay	43	Farm labourer	40
364	Alexander B. Stephenson	35	General practioner	36
365	Patrick Kerley	37	General practioner graduate R & I	34
366	-	-	-	50
367	-	-	-	45
368	Thomas Kerraghan	57	Driller	52
369	William Lindsey	42	Railway porter	42
370	-	-	-	72
371	Owen Bonner	47	Quarry labourer	40

	E	F	G	H
372	George Dowling	39	Agricultural labourer	37
373	-	-	-	52
374	James McGuchian	55	Farmer	51
375	Philip Connor	40	Agricultural labourer	35
376	John Doherty	55	labourer	52
377	-	-	-	40
378	George Donohue	59	Fisherman	45
379	Thomas McLaughlin	50	Labourer	40
380	-	-	-	46
381	Michael Gillespie	30	Farmer	34
382	Samuel Hanna	59	Linen Lapper	58
383	James Hehir	30	Carter	35
384	-	-	-	33
385	Philip Farren	75	Old age pensioner	61
386	-	-	-	59
387	Richard Lynch	28	General labourer	26
388	-	-	-	71
389	-	-	-	71
390	-	-	-	71
391	-	-	-	71
392	James Maguire	41	Fireman	41
393	-	-	-	68
394	John McAuley	29	General labourer	33
395	James McCluskey	50	Linen Weaver	40
396	Frederick McGuigan	47	Labourer in bleach works	38
397	-	-	-	35
398	-	-	-	35
399	-	-	-	35
400	-	-	-	45
401	James Morris	37	Corker	37
402	-	-	-	16
403	-	-	-	36
404	-	-	-	36
405	-	-	-	30
406	James O'Loane	34	General labourer	30
407	James Reath	56	Auxiliary postman	46
408	James Reath	56	Auxiliary postman	46
409	William Turner	43	General labourer	45
410	-	-	-	53
411	John Greenan	35	General labourer	30
412	Arthur Garrang	25	Grocer	24
413	Patrick Dowds	45	Dock labourer	40
414	Patrick Dowds	45	Dock labourer	40
415	John Handock	54	Foreman Painter	54

	E	F	G	H
416	-	-	-	68
417	Michael Killeen	62	General labourer	54
418	Bernard McGroggan	52	Railway engineer	50
419	-	-	-	42
420	Charles Lockhart	40	Labourer	39
421	Joseph Long	59	Dairy labourer	50
422	Thomas Rea	56	Dock labourer	45
423	-	-	-	55
424	Patrick Small		Labourer	36
425	John McCurrough	49	Plate Man	49
426	John Larkin	41	Corker	31
427	John Kirkpatrick	68	Retired farmer	62
428	James Lawson	41	Farmer	37
429	John Mullan	27	Presser of men's and boy's suits	26
430	Robert Bell	39	Bricklayer labourer	32
431	Charles Cunningham	36	Damask weaver	39
432	-	-	-	45
433	James Buston	49	Shipyards labourer	49
434	John Cromwell	52	Tailor	38
435	Thomas McGratton	37	Company director	34
436	James Gawn	53	Shoemaker	43
437	James Gawn	53	Shoemaker	43
438	William Baker	44	Brass finisher	44
439	James Traill	60	Cabinet maker	51

	I	J	K	L
1	Name of adoptive mother	Profession of mother	Number of other adopted children in family	Number of nurse children in family
2	Elizabeth Henry	-	0	0
3	Jane McCabe	-	0	0
4	Ether Tourney	-	0	0
5	Lucy Trim	-	0	0
6	Marie Shatford	-	0	0
7	Susan Pintar	-	1	0
8	Susan Pintar	-	1	0
9	-	-	0	0
10	Agnes McClure	-	0	0
11	Ann Jane Bucket	Baby farmer	0	2
12	Anne Irwin	House wife	0	0
13	Annie Armstrong	-	0	0
14	Annie Hall	-	0	0
15	Annie McCarter	-	0	0
16	Annie McCauley	-	0	0
17	Annie McGuckin	-	1	0
18	Annie McGuckin	-	1	0
19	Annie Reeves	-	0	0
20	Bessie Jones	-	2	0
21	Bessie Jones	-	2	0
22	Bessie Jones	-	2	0
23	Caroline Corhill	Twine finisher	1	0
24	Caroline Corhill	Twine finisher	1	0
25	Cassie Diamond	-	0	0
26	Catherine Bacon	-	0	0
27	Catherine Charquinn	-	0	0
28	Catherine Mossey	-	0	0
29	Charlotte Henrietta McLoughlin	-	0	0
30	Charlotte MacWilliam	-	0	0
31	Dorenda Stephenson	-	0	0
32	Eliza Black	-	0	0
33	Eliza Jane	-	0	0
34	Elizabeth Armour	-	0	0
35	Elizabeth Booth	-	0	0
36	Elizabeth Graiuger	-	0	0
37	Elizabeth Heaney	-	0	0
38	Elizabeth Henrietta	-	0	0
39	Elizabeth Hoy	-	1	0
40	Elizabeth Hoy	-	1	0

	I	J	K	L
41	Elizabeth McClure	-	1	0
42	Ellen Corner	Venier [sic] in linen factory	3	0
43	Ellen Corner	Venier [sic] in linen factory	3	0
44	Ellen Corner	Venier [sic] in linen factory	3	0
45	Ellen Corner	Venier [sic] in linen factory	3	0
46	Ellen Hunter	-	0	0
47	Ellen McGeogh	-	0	0
48	Ellen O'Grady	-	0	0
49	Ellen Waddell	-	0	0
50	Ellis Caroline	Housekeeper	0	0
51	Emilie J Hawkins	-	0	0
52	Esther Wilson	-	0	0
53	Gertrude Ruthland	-	0	0
54	Hannah Cuthbert	-	0	0
55	Hannah Marie Bagliss	-	0	0
56	Harrett mary Fitzgerald	-	0	0
57	Harriett Gibson	-	1	0
58	Harriett Gibson	-	1	0
59	Harriett Glendimming	-	0	0
60	Isabella Magee	-	0	0
61	Jane Apsley	-	0	0
62	Jane Boyd	Dress Maker	0	0
63	Jane Stewart	-	3	0
64	Jane Stewart	-	3	0
65	Jane Stewart	-	3	0
66	Jane Stewart	-	3	0
67	Jane Stewart	-	3	0
68	Laudy Grant	-	0	0
69	Leitita Jamieson	-	0	0
70	Letitia Nicholl	-	0	0
71	Lillie McCallester	-	0	0
72	Margaret Matchett	-	0	0
73	Margaret Stitt	-	0	0

	I	J	K	L
74	Margret Cooke	-	0	0
75	Martha Archer	-	0	0
76	Mary Ann Wilton	-	0	0
77	Mary Eaton	-	0	0
78	Mary J. Taylor	Old age pensioner	0	0
79	Mary Jane Brown	-	0	0
80	Mary Jane Molloy	-	0	0
81	Mary Jane Moorehead	-	0	0
82	Mary Kelly	-	0	0
83	Mary McClean	-	0	0
84	Mary Taggart	-	5	0
85	Mary Taggart	-	5	0
86	Mary Taggart	-	5	0
87	Mary Taggart	-	5	0
88	Mary Taggart	-	5	0
89	Mary Taggart	-	5	0
90	Mary Thorpe	-	0	0
91	Mary Williams	-	1	1
92	Mary Williams	-	1	1
93	Rachel Hughes	-	0	0
94	Rachel McDonald	-	0	0
95	Rachel Murnane	Income from houses	1	0
96	Rebecca Galbraith	-	0	0
97	Rose Byrne	-	0	0
98	Sarah Aldridge	-	0	0
99	Sarah Davison	-	0	0
100	Sarah Elizabeth Waring	-	0	0
101	Sarah Jane Chambers	-	0	0
102	Sarah McCarthy	-	0	0
103	Sarah McComb	-	1	0
104	Sarah McComb	-	1	0
105	Sarah McNeill	-	0	0
106	Sarah Moore	-	0	0
107	Susanna Moore	-	0	0
108	-	-	0	0
109	Elizabeth Hanna	-	0	0
110	Mary Ann Yule	-	0	0

	I	J	K	L
111	Elizabeth McLoughlin	Spinner at flax mill	0	0
112	Margaret Thompson	Housekeeper	0	0
113	Jane Park	-	0	0
114	Mary Wilson	retired	0	0
115	Anna Jane MacKeown	Domestic Servant	1	0
116	Anna Jane MacKeown	Domestic Servant	1	0
117	Mabel Byrne	-	0	0
118	Margaret McElvanna	-	0	0
119	Sarah Cahoon	-	0	0
120	Louise Hannah Russell	House caretaker	0	0
121	Jane Dalton	-	0	0
122	Mary Johnston	-	0	0
123	Lizzie Hamill	-	0	0
124	Agness McKinstry	-	0	0
125	Anna Maria Pearson	-	0	0
126	Dora McKinstry	-	0	0
127	Eliza Jane Lennon	Charwoman	0	0
128	Elizabeth Harvey	-	0	0
129	Harriet Menary	-	0	0
130	Maggie Wilson	-	0	0
131	Martha Miller	-	0	0
132	Nillie Magee	-	0	0
133	Jane Crawford	House keeper	0	0
134	Lelitia Bell	-	0	0
135	-	-	0	0
136	Matilda Montgomery	Farmer	0	0
137	Eliza Jane Todd	-	0	0
138	Eliza McCaughan	-	3	0
139	Eliza McCaughan	-	3	0
140	Eliza McCaughan	-	3	0
141	Eliza McCaughan	-	3	0
142	Josephine Taylor	-	0	0
143	Matilda Beatie	-	0	0

	I	J	K	L
144	-	-	0	0
145	Susannah Horner	-	0	0
146	-	-	0	0
147	-	-	0	0
148	-	-	0	0
149	-	-	0	0
150	-	-	0	0
151	-	-	0	0
152	-	-	0	0
153	-	-	0	0
154	Agnes Ewart	-	0	0
155	Agnes Scott	-	0	0
156	Agness Ross	-	0	0
157	Annie Clegg	Thread Drawer	0	0
158	Annie Murphy	Nurse	1	0
159	Annie Murphy	Nurse	1	0
160	Eliza Pedar	-	0	0
161	Elizabeth Dunlop	-	0	0
162	Elizabeth Miller	-	0	0
163	Elizabeth Lynch	-	0	0
164	Elizabeth Morley	Housewife	0	0
165	Ellen Farrell	-	0	0
166	Ellen Ferrier	-	0	0
167	Ellen Kelly	-	0	0
168	Ellen Reid	-	0	0
169	Esther Mitchell	-	0	0
170	Henrietta Shannon	Dress Maker	0	0
171	Hester Logan	-	0	0
172	Isabella Donaghey	-	0	0
173	Isabella Tweedie	-	0	0
174	Jane Duff	Shop	0	0
175	Jane Webster	-	0	0
176	Lizzie Carson	-	0	0
177	Lizzie Magowan	-	0	0
178	Lizzie Manus	-	0	1
179	Louisa Markson	-	0	0
180	Maggie Hay	-	0	0
181	Maggie McBroom	-	0	0

	I	J	K	L
182	Margaret Apsley	-	0	0
183	Margaret Cahoon	-	1	0
184	Margaret Cahoon	-	1	0
185	Margaret Calvin	Housekeeper	0	0
186	Margaret Curry	-	0	0
187	Margaret Jane Charleton	-	0	0
188	Margaret McDonald	-	0	0
189	Margaret Muligan	-	0	0
190	Margaret Reid	-	0	0
191	Margaret Stewart	-	0	0
192	Martha Moyers	-	0	0
193	Martha Bourn	-	0	0
194	Martha Campbell	-	0	0
195	Martha Dobbin	-	0	0
196	Mary Anna Kelly	-	0	0
197	Mary Anne Bell	-	0	0
198	Mary Anne Bell	-	0	0
199	Mary Anne Hightman	Embroiderer	0	0
200	Mary Anne McKee	-	0	0
201	Mary Cuthbert	-	0	0
202	Mary Gough	Home Wife	1	0
203	Mary Gough	Home Wife	1	0
204	Mary Jane Curry	Seamstress	0	0
205	Mary Long	-	0	0
206	Mary Martin	-	0	0
207	Mary McAlister	-	0	0
208	Mary McKee	-	0	0
209	Mary McKeifferck	-	0	0
210	Mary Orr	Housekeeper	0	0
211	Mary Patten	-	0	0
212	Mary Robson	-	0	0
213	Matilda Allen	-	0	0
214	Matilda Wilson	-	0	0
215	Nancie Robinson	-	0	0

	I	J	K	L
216	Pricillas Stuckes	-	0	0
217	Rachel Bell	-	0	0
218	Rachel Drips	-	0	0
219	Rebecca McMordie	-	0	0
220	Rebecca Neill	-	0	0
221	Rose Anne Wilson	-	0	0
222	Roseana Smith	-	0	0
223	Sara Jane Foster	-	0	0
224	Sarah Anne Davis	-	0	0
225	Sarah Boyce Ross	-	0	0
226	Sarah Boyd	-	1	0
227	Sarah Boyd	-	1	0
228	Sarah Clugston	-	0	0
229	Sarah Esker	-	0	0
230	Sarah Hepburn	-	0	0
231	Sarah Jane Kennedy	-	0	1
232	Sarah McBride	-	0	0
233	Sarah Nesbitt	-	0	0
234	Sarah Rutherford	-	0	0
235	Sarah Savage	-	0	0
236	Sarah Turner	-	0	0
237	Isabella Noble	-	0	0
238	Rose Ellen Devine	-	0	0
239	-	-	0	0
240	-	-	0	0
241	Alice E. O'Callaghan	-	0	0
242	Anne Bennett	-	0	0
243	Anne Jacobs	-	0	0
244	Annie Carey	General Domestic Servant	0	0
245	Catherine Donovan	-	0	0
246	Cathleen Reid	-	0	0
247	Clara Rochford	Dressmaker	0	0

	I	J	K	L
248	Elizabeth Cooke	-	0	0
249	Ellen Keegan	-	0	0
250	Ellen Walsh	-	1	1
251	Ellen Walsh	-	1	1
252	Emily Delhunty	-	0	0
253	Julia Gilligan	-	0	0
254	Kate Jenkins	Housekeeper	0	0
255	Kate O'Dell	Seamstress	0	0
256	Kathleen O'Driscoll	-	0	0
257	Louisa Mccormac	-	0	0
258	Mary Ann Guerin	-	0	0
259	Mary Byrne	-	0	1
260	Mary Doyle	-	0	0
261	Mary McEvoy	-	0	0
262	Mary McGuinness	-	1	0
263	Mary McGuinness	-	1	0
264	Mary Mohan	Paper bag maker	0	0
265	Mary O'Flaherty	-	0	0
266	Mary Synott	-	0	0
267	Sarah Breen	Tailoress	0	0
268	Sarah Doray	-	0	0
269	Sarah McGurk	-	1	0
270	Sarah McGurk	-	1	0
271	Winifred Keating	-	0	0
272	Catherine Buddle	-	0	0
273	Mary Frazer	-	0	0
274	Rosean Boyd	-	0	0
275	Elizabeth Simpson	Housekeeper	0	0
276	-	-	0	0
277	-	-	0	0
278	-	-	0	0
279	-	-	0	0
280	-	-	0	0
281	-	Housekeeper	0	0
282	Alice McAuley	-	0	0

	I	J	K	L
283	Ann Irwin	-	0	0
284	Anne Connolly	-	0	0
285	Anne Gilbride	-	0	0
286	Anne Walsh	-	0	0
287	Annie Kelly	-	0	0
288	Annie Limerick	-	0	0
289	Annie McElhill	-	0	0
290	Annie McGuinness	-	0	0
291	Annie McIver	-	0	0
292	Annie Molloy	-	0	0
293	Bella Kirk	-	0	0
294	Bella Robinson	-	0	0
295	Bridget Birmingham	-	0	0
296	Bridget Kelly	-	0	0
297	Bridget McKenna	-	0	0
298	Bridget Nolan	-	0	0
299	Bridget Proderick	-	0	0
300	Bridgett Hackett	-	1	0
301	Bridgett Hackett	-	1	0
302	Bridgid Kirwan	Dealer in fish	0	0
303	Catherine Crawford	-	0	0
304	Catherine Howe	-	0	0
305	Catherine Kirkwood	-	0	0
306	Catherine Lennon	Farmer	0	0
307	Catherine O'Connor	Housekeeper	0	0
308	Catherine O'Neill	-	0	0
309	Catherine Whelan	Tobacco Worker	0	0
310	Catherine White	-	0	0
311	Christina Keating	-	0	0
312	Christine Kenny	-	0	0

	I	J	K	L
313	Elisabeth O'Donnell	-	0	0
314	Eliza Kavanagh	-	0	0
315	Eliza McGuirk	-	0	0
316	Eliza O'Neill	-	0	0
317	Elizabeth Brady	-	0	0
318	Elizabeth Conroy	-	0	0
319	Elizabeth Cowan	-	0	0
320	Elizabeth Darcy	-	0	0
321	Elizabeth Dunne	Retired Nurse	1	0
322	Elizabeth Dunne	Retired Nurse	1	0
323	Elizabeth Hanna	-	0	0
324	Elizabeth Martin	Server	0	0
325	Elizabeth Taggart	-	0	0
326	Ellen Burke	-	0	0
327	Ellen Coleman	-	0	0
328	Ellen Jane Connolly	-	1	0
329	Ellen Jane Connolly	-	1	0
330	Ellen Laverty	-	0	0
331	Ellen McLoughlin	-	0	0
332	Ellen Nash	-	1	0
333	Ellen Nash	-	1	0
334	Ellen O'Mara	-	0	0
335	Ellen Powers	-	0	0
336	Esther Collins	-	0	0
337	Fanny Barrett	Farmer	0	0
338	Hanna O'Connor	-	0	0
339	Hannah Farrell	-	0	0
340	Hannah Looney	-	0	0
341	Hannah McFacer	Housekeeper	0	0
342	Henrietta Walsh	-	0	0

	I	J	K	L
343	Isabella Ferran	-	0	0
344	Jane Agnew	-	0	0
345	Jane Campbell	Caretaker of church	0	0
346	Jane Cowan	-	0	0
347	Jane Donaghy	Spinner in mill	0	0
348	Jane Donegan	-	0	0
349	Johanna Connor	-	0	0
350	Kate Cummins	Domestic	0	0
351	Kate Nulty	-	0	0
352	Lizzie Penrose	-	0	0
353	Lucy O'Hare	-	0	0
354	Margaret Columbine	-	0	0
355	Margaret Duffy	-	0	0
356	Margaret Erikson	-	0	0
357	Margaret Jane Keenan	-	0	0
358	Margaret Larkin	-	0	0
359	Margaret Lennon	-	0	0
360	Margaret Livingston	-	1	0
361	Margaret Livingston	-	1	0
362	Margaret Purcell	-	0	0
363	Margaret Tierney	-	0	0
364	Marie Stephenson	Wife	0	0
365	Marrion Kerley	-	0	0
366	Mary A. Duffy	Domestic servant	0	1
367	Mary Ann Gough	House keeper	0	0
368	Mary Ann Kerraghan	Weafer [sic]	0	0
369	Mary Ann Lyndsey	-	0	0
370	Mary Ann O'Neill	-	0	0
371	Mary Anne Bonner	-	0	0

	I	J	K	L
372	Mary Anne Dowling	-	0	0
373	Mary Anne Hacket	Domestic	0	0
374	Mary Anne McGuchian	-	0	0
375	Mary Connor	-	1	0
376	Mary Doherty	Hoiser	0	0
377	Mary Donnelly	Farm labourer	0	0
378	Mary Donohue	-	0	0
379	Mary Elizabeth McLoughlin	-	0	0
380	Mary Gibbons	-	0	0
381	Mary Gillespie	-	0	0
382	Mary Hanna	-	0	0
383	Mary Hehir	-	0	0
384	Mary Holmes	Dealer in general	0	0
385	Mary J. Farren	-	0	0
386	Mary Kenchan	-	0	0
387	Mary Lynch	-	0	0
388	Mary Magraw	-	3	0
389	Mary Magraw	-	3	0
390	Mary Magraw	-	3	0
391	Mary Magraw	-	3	0
392	Mary Maguire	-	0	0
393	Mary McAlendin	Seamstress	0	0
394	Mary McAuley	-	0	0
395	Mary McCluskey	-	0	0
396	Mary McGuigan	-	0	0
397	Mary McStravick	Venier [sic] in linen factory	2	0
398	Mary McStravick	Venier [sic] in linen factory	2	0
399	Mary McStravick	Venier [sic] in linen factory	2	0
400	Mary Mordaud	-	0	0
401	Mary Morris	-	0	0
402	Mary Murphy	Linen drawer	2	0
403	Mary Murphy	Linen drawer	2	0
404	Mary Murphy	Linen drawer	2	0

	I	J	K	L
405	Mary O'Connor	-	0	0
406	Mary O'Loane	-	0	0
407	Mary Reath	-	1	0
408	Mary Reath	-	1	0
409	Mary Turner	-	0	0
410	Mary Welsh	-	0	0
411	Minnie Greenan	-	0	0
412	Norah Garrang	-	0	0
413	Racheal Dowds	Housekeeper	1	0
414	Racheal Dowds	Housekeeper	1	0
415	Rosannah Handerock	-	0	0
416	Rose Ann Harkin	House keeper	0	0
417	Rose Killeen	-	0	0
418	Rose McGroggan	-	0	0
419	Sarah Gartland	-	0	0
420	Sarah Lockhart	-	0	0
421	Sarah Long	-	0	0
422	Sarah Rea	-	0	0
423	Sarah Staunton	-	0	0
424	Silena Small	-	0	0
425	Susan McMurrrough	-	0	0
426	Theresa Larkin	-	0	0
427	Catherine Kirkpatrick	retired farmer	0	0
428	Mary Jane Lawson	-	0	0
429	Elizabeth Mullan	-	0	0
430	Ellen Bell	-	0	0
431	Ellen Cunningham	-	0	0
432	Mary Burrows	Cottier stitcher	0	0
433	Mary Buston	-	0	0
434	Maud Cromwell	-	0	0
435	Elizabeth McGratton	-	0	0
436	Ellen Gawn	-	1	0
437	Ellen Gawn	-	1	0

	I	J	K	L
438	Jessie Walker Baker	-	0	0
439	Margaret Trail	-	0	0

	M	N	O	P
1	Number of biological children in family	Religion of child	Religion of head of household	Marital status of head of family
2	3	Baptist	Baptist	Married
3	3	Church of Christ [sic]	Pymouth Brethren Church of Christ [sic]	Widow
4	0	Church of England	Church of England	Married
5	0	Church of England	Church of England	Married
6	0	Church of England	Church of England	Married
7	1	Church of England	Church of England	Married
8	1	Church of England	Church of England	Married
9	1	Church of Ireland	Church of Ireland	Widower
10	0	Church of Ireland	Church of Ireland	Married
11	0	Church of Ireland	Church of Ireland	Widow
12	5	Church of Ireland	Church of Ireland	Married
13	8	Church of Ireland	Church of Ireland	Married
14	0	Church of Ireland	Church of Ireland	Married
15	2	Church of Ireland	Church of Ireland	Married
16	1	Church of Ireland	Church of Ireland	Married
17	1	Church of Ireland	Church of Ireland	Married
18	1	Church of Ireland	Church of Ireland	Married
19	0	Church of Ireland	Church of Ireland	Married
20	0	Church of Ireland	Church of Ireland	Married
21	0	Church of Ireland	Church of Ireland	Married
22	0	Church of Ireland	Church of Ireland	Married
23	0	Church of Ireland	Church of Ireland	Married
24	0	Church of Ireland	Church of Ireland	Married
25	0	Church of Ireland	Church of Ireland	Married
26	4	Church of Ireland	Church of Ireland	Married
27	1	Church of Ireland	Church of Ireland	Married
28	6	Church of Ireland	Church of Ireland	Married
29	0	Church of Ireland	Church of Ireland	Married
30	0	Church of Ireland	Church of Ireland	Married
31	0	Church of Ireland	Church of Ireland	Married
32	0	Church of Ireland	Church of Ireland	Married
33	8	Church of Ireland	Church of Ireland	Married
34	0	Church of Ireland	Church of Ireland	Married
35	0	Church of Ireland	Church of Ireland	Married
36	0	Church of Ireland	Church of Ireland	Widow
37	8	Church of Ireland	Church of Ireland	Married
38	2	Church of Ireland	Church of Ireland	Married
39	2	Church of Ireland	Church of Ireland	Married
40	2	Church of Ireland	Church of Ireland	Married
41	7	Church of Ireland	Church of Ireland	Married
42	0	Church of Ireland	Church of Ireland	Single

	N	O	P	M
43	0	Church of Ireland	Church of Ireland	Single
44	0	Church of Ireland	Church of Ireland	Single
45	0	Church of Ireland	Church of Ireland	Single
46	4			
	4	Church of Ireland	Church of Ireland	Widow
47	5			
	5	Church of Ireland	Church of Ireland	Married
48	6	Church of Ireland	Church of Ireland	Married
49	0	Church of Ireland	Church of Ireland	Married
50	0	Church of Ireland	Church of Ireland	Married
51	0	Church of Ireland	Church of Ireland	Married
52	1	Church of Ireland	Church of Ireland	Married
53	0	Church of Ireland	Church of Ireland	Married
54	2	Church of Ireland	Church of Ireland	Married
55	3	Church of Ireland	Church of Ireland	Married
56	2	Church of Ireland	Church of Ireland	Married
57	7	Church of Ireland	Church of Ireland	Married
58	7	Church of Ireland	Church of Ireland	Married
59	2	Church of Ireland	Church of Ireland	Married
60	2	Church of Ireland	Church of Ireland	Married
61	1	Church of Ireland	Church of Ireland	Married
62	6	Church of Ireland	Church of Ireland	Married
63	0	Church of Ireland	Church of Ireland	Married
64	0	Church of Ireland	Church of Ireland	Married
65	0	Church of Ireland	Church of Ireland	Married
66	0	Church of Ireland	Church of Ireland	Married
67	0	Church of Ireland	Church of Ireland	Married
68	2	Church of Ireland	Church of Ireland	Married
69	0	Church of Ireland	Church of Ireland	Married
70	5	Church of Ireland	Church of Ireland	Married
71	0	Church of Ireland	Church of Ireland	Married
72	1	Church of Ireland	Church of Ireland	Married
73	1	Church of Ireland	Church of Ireland	Married
74	0	Church of Ireland	Church of Ireland	Widow
75	0	Church of Ireland	Church of Ireland	Married
76	0	Church of Ireland	Church of Ireland	Married
77	1	Church of Ireland	Church of Ireland	Married
78	4	Church of Ireland	Church of Ireland	Widow
79	2	Church of Ireland	Church of Ireland	Married
80	5	Church of Ireland	Church of Ireland	Married
81	12	Church of Ireland	Church of Ireland	Married
82	5	Church of Ireland	Church of Ireland	Married
83	2	Church of Ireland	Church of Ireland	Married
84	0	Church of Ireland	Church of Ireland	Married
85	0	Church of Ireland	Church of Ireland	Married
86	0	Church of Ireland	Church of Ireland	Married
87	0	Church of Ireland	Church of Ireland	Married

	M	N	O	P
88	0	Church of Ireland	Church of Ireland	Married
89	0	Church of Ireland	Church of Ireland	Married
90	0	Church of Ireland	Church of Ireland	Married
91	0	Church of Ireland	Church of Ireland	Married
92	0	Church of Ireland	Church of Ireland	Married
93	4	Church of Ireland	Church of Ireland	Married
94	0	Church of Ireland	Church of Ireland	Married
95	0	Church of Ireland	Church of Ireland	Widow
96	1	Church of Ireland	Church of Ireland	Married
97	6	Church of Ireland	Church of Ireland	Married
98	1	Church of Ireland	Church of Ireland	Married
99	0	Church of Ireland	Church of Ireland	Married
100	0	Church of Ireland	Church of Ireland	Married
101	1	Church of Ireland	Church of Ireland	Married
102	3	Church of Ireland	Church of Ireland	Married
103	1	Church of Ireland	Church of Ireland	Married
104	1	Church of Ireland	Church of Ireland	Married
105	0	Church of Ireland	Church of Ireland	Single
106	9	Church of Ireland	Church of Ireland	Married
107	0	Church of Ireland	Church of Ireland	Married
108	2	Church of Ireland	Presbyterian	Widow
109	0	Church of Ireland	Presbyterian	Married
110	0	Church of Ireland	Presbyterian	Married
111	0	Church of Ireland	Catholic	Married
112	0	Church of Ireland	Catholic	Married
113	0	Church of Scotland	Church of Scotland	Married
114	6	Congregationalist	Congregationalist	Widow
115	0	Episcopalian	Episcopalian	Single
116	0	Episcopalian	Episcopalian	Single
117	0	Episcopalian	Episcopalian	Married
118	3	Episcopalian	Episcopalian	Married
119	0	Episcopalian	Episcopalian	Married
120	0	Episcopalian	Presbyterian	Single
121	4	Episcopalian	Episcopalian	Married
122	1	Episcopalian	Episcopalian	Married
123	0	Irish Church	Irish Church	Married
124	1	Methodist	Methodist	Married
125	0	Methodist	Methodist	Married
126	0	Methodist	Methodist	Married
127	0	Methodist	Methodist	Married
128	3	Methodist	Methodist	Widow
129	0	Methodist	Methodist	Single
130	0	Methodist	Methodist	Married
131	5	Methodist	Methodist	Widow
132	0	Methodist	Methodist	Married
133	0	Methodist	Presbyterian	Widow

	M	N	O	P
134	0	Moravian	Moravian	Married
135	0	Nothing [sic]	Nothing [sic]	Single
136	0	Presbyterian	Baptist	Single
137	6	Presbyterian	Church of Ireland	Married
138	9	Presbyterian	Church of Ireland	Married
139	9	Presbyterian	Church of Ireland	Married
140	9	Presbyterian	Church of Ireland	Married
141	9	Presbyterian	Church of Ireland	Married
142	0	Presbyterian	Church of Ireland	Married
143	9	Presbyterian	Church of Ireland	Married
144	1	Presbyterian	Episcopalian	Married
145	0	Presbyterian	Irish Church	Married
146	0	Presbyterian	Presbyterian	Single
147	0	Presbyterian	Presbyterian	Single
148	0	Presbyterian	Presbyterian	Single
149	2	Presbyterian	Presbyterian	Widower
150	1	Presbyterian	Presbyterian	Widower
151	0	Presbyterian	Presbyterian	Widower
152	0	Presbyterian	Presbyterian	Widower
153	1	Presbyterian	Presbyterian	Widower
154	0	Presbyterian	Presbyterian	Widow
155	1	Presbyterian	Presbyterian	Married
156	0	Presbyterian	Presbyterian	Married
157	0	Presbyterian	Presbyterian	Married
158	1	Presbyterian	Presbyterian	Married
159	1	Presbyterian	Presbyterian	Married
160	0	Presbyterian	Presbyterian	Married
161	2	Presbyterian	Presbyterian	Married
162	6	Presbyterian	Presbyterian	Married
163	10	Presbyterian	Presbyterian	Married
164	0	Presbyterian	Presbyterian	Married
165	0	Presbyterian	Presbyterian	Married
166	2	Presbyterian	Presbyterian	Married
167	0	Presbyterian	Presbyterian	Married
168	0	Presbyterian	Presbyterian	Married
169	1	Presbyterian	Presbyterian	Married
170	2	Presbyterian	Presbyterian	Married
171	4	Presbyterian	Presbyterian	Married
172	5	Presbyterian	Presbyterian	Married
173	8	Presbyterian	Presbyterian	Married
174	0	Presbyterian	Presbyterian	Married
175	3	Presbyterian	Presbyterian	Married
176	4	Presbyterian	Presbyterian	Married
177	7	Presbyterian	Presbyterian	Widow
178	0	Presbyterian	Presbyterian	Married
179	5	Presbyterian	Presbyterian	Married
180	3	Presbyterian	Presbyterian	Married

	M	N	O	P
181	3	Presbyterian	Presbyterian	Married
182	4	Presbyterian	Presbyterian	Married
183	0	Presbyterian	Presbyterian	Married
184	0	Presbyterian	Presbyterian	Married
185	1	Presbyterian	Presbyterian	Married
186	6	Presbyterian	Presbyterian	Married
187	5	Presbyterian	Presbyterian	Widow
188	1	Presbyterian	Presbyterian	Married
189	1	Presbyterian	Presbyterian	Widow
190	0	Presbyterian	Presbyterian	Widow
191	0	Presbyterian	Presbyterian	Married
192	0	Presbyterian	Presbyterian	Married
193	0	Presbyterian	Presbyterian	Widow
194	6	Presbyterian	Presbyterian	Married
195	6	Presbyterian	Presbyterian	Married
196	1	Presbyterian	Presbyterian	Married
197	0	Presbyterian	Presbyterian	Married
198	0	Presbyterian	Presbyterian	Married
199	0	Presbyterian	Presbyterian	Widow
200	0	Presbyterian	Presbyterian	Married
201	0	Presbyterian	Presbyterian	Married
202	0	Presbyterian	Presbyterian	Married
203	0	Presbyterian	Presbyterian	Married
204	0	Presbyterian	Presbyterian	Widow
205	5	Presbyterian	Presbyterian	Married
206	3	Presbyterian	Presbyterian	Married
207	1	Presbyterian	Presbyterian	Married
208	6	Presbyterian	Presbyterian	Married
209	0	Presbyterian	Presbyterian	Married
210	4	Presbyterian	Presbyterian	Married
211	0	Presbyterian	Presbyterian	Married
212	0	Presbyterian	Presbyterian	Married
213	0	Presbyterian	Presbyterian	Married
214	3	Presbyterian	Presbyterian	Married
215	2	Presbyterian	Presbyterian	Married
216	4	Presbyterian	Presbyterian	Married
217	2	Presbyterian	Presbyterian	Married
218	0	Presbyterian	Presbyterian	Widow
219	0	Presbyterian	Presbyterian	Married
220	0	Presbyterian	Presbyterian	Married
221	0	Presbyterian	Presbyterian	Married
222	0	Presbyterian	Presbyterian	Married
223	4	Presbyterian	Presbyterian	Married
224	4	Presbyterian	Presbyterian	Married
225	1	Presbyterian	Presbyterian	Married
226	0	Presbyterian	Presbyterian	Married
227	0	Presbyterian	Presbyterian	Married

	M	N	O	P
228	4	Presbyterian	Presbyterian	Married
229	0	Presbyterian	Presbyterian	Married
230	0	Presbyterian	Presbyterian	Married
231	0	Presbyterian	Presbyterian	Married
232	0	Presbyterian	Presbyterian	Married
233	0	Presbyterian	Presbyterian	Married
234	4	Presbyterian	Presbyterian	Married
235	2	Presbyterian	Presbyterian	Married
236	8	Presbyterian	Presbyterian	Married
237	3	Presbyterian	Catholic	Married
238	6	Presbyterian	Catholic	Married
239	3	Catholic	Catholic	Widower
240	0	Catholic	Catholic	Widower
241	0	Catholic	Catholic	Married
242	6	Catholic	Catholic	Married
243	0	Catholic	Catholic	Married
244	0	Catholic	Catholic	Single
245	0	Catholic	Catholic	Widow
246	0	Catholic	Catholic	Married
247	0	Catholic	Catholic	Widow
248	0	Catholic	Catholic	Married
249	0	Catholic	Catholic	Married
250	7	Catholic	Catholic	Married
251	7	Catholic	Catholic	Married
252	4	Catholic	Catholic	Married
253	0	Catholic	Catholic	Single
254	0	Catholic	Catholic	Widow
255	0	Catholic	Catholic	Widow
256	2	Catholic	Catholic	Married
257	8	Catholic	Catholic	Married
258	0	Catholic	Catholic	Married
259	0	Catholic	Catholic	Single
260	3	Catholic	Catholic	Married
261	4	Catholic	Catholic	Married
262	0	Catholic	Catholic	Married
263	0	Catholic	Catholic	Married
264	2	Catholic	Catholic	Married
265	0	Catholic	Catholic	Married
266	2	Catholic	Catholic	Married
267	7	Catholic	Catholic	Married
268	4	Catholic	Catholic	Married
269	4	Catholic	Catholic	Married
270	4	Catholic	Catholic	Married
271	3	Catholic	Catholic	Married
272	0	Catholic	Church of England	Married
273	7	Catholic	Church of Ireland	Married
274	1	Catholic	Church of Ireland	Married

	M	N	O	P
275	7	Catholic	Presbyterian	Married
276	1	Catholic	Catholic	Married
277	0	Catholic	Catholic	Single
278	0	Catholic	Catholic	Single
279	0	Catholic	Catholic	Widower
280	0	Catholic	Catholic	Widower
281	1	Catholic	Catholic	Widower
282	4	Catholic	Catholic	Widow
283	0	Catholic	Catholic	Married
284	0	Catholic	Catholic	Widow
285	2	Catholic	Catholic	Married
286	8	Catholic	Catholic	Married
287	1	Catholic	Catholic	Married
288	7	Catholic	Catholic	Married
289	0	Catholic	Catholic	Married
290	3	Catholic	Catholic	Married
291	0	Catholic	Catholic	Married
292	5	Catholic	Catholic	Married
293	3	Catholic	Catholic	Married
294	6	Catholic	Catholic	Married
295	3	Catholic	Catholic	Married
296	2	Catholic	Catholic	Married
297	0	Catholic	Catholic	Married
298	8	Catholic	Catholic	Married
299	3	Catholic	Catholic	Widow
300	0	Catholic	Catholic	Married
301	0	Catholic	Catholic	Married
302	3	Catholic	Catholic	Widow
303	1	Catholic	Catholic	Married
304	0	Catholic	Catholic	Widow
305	0	Catholic	Catholic	Widow
306	0	Catholic	Catholic	Single
307	2	Catholic	Catholic	Married
308	2	Catholic	Catholic	Married
309	0	Catholic	Catholic	Single
310	0	Catholic	Catholic	Married
311	0	Catholic	Catholic	Widow
312	0	Catholic	Catholic	Married
313	3	Catholic	Catholic	Married
314	2	Catholic	Catholic	Married
315	0	Catholic	Catholic	Single
316	0	Catholic	Catholic	Married
317	2	Catholic	Catholic	Married
318	10	Catholic	Catholic	Married
319	0	Catholic	Catholic	Widow
320	0	Catholic	Catholic	Married
321	5	Catholic	Catholic	Widow

	M	N	O	P
322	5	Catholic	Catholic	Widow
323	0	Catholic	Catholic	Married
324	1	Catholic	Catholic	Married
325	0	Catholic	Catholic	Married
326	0	Catholic	Catholic	Widow
327	8	Catholic	Catholic	Married
328	0	Catholic	Catholic	Married
329	0	Catholic	Catholic	Married
330	0	Catholic	Catholic	Married
331	7	Catholic	Catholic	Married
332	9	Catholic	Catholic	Married
333	9	Catholic	Catholic	Married
334	3	Catholic	Catholic	Married
335	1	Catholic	Catholic	Married
336	0	Catholic	Catholic	Widow
337	0	Catholic	Catholic	Widow
338	3	Catholic	Catholic	Married
339	0	Catholic	Catholic	Single
340	3	Catholic	Catholic	Married
341	2	Catholic	Catholic	Married
342	6	Catholic	Catholic	Married
343	0	Catholic	Catholic	Married
344	4	Catholic	Catholic	Widow
345	0	Catholic	Catholic	Widow
346	5	Catholic	Catholic	Widow
347	4	Catholic	Catholic	Widow
348	0	Catholic	Catholic	Married
349	9	Catholic	Catholic	Married
350	8	Catholic	Catholic	Married
351	0	Catholic	Catholic	Married
352	5	Catholic	Catholic	Married
353	1	Catholic	Catholic	Married
354	0	Catholic	Catholic	Widow
355	0	Catholic	Catholic	Married
356	0	Catholic	Catholic	Married
357	3	Catholic	Catholic	Married
358	3	Catholic	Catholic	Widow
359	1	Catholic	Catholic	Married
360	0	Catholic	Catholic	Married
361	0	Catholic	Catholic	Married
362	6	Catholic	Catholic	Married
363	2	Catholic	Catholic	Married
364	0	Catholic	Catholic	Married
365	0	Catholic	Catholic	Married
366	1	Catholic	Catholic	Widow
367	0	Catholic	Catholic	Single
368	2	Catholic	Catholic	Married

	M	N	O	P
369	8	Catholic	Catholic	Married
370	0	Catholic	Catholic	Widow
371	6	Catholic	Catholic	Married
372	6	Catholic	Catholic	Married
373	4	Catholic	Catholic	Widow
374	0	Catholic	Catholic	Married
375	0	Catholic	Catholic	Married
376	5	Catholic	Catholic	Married
377	0	Catholic	Catholic	Widow
378	4	Catholic	Catholic	Married
379	2	Catholic	Catholic	Married
380	8	Catholic	Catholic	Widow
381	1	Catholic	Catholic	Married
382	1	Catholic	Catholic	Married
383	0	Catholic	Catholic	Married
384	0	Catholic	Catholic	Widow
385	8	Catholic	Catholic	Married
386	0	Catholic	Catholic	Single
387	2	Catholic	Catholic	Married
388	0	Catholic	Catholic	Widow
389	0	Catholic	Catholic	Widow
390	0	Catholic	Catholic	Widow
391	0	Catholic	Catholic	Widow
392	0	Catholic	Catholic	Married
393	0	Catholic	Catholic	Single
394	1	Catholic	Catholic	Married
395	0	Catholic	Catholic	Married
396	0	Catholic	Catholic	Married
397	0	Catholic	Catholic	Single
398	0	Catholic	Catholic	Single
399	0	Catholic	Catholic	Single
400	5	Catholic	Catholic	Widow
401	0	Catholic	Catholic	Married
402	3	Catholic	Catholic	Single
403	3	Catholic	Catholic	Single
404	3	Catholic	Catholic	Single
405	0	Catholic	Catholic	Single
406	0	Catholic	Catholic	Married
407	4	Catholic	Catholic	Married
408	4	Catholic	Catholic	Married
409	0	Catholic	Catholic	Married
410	0	Catholic	Catholic	Widow
411	0	Catholic	Catholic	Married
412	2	Catholic	Catholic	Married
413	0	Catholic	Catholic	Married
414	0	Catholic	Catholic	Married
415	0	Catholic	Catholic	Married

	M	N	O	P
416	0	Catholic	Catholic	Single
417	0	Catholic	Catholic	Married
418	2	Catholic	Catholic	Married
419	0	Catholic	Catholic	Widow
420	3	Catholic	Catholic	Married
421	8	Catholic	Catholic	Married
422	8	Catholic	Catholic	Married
423	2	Catholic	Catholic	Married
424	2	Catholic	Catholic	Married
425	0	Catholic	Catholic	Married
426	0	Catholic	Catholic	Married
427	0	Reformed Presbyterian	Reformed Presbyterian	Married
428	0	Reformed Presbyterian	Reformed Presbyterian	Married
429	0	Salvation army	Salvation Army	Married
430	0	Salvation army	Salvation Army	Married
431	0	Salvation army	Salvation Army	Married
432	0	Salvation army	Salvation Army	Widow
433	8	Salvation army	Salvation Army	Married
434	1	Salvation army	Salvation Army	Married
435	3	Salvationists	Salvationists	Married
436	0	Wesleyan Methodist	Wesleyan Methodist	Married
437	0	Wesleyan Methodist	Wesleyan Methodist	Married
438	0	Wesleyan Methodist	Wesleyan Methodist	Married
439	1	Wesleyan Methodist	Wesleyan Methodist	Married

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Untitled folder (1)

Untitled folder (2)

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