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Disparate Treatment of the Irish in 19th Century English Courtrooms*

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Abstract: This paper studies how and why anti-Irish sentiment in 19th century England spills over onto jury decisions at London's Old Bailey Central Criminal Court. We classify the (perceived) ethnicity of courtroom participants according to whether they have distinctly Irish or English surnames based on place of birth in the 1881 census. Irish-named defendants have significantly worse outcomes: juries are 3% more likely to convict Irish-named defendants and 16% less likely to recommend mercy in sentencing. Sentencing gaps are larger for violent crimes and robust to different classifications of surname Irishness, as well as to the inclusion of case and defendant controls. We argue that these findings are unlikely to be driven by correlated unobservable case or trial characteristics (like defense quality). Rather, we provide two pieces of evidence consistent with the gaps being driven by animus towards those perceived to be Irish. First, taking advantage of exogenous variation in expected punishment driven by the abolition of capital punishment, we show that juries react differentially to shifts in extraneous factors when the defendant is Irish- versus English-named. Second, these gaps are not limited to Irish-named defendants but also seen for other courtroom participants – namely Irish-named victims. Finally, we trace out the longer run evolution of these gaps throughout the 1800s: they first emerge during the capital punishment reform period, widen during the mid-century Irish Potato Famine induced migration to London, and thereafter remain primarily stable.

JEL-Codes: K42, K14, J15, N33, N93
Keywords: Irish, crime, criminal law, discrimination, economic history

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1. Introduction

Large numbers of migrants seeking refuge from conflict, persecution, and natural disasters or environmental shocks move to the European Union and United Kingdom each year. While 5% of UK residents perceive themselves as prejudiced towards immigrants, around 16% of foreign-born residents (and 35% of their UK-born children) feel discriminated against.[1] How do such anti-migrant sentiments form and evolve over time? To what extent do they translate into the disparate treatment of migrants in society? Answering these questions is essential from an immigration policy perspective, and for establishing what barriers migrants face in assimilating and succeeding in their adopted societies.

Studying the long-term evolution of sentiment and discrimination against migrants (and eventually ethnic minorities) faces significant hurdles: there are few contexts in which decisions that may potentially be impacted by prejudice can be systematically studied over a long period of time *and* in which ethnic background can be observed. This paper considers anti-Irish sentiment in the courtrooms of Victorian England, specifically London's Old Bailey Central Criminal Court, to overcome these challenges. We analyze data on one hundred years of jury decisions and classify defendants according to whether they have distinctly Irish or English surnames.[2] These name-based measures of ethnicity and long period of observed court decisions allow us to answer three questions. First, do Irish-named defendants have worse case outcomes – guilty verdicts and recommendations for mercy – than English-named defendants? Second, can these gaps be attributed to disparate treatment by (English-born) juries? Third, did such disparities evolve dynamically over the 19th century, especially in the context of the Irish Potato Famine (related to high out-migration from Ireland) and the 1880s Irish Republican Brotherhood bombing campaign (related to politically motivated violence in England)?

The answers to these questions provide more than the first large-scale empirical evidence of how anti-Irish sentiment in Victorian England were expressed in everyday life. They also help us understand the potential consequences of anti-migrant sentiments today and shed light on whether these biases – in and out of the courtroom – are a contemporary construct or have historical origins.

[1] See https://migrationobservatory.ox.ac.uk/resources/briefings/migrants-and-discrimination-in-the-uk/ (last accessed: January 02, 2026).

[2] English here refers to English and Welsh names, and Welsh names feature prominently in the names we study. This is in part because there are potentially many second-generation Welsh in London (our name measures are based on country of birth in the 1881 Census) and because there are so few Welsh surnames owing to the use of patronymic surnames, derived from the father's name, in Wales.

We begin in Section 2 by providing historical context on the 19th-century migration of the Irish and other groups to London. Using historical Census data, we show that the share of Londoners born in Ireland peaked in the 1851 census (i.e., during the Irish Potato Famine of 1846 – 1854) and, despite Ireland being the largest single source of first-generation migrants throughout the century, migrants from other countries were increasingly represented. We complement the prevailing narrative of historical anti-Irish sentiment with systematic quantitative evidence of how anti-Irish sentiment evolved over the century. Based on text analyses of historical articles from a newspaper archive, we document that anti-Irish sentiment in the form of "No Irish Need Apply" job ads spiked after the Irish Potato Famine. It remained markedly higher through the 1860s, after which time it fell without any visible reactions during the time of the 1880s bombing campaign of the Irish Republican Brotherhood.[3]

Section 3 describes 19th century jury trials and our primary data source. Information on the more than 130,000 trials in our core analysis sample (e.g., date, defendant names and gender, offenses, criminal history, verdict and sentence) is extracted from *The Old Bailey Proceedings Online*, a digitized version of a quasi-official court publication (*The Proceedings*) after each court session of the Old Bailey.[4] Summary statistics illustrate the context: 70% of jury trials were for property crimes, while 11% and 14% were for violent offenses and fraud, respectively. Guilty verdicts were returned in 70% of cases. Though sentencing was the judges' task, juries recommended defendants for mercy in 11% of cases. The 19th century was a period of dynamic sentencing reform. Almost all crimes were capital in 1800; the death penalty was abolished offense by offense in the first half of the century and penal transportation to Australia ended in the 1850s. Overall, 49% of cases resulted in the harshest possible punishment available at the time of sentencing.

Section 4 describes how we measure ethnic identity in the absence of data on place of birth and ethnicity. We create a measure based on an Irish surname ratio. This ratio equals the share of Irish-born individuals in the 1881 Census with a given name relative to the share of non-Irish born individuals with the same name; the higher this odds ratio, the more distinctively Irish a surname is. We create a similar measure for surnames from England and Wales (English surname ratio). In a data-driven approach, we classify defendants with Irish and English

[3] Anecdotes of explicit Irish prejudice persist today: e.g., a list of Irish surnames used by a British holiday firm to screen guests. See https://www.londonmet.ac.uk/news/expert-commentary/2021/march/pontins-and-no-irish-need-apply-the-prejudice-that-refuses-to-die/ (last accessed: December 03, 2025).

[4] Data from the Old Bailey Proceedings have also been used by economic historians to construct time-use budgets and measure the value of property (e.g., Voth, 1998; Horrell, et al., 2015; and Kelly and Ó Gráda, 2016).

surname ratios larger than three as Irish and English-named, respectively.[5] The remaining names are classified as non-distinct. Non-distinct names can include non-distinct English and Irish but also, for instance, Scottish names and names from other migrant groups (e.g., Russian and Polish Jews) described in the historical background section. We confirm this by conducting an out-of-sample analysis based on Census data and AI-based classifications. Our baseline classification assigns 12% of defendants to have distinct Irish names and 41% distinct English names, respectively. Using external data sources, we cross-validate that our surname classification does indeed predict country of origin, thereby allowing us to appropriately interpret our measure as a good approximation of the perceived ethnicity of the defendant. Section 4 also discusses the advantages and limitations of our approach to measuring ethnicity. We argue, for instance, that Victorian juries had few other signals of ethnicity (e.g., accents): many defendants did not testify and those who did say little. The robustness of our results to alternative Irish surname measures – alternative thresholds in our dichotomous classification, the odds ratio itself, and the simple probability that a surname is Irish – alleviates concerns about measurement error in our classifications.

Section 5 moves on to first document that defendants with Irish-classified surnames are more likely to be found guilty and less likely to be recommended mercy compared to English-classified defendants. Irish- and English-named defendants systematically differ in case characteristics, not only in outcomes. We use regression analyses to adjust these differences to observable characteristics (control variables) and fixed unobservable characteristics (fixed effects). This allows for differential conviction rates across offenses and periods, e.g., due to differences in expected punishment or evidence quality. Our baseline specification finds that on average, throughout the 19th century, Irish-named defendants are 2.3 percentage points (3% relative to the mean) significantly more likely to be convicted and 1.7 percentage points (16% relative to the mean) less likely to be recommended mercy. The non-distinct group, including other migrant groups as highlighted above, is (albeit to a lesser extent) also worse off than English-named defendants. Heterogeneity analyses find larger conviction rate gaps between Irish- and English-named defendants for violent than property crimes (8 versus 3%).

Can these gaps in case outcomes be interpreted as disparate treatment of Irish defendants by English jurors? While the institutional setting suggests this to be the case, Section 5 also discusses potential confounders to such an interpretation. First, perceived Irish and English

[5] Cummins and Ó'Gráda (2025) also use name-based approaches to identify Irish in historical data. They use surnames from the 1911 Census to classify surnames as Irish or not but not *how* Irish it is.

cases might be different in not only observable but also unobservable characteristics. We argue that this is of limited concern given the stability of our estimates to observable controls (once we condition on offense) and reassuring results of tests for selection on unobservables (Oster, 2019). Further, while differences in case composition could potentially result from biases in earlier criminal justice decisions (e.g., the Grand Jury), such earlier biases (working against Irish-named defendants) would likely yield underestimates of disparate treatment by the Old Bailey jury. Second, cases with Irish and English defendants may differ in trial rather than case characteristics, such as the quality of the defense. This is an unlikely driver of the gaps for two reasons: Victorian trials were incredibly short with limited role for defense attorneys, and English- and Irish-named defendants appear to have similar social class and occupations suggesting no meaningful differences (on average) in defense strategies or knowledge about the justice system. Third, disparate treatment may not arise because defendants are perceived to be Irish, but because of some correlated characteristic, e.g., religion or social class. The robustness of our results to controlling for occupation, geography, and criminality – three characteristics that jurors might perceive a signal for by a given surname – suggests that these are not the key drivers of disparate treatment. We do not, however, rule out that they contribute to the Irish stereotypes underlying juror decisions.

These results strongly suggest that animus against the Irish drives the courtroom disparities. Section 6 provides two further and more direct tests of disparate treatment. First, we test whether substantial exogenous changes in expected punishment severity (driven by the abolition of the death penalty) differentially affected jury verdicts for Irish- and English-named defendants. The underlying notion is that jurors use a threshold in the quality of evidence when deciding on the verdict. Previous research (Bindler and Hjalmarsson, 2018) has shown that the punishment reforms impacted jury decisions – likely by impacting this threshold. If juries used the same threshold prior to the reform in their decisions to convict Irish and English defendants, then a reform that exogenously impacts this threshold should not have a differential effect across the two groups. This is not what we find: juries do react differently to shifts in extraneous factors for cases with Irish- versus English-named defendants. Second, disparate outcomes for other Irish parties in the courtroom point towards systematic discrimination of the Irish rather than unobservable differences between Irish and English defendants. Focusing on victims, we find that the gap in conviction rates is driven by cases of Irish defendants with English victims. This points towards in-group versus out-group bias of the predominantly English jurors.

As highlighted in the institutional background, the 19th century is a dynamic period with regards to both criminal justice reforms (e.g., the abolition of capital punishment) and the

prevalence and societal position of the Irish in London. Big Irish migration waves occurred through the century, with peaks in the famine period midway through. We thus conclude by tracing out the Irish-English criminal justice gap through each decade of the century. Gaps only first emerge after the abolition of capital punishment begins and get larger during the famine-induced migration of the Irish. The gaps then persist until the end of the century and do not get dramatically larger with the Irish Republican Brother bombing campaign.

Overall, the paper makes wide ranging, important contributions to four literatures. The first relates to the determinants and social consequences of anti-migrant sentiments. With regards to the determinants, a number of papers study how media coverage policies affect attitudes towards migrants (e.g., Facchini et al., 2017; Benesch et al., 2019; Keita et al., 2024) while others consider whether attitudes and voting are affected by exposure to or contact with – even historically – the minority population (e.g., Schindler and Westcott, 2021). Another strand of papers considers the effects of events on societal behaviors rather than on attitudes directly; in other words, these papers infer that anti-migrant attitudes and perceptions became more salient. For instance, Hanemaaijer et al (2025) study biases in the Dutch criminal justice system towards individuals of Moroccan descent after such a salience shock (the assassination of a defense attorney), while McConnell and Rasul (2021) study the effects of 9/11 on the sentencing of Hispanics. Our paper falls into this third category: we measure the knock-on effects of anti-Irish sentiments in the criminal justice system. In contrast to the other papers, which study single events that shock sentiment, our study spans multiple potential events.

Second, despite the prevalence of a narrative of historical anti-Irish sentiment and its potential persistent effects on attitudes towards the Irish today, there is little to no *large-scale* empirical evidence of: the extent to which the Irish in England were discriminated against; how such discrimination occurred (e.g., in what aspects of life); and when such discrimination started. In the history literature, smaller-scale, mostly local studies feature discussions of poverty, crime and anti-Irish sentiment, and the economic position of the Irish in London and other British towns and cities in Victorian times (see, inter alia, Swift, 2006).[6]

Third, there is growing evidence of the disparate treatment of racial and ethnic minorities by judges and juries around the world today.[7] We provide one of the first pieces of evidence

[6] King (2013) concludes that 1188 Irish defendants (1791-1805) at the Old Bailey were not treated more harshly. In the Economic History literature, Vickers (2016) finds that Irish surnames (in 1883 English/Welsch trials) have insignificantly longer sentences. Bodenhorn (2009) finds shorter sentences for Ireland born than native whites in Pennsylvania from 1829 to 1876.

[7] For disparities in judge decisions, see Alesina and La Ferrara (2014), Bushway and Piehl (2001), Mustard (2001), Sørensen et al., (2014), Abrams et al. (2012), Rehavi and Starr (2014), Shayo and Zussman (2011), and Gazal-Ayal and Sulitzeanu-Kenan (2010). For jury decisions, see Anwar et al. (2012, 2019b, 2022) and Flanagan (2018).

that these biases are not merely a construct of contemporary institutions, but rather date back historically – in our case, to nearly 200 years ago.

Lastly, we also contribute to the literature on the economic history of crime and the judicial system more widely.[8] Recent papers test other historical narratives in quantitative analyses. For instance, Abramitzky et al. (2024) show that, over the past 150 years, immigrants in the U.S. exhibited lower incarceration rates compared to native-born individuals. Others (e.g., Rubio, 2022) test the historical narrative (Blackmon, 2009; Oshinsky, 1997) that post-emancipation criminal laws were strategically designed to target African Americans.

2. Institutional Background: The Irish and Other Minorities in 19th Century England

This section describes the migration dynamics of Irish and other groups to London throughout the 19th century. We provide historical information as well as systematic quantitative evidence of how anti-Irish sentiment evolved over the century, and discuss other key events, e.g. the Irish Republican Bombing campaign, which could affect such sentiment.

2.1. Irish and Other Migrants in 19th Century London

According to Williamson (1989), there were just 20,000 Irish-born individuals living in Britain in 1787. By 1861, the number of first-generation Irish migrants was at 805,700. Much of this increase is concentrated in the 1840s, which saw an approximately 75% increase in the number of Irish-born (from 415,700 in 1841 to 727,300 in 1851). Despite the growing size of the English born population, the share born in Ireland increased from 2.2 to 3.5% .

Ireland's Great Famine, also called the Irish Potato Famine, was the driving force behind this wave of Irish migration. An 1845 infestation of *Phytophthora infestans* destroyed a significant portion of potato crops (the primary crop of Irish farmers); repeat crop failures of varying degree occurred until the end of the decade. Famine took hold in 1846, resulting in an estimated one million deaths and another million migrating (especially to the US and UK) by the early 1850s (Ó Gráda, 1999).[9] Crops recovered by 1852, with migration flows subsequently dropping from their sizable peak.[10]

As our analysis focuses on the Irish in London, hand-collected statistics are presented in Panel A of Figure 1 to show the dynamics of Irish migration and other population groups during

[8] These papers focus on crime and immigration (Moehling and Piehl, 2009), welfare (Melander and Miotto, 2023), police (Bindler and Hjalmarsson, 2021), poverty (Chambru, 2020; Bignon et.al, 2017), education (Eriksson, 2020), lead exposure (Fiegenbaum and Muller, 2016), and social connectedness (Stuart and Taylor, 2021).
[9] See Mokyr (1983) and Ó Gráda (1999) for more details on the timeline of the famine.
[10] For instance, Anbinder and McCaffrey (2015) study the Great Famine migration of "1846-1854", choosing 1854 as the endpoint since after that year immigration to the United States decreased to pre-famine numbers.

the 19th century. The figure is based on different sources of historical census records (put together manually) and highlights the share of London residents born abroad over time.[11] The black line with circle markers corresponds to Ireland. As in Britain more broadly, the share of Londoners born in Ireland peaks in the 1851 census at more than 4.5% (corresponding to 109,000 individuals in the capital city). By the end of the 19th century, around 2% of Londoners were *born* in Ireland. There were of course many more individuals of Irish heritage, as official records only allow us to directly count first generation migrants.

Given the dire circumstances under which many left Ireland, it is not surprising that researchers find post-famine migrants to differ "relative to earlier, more prosperous Irish Immigrants" (Collins and Zimran, 2019). Collins and Zimran (2019) find that post-famine migrant household heads in the US have lower human capital (literacy) compared to pre-famine migrant household heads. Historians, however, highlight that even pre-famine, Irish migrants to Britain were of lower classes than those to North America (O Tuathaigh, 1981). Migrants to London were disproportionately employed in semi-skilled and unskilled casual labor and lived in the poorest of communities or slums in the city (O Tuathaigh, 1981).

Panel A of Figure 1 also highlights two more important facts. First, the Irish comprised the largest migrant group to London throughout the 1800s. Second, migrants also came to London from other countries in Western and Eastern Europe. Next to the Irish, Germans were the second largest foreign-born group throughout most of the century. German immigrants came from diverse social and religious backgrounds, with many engaged in occupations such as waiters and clerks, some of whom later became restaurant owners and businessmen (Panayi, 1995). The figure also shows a sharp increase in migration from Poland and Russia after 1880. This was driven by a wave of Jewish migrants fleeing anti-Semitism, economic hardship, and political repression. This group upon arrival faced considerable hostility, with politicians, journalists, and social reformers blaming them for introducing "sweated labor" in industries, such as cabinetmaking and clothing manufacturing in London's East End, and of displacing native Britons from the housing and labor markets. This growing antagonism led to the 1905 *Aliens Act*, which for the first time restricted immigration and required immigrants to demonstrate their ability to support themselves (Feldman, 1994).

2.2. The Irish Republican Brotherhood

[11] We use the Census records from the following sources: General Register Office, Great Britain (1873), Allen County Public Library Genealogy Center (1912), General Register Office (1854), G.Barnett-Smith (1879), and Office Census (1862).

The Irish Republican Brotherhood (IRB) was a fraternal organization aiming to establish an independent Irish Republic. The IRB resorted to violence in London and across England in the latter part of the century. The 'Clerkenwell Outrage' attack occurred on December 13, 1867, and was a failed attempt to ensure the escape of two Fenian operatives – Ricard O'Sullivan Burke and Joseph Casey – from their incarceration in the Clerkenwell House of Detention in London. This attack led to 12 deaths and 120 injured. Six individuals were put on trial in the Old Bailey session starting on April 6, 1868, for murders associated with the Clerkenwell explosion. Just one – Michael Barrett – was found guilty and sentenced to death.[12] He was publicly executed on May 26, 1868; this was the last public execution in the UK. The bombing was covered extensively in newspapers of the time – see Appendix C for two depictions of the bombing that are even used regularly today. The movement quieted down until a series of bombing attacks in London and other English cities between 1881 and 1885 - the 'Fenian Dynamite Campaign'. These attacks culminated in the formation of the Metropolitan Police's Special Irish Branch in 1883.

2.3. Attitudes Towards the Irish and Other Migrant Groups

Given these shocks – the famine induced migration and bombing attacks – the next question is if and how attitudes towards the Irish in London changed throughout the century. Henry Mayhew, journalist and co-founder of the satirical magazine Punch, published a series of articles in the Morning Chronicle, which were compiled in 1851 into a book titled the "London Labour and the London Poor". These writings, as summarized by Scholl (2020), highlight that Mayhew positioned the Irish as the poorest of the poor. He stated that their presence in London in the 1840s was not new, though the prejudice against them was. Mayhew dates it to the influx of Irishmen during the famine:

> "I found among the English costermongers a general dislike of the Irish. In fact, next to a policeman, a genuine London costermonger hates an Irishman, considering him an intruder. Whether there be any traditional or hereditary ill-feeling between them, originating from a clannish feeling, I cannot ascertain. The costermongers whom I questioned had no knowledge of the feelings or prejudices of their predecessors, but I am inclined to believe that the prejudice is modern, and had originated in the great influx of Irishmen and women, intermixing, more especially during the last five years, with the costermonger's business. An Irish costermonger, however, is no novelty in the streets of London." (104)

[12] See https://www.oldbaileyonline.org/browse.jsp?id=def5-412-18680406&div=t18680406-412#highlight and https://historyhouse.co.uk/articles/clerkenwell_prison_escape.html.

O Tuathaigh (1981) describes the British stereotype of the famine-migrant Irishman as "intemperate, improvident, violent, totally innocent of any notions of hygiene, mendacious and undependable." As seen in Appendix C, there are many anecdotal examples of an anti-Irish sentiment in Victorian England, ranging from employment advertisements explicitly stating "No Irish Need Apply" to political cartoons depicting Irishmen as drunken and ape looking.

Beyond these examples, there has to date been little systematic empirical evidence on the (quantitative) extent of such anti-Irish bias, including whether it truly was affected by the dynamics of famine migration and whether it spilled over to biases in the courtroom. Before turning to our formal jury analyses, we provide a first piece of quantitative evidence on the evolution of anti-Irish bias. Drawing on the British Newspaper Archives, we analyze the prevalence of anti-Irish sentiment in London newspapers during the 19th century. Specifically, we conduct automated searches for occurrences of the phrase "No Irish Need Apply", one of the most explicit expressions of anti-Irish sentiment at the time, in London-based publications between 1800 and 1900. Our methodology identifies unique publications in which the phrase appears at least once, yielding a total of 2,460 distinct instances. Panel B of Figure 1 presents monthly aggregations of these mentions. There are three central takeaways. First, anti-Irish sentiment (as measured here) originated in the late 1820s and existed prior to the famine-driven migration. Second, there is a spike in anti-Irish sentiment at the end of the famine, and high levels persisted through the 1860s. Third, levels of anti-Irish sentiment (again, as measured by the "No Irish Need Apply" ads) were markedly lower from 1870 to 1900, with very little change during the Irish Republican Brotherhood Bombings.[13]

A number of factors could explain these lower levels of anti-Irish sentiment towards the end of the century. Irish living standards and neighborhoods improved through public health and transportation infrastructure investments as well as occupational advancement of second-generation Irish migrants (Dyos and Wolff, 1998). Moreover, the Irish nationalist ambitions were legitimized with the 1886 Home Rule endorsement by Prime Minister Gladstone. The Liberal-Irish alliance of 1886-1892 promoted a "union of hearts" which reduced perceptions of Irish political subversion (Tuathaigh, 1981). Third, the Irish began to integrate into mainstream labor movements with the rise of "New Unionism", which provided Irish industrial workers a platform to engage in broader labor struggles alongside the British working class (Matthews, 1991). Finally, as noted in the previous section, waves of migration from Central

[13] The lower number of "No Irish Need Apply" hits in the latter part of the century is not driven by lesser coverage of the media archive. In fact, coverage is greater from 1850-1900 (338 newspapers and 466,091 issues) than 1800-1850 (198 newspapers and 241,954 issues).

and Eastern Europe in the late 19th century shifted the focus of xenophobic sentiment away from the Irish (Tuathaigh, 1981).

3. The London Old Bailey: 19th-Century Court Decisions

3.1. The Historical Trial and Judicial Process

This paper studies 19th century courtroom decisions at the Old Bailey – the Central Criminal Court of London and the surrounding counties of Middlesex and (parts of) Essex, Kent, and Surrey. All felony cases were trialed at the Old Bailey, though there was a very broad definition of "felony" during this period: at the beginning of the 19th century, more than 200 offenses were eligible for the death penalty, including, for instance, pickpocketing.

Defendants faced an Old Bailey trial when a Grand Jury decided that there was sufficient evidence to proceed. Anecdotally, for at least the first part of the 19th century, Grand Juries had a reputation for being lenient and were nicknamed the "hope of London thieves."[14] Only charges of murder and manslaughter automatically went to trial without a Grand Jury decision.

Trials at the Old Bailey occurred during regularly scheduled sessions, which lasted for at least a few days and occurred on an almost monthly basis by the end of the century. A master list of eligible jurors was maintained in each jurisdiction (i.e., London versus Middlesex). As detailed in the *1825 Juries Act*, eligibility was generally determined by: gender (only males until the Sex Disqualification (Removal) Act of 1919), age (21-60 for most of this period), being a natural born citizen and resident of England, and income and wealth qualifications. A pool of jurors was summoned from the respective master list to the courtroom before each session and twelve names were randomly drawn to sit on each jury (with separate juries for London and Middlesex). Each jury decided many consecutive cases.[15] Juries were expected to return a unanimous verdict after listening to the testimony. They could convict the defendant on the original charge or a lesser offense (more common for property offenses with easily defined theft value thresholds) and could recommend mercy to the judge in sentencing.

Sentences – primarily death, transportation to Australia, or prison – were decided by the judges, who were of generally high socioeconomic status and often university educated.[16]

[14] See https://www.digitalpanopticon.org/The_Old_Bailey_Criminal_Trial (last accessed: December 2025).
[15] For analyses of gender gaps in Old Bailey decisions and impacts of adding females to the pool, see Bindler and Hjalmarsson (2020) and Anwar et al. (2019a) respectively. See Bindler and Hjalmarsson (2019) for an analysis of path-dependency in these jury decisions.
[16] See https://www.oldbaileyonline.org/static/Judges-and-juries.jsp#whowerethejudges. This can be corroborated in statistics based on social class classifications in the Old Bailey Corpus, which contains speech related texts from the Old Bailey Proceedings (Huber et al., 2016). We describe the Old Bailey Corpus data in Appendix A. For the sample of cases in the Corpus and using the Historical International Standard Classification of Social Class, 75% of (male) defendants and 51% of victims but 0% of judges are classified as of *lower* social class.

Capital punishment was abolished offense by offense during the first half of the 19th century, and replaced by either transportation "beyond the seas" to Australia or by prison sentences. Increasingly viewed as harsh and inhumane, transportation was abolished in two steps in 1853 and 1857. Prison became the predominant sanction.

19th century Old Bailey trials bear little resemblance to contemporary cases. Historical trials, for instance, were especially short; Feeley (1997) states that a 19th century Old Bailey chaplain clocked the average trial to be around eight minutes long. The trial began with the clerk reading the charge and defendant's name. It then proceeded with the 'prosecutor' (oftentimes the victim) presenting the case, the witnesses giving testimony, and finally, the defendant stating their case. Courtroom participants – including jurors – could first infer Irishness (as we do) from the defendant's name when read aloud by the court clerk. But, given the distinctiveness of Irish accents, Irishness could potentially be observed when and if the defendants speak in the courtroom. We discuss the extent to which defendants speak further in Section 4. We highlight here already that speech might affect juries' perception of Irishness – but it is more likely that this leads to identifying someone as Irish who does not have a distinct Irish name, rather than identifying someone as not Irish despite a distinct Irish name.

3.2. The Old Bailey Proceedings Online: Data Source and Sample

The core data are from *The Proceedings of the Old Bailey*, which were published after each Old Bailey session from 1674 to 1913. Hitchcock et al. (2013) digitized these documents and made them available to the public via *The Old Bailey Proceedings Online* search engine and tagged xml files. For more data details, see Bindler and Hjalmarsson (2018, 2019, 2020).

We extract the following tagged information for all trials: case identifier, session date, defendant name, defendant gender, offense category, verdict (plea, guilty of original or lesser charge, acquit), sentence (death, transportation, prison, corporal, miscellaneous or none), and codefendant identifier and name. Sentence length unfortunately is not digitized, nor are pardons included in the Proceedings. The Proceedings only tag the main offense, even if the defendant is charged with multiple offenses. Age is also tagged, but only systematically reported in the Proceedings for *convicted* defendants after 1800. For previous projects, we manually coded the following untagged information: judge, jury, and juror names from 1750 to 1822 and the defendant's custodial history (once, more than once, known associate of bad character), which is available from the 1830s onward. Unfortunately, after 1822, we cannot identify which jury (of the several juries per session) trialed a given case and therefore cannot study the effect of Irish jurors on case outcomes for cases with Irish versus English defendants. We can, however,

confirm that jurors rarely had distinctively Irish names (around 3% from 1800 to 1860) – which is to be expected given juror eligibility rules.

Our analysis sample consists of the Old Bailey trials from 1800 to 1899, with separate observations for each defendant in multi-defendant cases. This includes both jury trials and cases in which defendants plead guilty (N=162,482), though in much of the analysis we focus on jury trials only (N=134,204). The evolution of the number of trials at the Old Bailey throughout the 19th century reflects more than just underlying crime levels. The catchment area of the Old Bailey was expanding, especially with the addition of Essex in the 1830s. In contrast, in subsequent years, cases were shifted out of the jurisdiction as more power was given to magistrates to summarily decide cases of minor property crimes. These institutional changes are reflected in Panel A of Figure 2, which presents the annual number of cases overall and separately for property, violent, fraud and other offenses.

Our core analyses focus on the sample of 134,204 jury trials. We categorize the offenses into 34 categories (see Appendix Table B1), and code whether each offense was capital eligible in the trial year (based on Bindler and Hjalmarsson, 2018). Column (1) of Table 1 presents summary statistics for the full sample of jury trials from 1800 to 1899. Of all defendants, 20% are female. Among the convicted, for whom age is observed, defendants are on average around 27 years old. After 1832, when we start to observe the respective variable, 11% have a criminal history. The average year of the trial is 1843 (consistent with there being more Old Bailey trials in the first half of the century). Of all cases, 16% are capital eligible and there are on average 1.5 defendants per case. Property cases are most common, making up 70% of jury trials, while 11% of cases are violent and 14% are fraud cases. Of all jury trials, 70% result in a guilty verdict. Among the cases with guilty verdicts, 11% of jury decisions include a recommendation for mercy (to the judge). In terms of sentences, 5% of the decisions (by judges) are death sentences, 27% penal transportation sentences and 57% prison sentences. Because of the many changes throughout the century in terms of sentencing regimes, we also report the share of defendants who received the maximum possible punishment for the given offense and time period: 49%.

4. Classifying Irish and Non-Irish Courtroom Participants

Given that the Proceedings do not systematically record defendant ethnicity or place of birth, a fundamental analysis step is to identify Irish and non-Irish courtroom participants. We do this by measuring surname ethnicity using country of birth in the 1881 Census. In other words, we use names of first-generation immigrants from Ireland to England, regardless of year of birth,

to identify names that are distinctively Irish. This section describes the key steps; Appendix A provides additional details on data sources, data cleaning, name classification and validation.

4.1. Step 1: Matching Surnames in the Old Bailey Proceedings and the 1881 Census

A first (crucial) step is to match each surname in the Old Bailey Proceedings (for all defendants, and where available, jurors, judges and victims) to surnames in the 1881 Census. We start by matching on the surnames reported in the Old Bailey Proceedings (more detail is given in Appendix A). To then increase match rates and consider name variants, we use Adam Crymble's *Historically Irish Surnames Dataset* (Crymble, 2015) to identify the root names and up to eight name variants. This can be important to capture Irish migrants, or their children, who may have changed the spelling of their surnames to assimilate better into England. Overall, matching rates are high: we match the surname (or a surname variant) of 96.9% of Old Bailey defendants in our sample to an 1881 Census surname and ratio.

4.2. Step 2: Creating Irish and English Surname Ratios

For each matched surname *s* in the 1881 Census, we calculate the share of individuals in the Census who are born in Ireland and have that surname. This is not enough to identify distinctively Irish names, however, since some names could be common in both Ireland and England (e.g., "Smith"). Thus, we scale this share (the numerator below) by the share not born in Ireland who have the same surname *s* (the denominator below). A distinctive Irish surname is thus one that is relatively common for those born in Ireland but not for those born elsewhere: The larger this Irish surname ratio, the more distinctly Irish the surname.[17]

$$Irish\ Surname\ Ratio^{s} = \frac{(\#\ born\ in\ Ireland\ with\ surname\ s/\#\ born\ in\ Ireland)}{(\#\ born\ outside\ of\ Ireland\ with\ surname\ s/\#\ born\ outside\ of\ Ireland)}$$

Names of individuals in England that are not distinctly Irish could have a diverse set of ethnic origins. While the vast majority are likely of English origin, some could still be of Irish origin (but with less distinct names), Scottish origin, or from some of the other prevalent groups of

[17] This has some similarities to Bertrand and Mullainathan's (2004) classification of distinctive white and Black names. In the historical context, it is based on a similar idea as the approach in Cummins and Ó'Gráda () who use 1911 Census surnames to identify Irish. Cummins and Ó'Gráda (2025) use Census data to classify names by ethnic origin based on the most frequent country of birth per surname, with adjustments when at least five percent per surname are born in a country which is not England or Wales. In our validation exercises, we compare our classifications to those reported by Cummins and Ó'Gráda; despite the different methods, there is a clear overlap in name classifications.

immigrants (e.g., German, French, Russian and Polish Jewish immigrants; see above). To allow for a more accurate comparison of Irish- to English-named individuals, we thus create an analog measure of how 'English' a name is, i.e., the ratio of the share of persons in the Census with (matched) surname *s* who are born in England or Wales to the share of those not born in England or Wales. For simplicity, we refer to this as the *English Surname Ratio*.[18]

$$English\ Surname\ Ratio^{s} = \frac{(\#\ born\ in\ England\ with\ surname\ s/\#\ born\ in\ England)}{(\#\ born\ outside\ of\ England\ with\ surname\ s/\#\ born\ outside\ of\ England\ )}$$

These two ratios tell us how distinctly Irish and English each surname in the Census is. Moreover, one can show that the surname ratio is convenient as a measure not only in statistical terms (as it adjusts for very common names by rescaling) but that it can also be transformed into and interpreted as an odds-ratio.[19]

$$Irish\ Surname\ Ratio^{s} = \frac{\Pr\ (born\ in\ Ireland|surname\ s)/(1-\Pr\ (born\ in\ Ireland|surname\ s))}{\Pr\ (born\ in\ Ireland)/(1-\Pr(born\ in\ Ireland))}$$

The numerator of this expression denotes the odds that a person is Irish-born conditional on the observed surname *s*, while the denominator denotes the odds of being Irish-born in the population. That is, our surname ratio (for Irish surnames and equivalently for English surnames) can be interpreted as the odds ratio of a name being Irish.

For all defendants from 1800 to 1899, Panels A and B of Figure 3 plot histograms of the Irish and English surname ratios, respectively. The figures top code all ratios at 25. The median Irish surname ratio is 0.38, while the mean is 673. The median English surname ratio is 2.34, with a mean of 2311. These statistics highlight that some surnames have extremely large ratios – i.e., they are very distinct.

4.3. Step 3: Classifying Irish, English, and Non-Distinct Surnames

Preferred Classification of Irishness. Our preferred specifications focus on three dichotomous groups of defendants – Irish, English, and non-distinct surnames. We create these based on the above surname ratios. We will discuss the composition of the non-distinct group in more detail

[18] To the extent our English names also includes Welsh names, not least because of the smaller number of Welsh names already noted above, this could bias down any comparisons we make of the Irish to English – if those of Welsh origin are also treated non-favorably. Given the ease of migration between Wales and England at this time, we decided to combine those born in England and Wales.

[19] This transformation is done by multiplying the numerator and denominator by $1 = \frac{\#\ born\ total/\#\ born\ total}{\#\ born\ total/\#\ born\ total}$.

in Section 4.5 below. Specifically, we define the three groups using a threshold value, such that all names with an Irish (English) surname ratio over that threshold are distinctly Irish (English). We use a baseline threshold of three, such that a defendant with surname *s* is classified as:

$$\begin{aligned} Irish: &\quad Irish\ Surname\ Ratio^s > 3 \\ English: &\quad English\ Surname\ Ratio^s > 3 \\ Non-Distinct: &\quad Irish\ Surname\ Ratio^s \leq 3\ \ and\ English\ Surname\ Ratio^s \leq 3 \end{aligned}$$

This threshold decision is informed by a data-driven approach recognizing the trade-off between sample size and classification error. On the one hand, the higher the threshold, the more distinct the ethnic background and the less likely we incorrectly identify, for instance, non-Irish defendants as Irish. On the other hand, a higher threshold implies a smaller sample of Irish and potentially classifying defendants as not Irish who in fact are. Panel C of Figure 3 illustrates this trade-off by showing the share of defendants that are Irish, English, and non-distinct using surname thresholds from 1 to 15. With a threshold of one, about 20% and 70% of defendants are classified as Irish and English, respectively. As the threshold increases, individuals are shifted from the Irish and English groups to the non-distinct group. However, once a ratio of three is reached, there is little movement in the classification of *Irish* defendants – which forms the basis of choosing this as the baseline threshold.

The Prevalence of Distinctly Irish Surnames. Panel B of Figure 2 depicts the share of defendants (1800-1899) who are classified as Irish, English, and non-distinct: 12% and 41% of defendants have Irish and English names, respectively. That means that, relative to their presence in London's population, the Irish are over-represented (four times) in the courts. Panel C of Figure 2 looks at the development of the ethnic composition of defendants over the 19th century. It shows the share of defendants who had distinct Irish names by decade both for the full sample and by offense. Though there was no dramatic change in the share of Irish-named defendants, there is a small increase in the first half of the century, which peaked around 1860. When looking at offense groups, there is a similar pattern for property crime (the most common offenses) and other crime categories, but a more drastic increase in Irish representation for violent crime. Here, the share of defendants classified as Irish increased from around 15% in the 1830s to 23% in the 1850s.

Alternative Classifications and Measures of Irishness. The choice of threshold is, of course, to some extent arbitrary. We thus assess the robustness of our results to this choice compared to alternative thresholds (other than three) to create the dichotomous measure, non-dichotomous uses of the surname ratios, and alternative measures of Irishness. Specifically, rather than our baseline classification, we also assess how court outcomes vary with the Irish surname ratio itself (i.e., the intensive margin of Irishness). We will include this as both a continuous variable and as a categorical variable that allows for a non-linear relationship. Finally, on a more conceptual level, one may worry that jurors form their perceptions not based on odds ratios but rather associate simple probabilities with a given surname. We will thus also use the simple probability of a surname being Irish as an alternative measure:

$$\Pr(born\ in\ Ireland \mid surname\ s) = \frac{\#\ born\ in\ Ireland\ with\ surname\ s}{\#\ born\ total}$$

4.4. Name Classification Validation Exercises

This subsection demonstrates that our measure of distinct Irish surnames indeed captures individuals who are likely to be associated with or born in Ireland. We conduct cross-validation exercises by using data sources external to the Old Bailey Proceedings that include alternative ways to identify whether an individual is of Irish origin. The results are presented in Panels D-F of Figure 3.

First, we use data from the *Grenham Irish Surnames*, which we refer to as the "Grenham data" and describe further in Appendix A, to measure the number of households with a given surname in Ireland (overall and by administrative unit). We regress the observed share of households in Ireland with surname s on our classification of whether that name is Irish, English or non-distinct, iterating through potential thresholds in the surname ratio, ranging from 1 to 15. Panel D of Figure 3 plots the coefficients. Surnames classified as Irish are more common amongst households in Ireland, those classified as English less common. Moreover, the strength of the Irish relationship increases as the threshold increases: the more distinctively Irish a name is in the 1881 English Census, the more common it is in Irish households.

Panels E and F present similar cross-validation checks using records from the *Digital Panopticon* to identify the place of birth – Ireland, London, and Scotland – for a subset of individuals who also have records in the Old Bailey Proceedings Online.[20] For this subsample,

[20] The Digital Panopticon is a website built by digital historians and is focused on digitizing and making searchable records from many historical sources about the lives of convicts from the 18th and 19th centuries. The search can

Panel E regresses the observed birthplace on whether the surname is classified as Irish, while Panel F does the same for English classified names. Again, we iterate through thresholds from1 to 15. The figures demonstrate that our name classifications perform well in identifying Irish and English individuals: defendants with Irish (English) names are more likely to be born in Ireland (England) and less likely to be born in England (Ireland). Moreover, once a threshold of three is reached, the relationship between surname classification and place of birth stabilizes, supporting our threshold choice.

Additional cross-validation tests are included in Appendix A. First, Appendix Table A1 provides a 'common sense' test, listing the 30 most common surnames in each group. The most common Irish surname is Sullivan (with an Irish ratio of 22 and English ratio of 0.06), while the most common English Surname is Jones with an Irish ratio of 0.20 and an English ratio of 5.10.[21,22] Other very English names near the top of the list include Harris, Thomas and Price and other Welsh names like Williams, Evans and Roberts. Smith is the most common non-distinct surname, with Irish and English ratios of 0.56 and 1.43 respectively. In general, the most common non-distinct surnames appear to be those that are common amongst both the Irish and English; nonetheless, we discuss the composition of the non-distinct group in more detail in the next subsection. Finally, one can also use our list of top 30 Irish surnames to compare our classification approach to others recently used in the literature, like that of Cummins and Ó'Gráda (2025). Table 3 of their paper validates their classification of Irish surnames from the 1911 Census against the 15 most popular Irish surnames from the following website: https://forebears.io/ireland/surnames. Their method (depending on threshold choices used) classify 12-14 of these surnames as Irish. Even in our list of top 30 Irish surnames in Appendix Table A1, 12 of these surnames are listed: some are exact matches and some would be matched on name variants. There is a significant amount of overlap between our Irish surname classifications and that of other recent work in the field.

Second, Appendix Table A2 shows that our surname classifications (in the respective

be conducted here: https://www.digitalpanopticon.org/search. Using this search engine, we extracted those Old Bailey records that were in the Digital Panopticon that listed place of birth as Ireland, Scotland or London. Records can be extracted from one location of birth at a time.

[21] To be precise, Jones is actually of Welsh origin and included in the English classification given, as described earlier, we include individuals born in England and Wales.

[22] Both McCarthy and MCarthy are amongst the most common Irish surnames in the Old Bailey data. This reflects the minimalist approach we took to editing the raw names (just removing characters, like '). While cases like this could induce some measurement error, i.e., multiple spellings of same/similar names, our matching using root names and name variants (when possible) helps alleviate this concern. Moreover, since there are multiple spellings of the same name in the Census, our conservative approach to data cleaning allows for the possibility that different spellings of names have significance (e.g., in terms of origin).

subsamples) correctly predict: (i) the place of birth (*Digital Panopticon)*, (ii) the share of households in Ireland (from 1847 to 1864) with that surname (*Grenham data)*, (iii) a manual classification of whether a name is of Irish, English or non-distinct origin (based on manual searches of genealogy websites for a sub-sample of defendant names), and (iv) whether the first name is classified as Irish, English, or non-distinct (using the same ratio approach as above but with first names instead of surnames).[23] Over and above cross-validating our measures, an important take-away of these results is that even though our classification of names is based on the 1881 Census, our measure performs well in multiple sources – spanning the 19th century.

4.5. The Non-Distinct Group: Other Minorities

The cross-validation exercises above demonstrate the relevance of our measures to capture defendant ethnicity: Irish and English classified names correlate with Irish and English background, respectively. Table 2 answers the remaining question of what is captured by the names classified as non-distinct.

First, in Panel A, we investigate non-distinct classified defendant names using the information from the 1881 Census. These names appear more likely to be of Scottish origin than English or Irish classified names, but are also of English and Irish origin, which is consistent with earlier conclusions that names that are common amongst both English and Irish (like Smith) will be classified as non-distinct.

Another minority at the time (with often distinct names) is the Jewish community, as described earlier in Section 2. Using historical information on the most common Jewish surnames,[24] we find that the share of non-distinct defendant names corresponding to the top 100 Jewish names is substantially higher (13%) than among defendants with Irish (0.5%) or English classified names (4%).

Second, we use AI tools (ChatGPT) to run queries about the defendant names in our sample (Panel B); the exact queries are listed in Table 2.[25] We ask AI whether a given surname is of a specific origin (yes or no question). The results indicate that the group of non-distinct names contain names from different minority communities, including e.g. German, Jewish,

[23] A research assistant began the manual name classification for defendants in the 1880-1886 Proceedings. They manually classified all surnames beginning with A-G, and a subset of H and M. With regards to first names, we note that 85% of first names using a threshold of three are classified as non-distinct, potentially due to anglicized spellings of first names; we therefore focus on surnames in our analyses.

[24] We use the top 100 Jewish surnames identified in historical records for Leeds, England: https://www.british-jewry.org.uk/leedsjewry/surnames100.php?topnum=100&tree=1 (last accessed: January 2, 2026).

[25] For each of the 24,119 surnames in our sample of Old Bailey defendants, we use the ChatGPT for excel plug in (AI Model GPT-4o mini) and the AI.ASK command to ask 11 queries. Table 2 summarizes these results separately for defendant surnames that we classified as distinctly Irish, English, or non-distinct.

French, Russian or Polish names (over and above Irish, English and Scottish names). They also further validate our classifications in the sense that the share of names returned as of commonly Irish (English) origin is higher than for the other groups for Irish-classified (English-classified) names. The share of minority names among the non-distinct names is higher than in the AI classifications of what we define as Irish names (and in most cases than of what we define as English names).

We conclude that the non-distinct group of names contains (i) names that are common for both the Irish and English, (ii) names of Scottish origin, and (ii) names of different minorities at the time.

4.6. Advantages and Limitations of Surname Measures

We have shown above that defendants with Irish surnames are indeed more likely to be Irish themselves. However, there likely is some classification error: some defendants who are of Irish (English) heritage will not be identified as having Irish (English) surnames. For instance, defendants of Irish origins who changed their names to more English-sounding ones upon migrating may not be classified as Irish. This form of measurement error, however, will likely work against us: if there are Irish defendants with English surnames and vice versa, any gaps in outcomes between these groups would be underestimated. Moreover, our baseline classification and specifications below in part aim to alleviate concerns about this measurement error by emphasizing a comparison of two groups – distinctly Irish and English – for whom we have high confidence in the classification. Put differently, we allow for the third group of non-distinct names to minimize the concern about measurement error. A related concern is that a surname is less informative for females who might have changed their name with marriage; in practice, however, we see that our surname classifications perform similarly when conducting the cross-validation checks shown in Appendix Table A2 separately by gender.[26]

Further, we argue that whether or not we correctly classify Irish defendants may not actually matter – as long as we correctly capture the jurors' *perceptions*. The jurors did not necessarily have more information about a defendant's background than we do as researchers: the defendant's name read aloud by the clerk may have been the only signal of their ethnic background. As noted earlier, during this time, trials were very short, limited evidence was presented, and defendants spoke very little. Analyses by digital historians of defendants' speech recorded in the Proceedings from 1781 to 1880 indicate that the share of defendants

[26] Gender specific results are available upon request.

who said *anything at all* was sharply declining over this period. This came together with a decreasing need to plead for lenient treatment (as punishment severity decreased and the assumption of guilt changed to the assumption of innocence) and with an increasing presence of attorneys to speak for them. About 75% of defendants spoke in 1800 versus 25% by 1875. Moreover, not only are defendants often silent, but those who spoke said little – on average 55 words.[27] Thus, even if defendants are incorrectly classified according to the surname, we may be correctly measuring the jury's perception of ethnicity because there is little opportunity to discern an Irish accent. This is especially true in the latter part of the century, when Irish-named defendants – who then were no longer recent migrants or are second-generation – may have lost some of the distinctiveness of their accents. One should thus think of our focal measure as one of *perceived* Irishness, i.e. having a name that is likely to be thought to be Irish. In the following, we interchangeably use Irish, Irish-named or perceived Irish defendants.[28]

Finally, there is a growing literature that a name may signal more than ethnicity: individuals with surnames that are perceived to be Irish may also be seen as poorer or more religious, for instance.[29] To understand the extent to which names may differ in such dimensions, we ran AI (ChatGPT) queries on whether names are occupational names, higher-class names, or connected to migration diaspora. The share of occupational names is highest among the non-distinct (consistent with these names being common, e.g. Smith). The share of defendant surnames connected to high-class, aristocracy or landownership is slightly higher in the non-distinct group (18%) than the Irish (14%) and English (14%) group of names. Lastly, the share of names connected to diaspora is highest among Irish-classified names (consistent with the large migration movement during the Irish potato famine). These findings highlight that although Irish surnames are less likely to signal wealth, the names of English *defendants* are not associated with wealthy backgrounds at a high rate, either.[30] Potential differences such as these, however, are important to keep in mind when interpreting gaps in courtroom outcomes and potential mechanisms. While ethnic discrimination is one possible channel, one must consider alternative explanations in which the disparate treatment is not based on ethnicity, but on other (correlated) factors.

[27] See https://earlymodernnotes.wordpress.com/2017/09/15/defendants-voices-and-silences-in-the-old-bailey-courtroom-1781-1880/ (last accessed: December 21, 2025).
[28] As already mentioned above, jurors may not form perceptions based on odds ratios. We therefore consider alternative measures of Irishness – namely the probability of a surname being Irish (or English).
[29] See, e.g., Fryer and Levitt (2004), Bertrand and Mullainathan (2004), Güell et al. (2015), Abramitzky et al. (2020) and Kreisman and Smith (2023).
[30] This pattern contrasts the findings of Weiss and Spitzer (2023), who find that distinct White names in California (all births and not a sample of defendants) have a socioeconomic name index above that of all distinct Black names.

5. The 19th Century Irish-English Criminal Justice Gap

This section studies gaps in court outcomes for Irish versus English-named defendants over the 19th century; Section 7 later examines the origins and evolution of these gaps throughout the century. We start here by first comparing case characteristics and raw, unadjusted outcomes for Irish and English defendants. We then present the main regression-adjusted results, robustness tests and heterogeneity analyses (focused on offense types). Finally, we discuss the potential mechanisms underlying the Irish-English gaps.

5.1. Summary Statistics and Raw Gaps

Columns (2) to (4) of Table 1 present summary statistics for the samples of defendants classified as Irish, English, and non-distinct according to their surname ratios. Columns (5) and (6) present Irish versus English and non-distinct versus English differences in means, respectively, as well as the corresponding significance levels.

An important first take-away from these descriptives is that Irish defendants systematically differ from English defendants in almost all observable dimensions. Irish defendants are more often female (26% versus 18%), slightly younger (average age of 26.6 versus 27.3), and more likely to have a criminal history (14% versus 10%). Irish defendants are also over-represented in violent offenses (18% versus 10%) and under-represented in property offenses (66% versus 70%). Observable differences such as these do not, however, necessarily mean that Irish defendants are systematically different from English defendants. Rather, they are at least in part driven by the fact that Irish defendants are disproportionately more likely to be observed in later sample years (after the potato-famine related migration). Thus, these observable differences in part reflect the shift of many property crime cases out of the Old Bailey to the magistrates as well as a shift in case composition in general.

A second take-away from the table is that there are significant differences in raw outcomes between Irish-named and English-named defendants (bottom two panels). Irish defendants are 2.7 percentage points (or 3.9% relative to the sample mean) more likely to be found guilty by the jury. Conditional on a guilty verdict, Irish defendants are also 2.4 percentage points (22% relative to the sample mean) less likely to receive a jury recommendation for mercy.

Finally, we note that there are also significant differences in case characteristics and case outcomes between non-distinct and English-named defendants. Non-distinct defendants are 1.8 percentage points more likely to be found guilty and 1.3 percentage points less likely

to receive a recommendation for mercy. These raw differences are substantially smaller than those seen for the Irish before. This is consistent with the notion that the non-distinct group includes defendants of both English and non-English origin.

Figure 4 provides further evidence that Irish names are associated with harsher jury decisions and that this relationship is not just seen at the extensive (dichotomous) margin. Specifically, we present binned scatterplots of the relationship between our two main outcome variables – guilty jury verdict and mercy recommendations – and measures of defendant surname Irishness or Englishness. The bins are based on discrete intervals of the surname measure (integers for the surname ratio, 0.05 for the surname probability). The size of the markers corresponds to the number of observations in the respective bins. Panels A and B show the Irish and English surname ratio (top-coded at 25) on the x-axis, and the conviction rate on the y-axis: Defendants with more distinctively Irish surnames are more likely to be found guilty, defendants with more distinctively English surnames less likely. These patterns are robust to instead using the simple probability that a surname is Irish (Panel C) or English (Panel D). Panels E and F show the correlation of the surname ratios and mercy recommendations: Defendants with more distinctively Irish names are less likely to be recommended for mercy while those with more distinctively English names more likely.[31]

5.2. Regression adjusted estimates

The above summary statistics and scatterplots show that there is a positive association between how Irish a name is (for both discrete and continuous measures) and guilty jury verdicts while it is negatively associated with a recommendation for mercy. Given the observable differences in defendant and case characteristics, this section takes the first step in assessing whether the raw gaps in court outcomes between Irish and English defendants are statistically significant and robust to adjusting for observable case and defendant characteristics. Specifically, for defendant *i* with surname *s* charged with offense *o* trialed in an Old Bailey session starting on date *t*, we estimate the following regression:

$$(1) \quad Outcome_{isot} = \alpha + \beta_1 Irish_s + \beta_2 NonDistinct_s + X_{io}\delta + \gamma_t + \varepsilon_{isot}$$

[31] Appendix Figure B1 shows scatter plots separately for male and female defendants. These figures demonstrate that female defendants have better outcomes in jury trials (as seen in Bindler and Hjalmarsson, 2020) but that the relationships between surname ethnicity and outcomes are very similar for both genders. We therefore continue the remainder of the analysis pooling males and females.

There are two main outcomes – *guilty jury verdict* (1/0) and *jury recommendation for mercy* (1/0). Our baseline specification focuses on the dichotomous Irish surname classification and includes dummy variables for whether the defendant's surname is *Irish* or *NonDistinct*. The omitted name classification therefore is English. This allows us to recover the impact of having an Irish or non-distinct name compared to the counterfactual of having an English name. Accordingly, the coefficients β_1 and β_2 capture the differences in the outcomes for Irish- and non-distinctly versus English-named defendants, respectively. Our main interest throughout the paper lies in β_1. We control for a vector of defendant and case characteristics, *X*, to account for observable differences between Irish, non-distinct and English-named defendants. Such controls are important given the possibility that conviction rates vary across offenses, due to, for instance, differences in expected punishment or the quality of evidence, or across defendant characteristics. *X* includes the number of defendants, defendant gender, more than 30 detailed offense type dummies, and whether the offense is capital in year *t*.[32] Expected punishment is changing throughout the 19th century, and, as we have shown in Bindler and Hjalmarsson (2018), this can impact jury decisions. This was especially the case with the offense-by-offense staggered abolition of capital punishment. Finally, γ_t (in simplified notation) includes both year and month fixed effects. Year fixed effects capture unobservable characteristics of, for instance, the justice system (e.g., the creation of the London Metropolitan police in 1829) or society common to all defendants. Month fixed effects capture seasonality, which is relevant given the possibility that weather could impact the mood of jurors and given variation in the availability of seasonal work. The latter may be particularly relevant for the Irish population. Alternatively, we estimate specifications including session fixed effects (which is essentially month by year fixed effects) that capture characteristics of the jury pool or courthouse conditions at the time.[33]

Main Results

Column (1) of Table 3 presents the raw gaps (Irish and non-distinct versus English defendants) for jury verdicts (Panel A) and recommendations for mercy (Panel B). As seen in the summary statistics table, Irish-named defendants are 2.7 percentage points more likely to be convicted and 2.4 percentage points less likely to be recommended for mercy than English-named

[32] Given that age and criminal history are not consistently available throughout the sample period, we do not include them as controls in this baseline specification.

[33] We do not include offense by year fixed effects in the baseline specification since the number of Irish defendants by year and offense is too small to leave us with sufficient variation in the data (see Panel A of Figure 1).

defendants. When adding offense fixed effects in column (2), the gaps shrink in size. After that, they remain about stable (or, if anything, get larger) when we add further controls for observable case and defendant characteristics in column (3), year and month fixed effects in column (4), and session fixed effects in column (5). Column (4) is our preferred specification and what we will refer to as the baseline throughout: On average, throughout the 19th century, Irish-named defendants are 2.3 percentage points (3% relative to the mean) significantly more likely to be convicted and 1.7 percentage points (16% relative to the mean) less likely to be recommended mercy. Finally, the non-distinct group is also significantly more likely than English-named defendants to be convicted and less likely to receive a mercy recommendation by the jury. But, these gaps are about half the size for the non-distinct compared to the distinctly Irish-named defendant and the test for equality of the coefficients yields p-values of 0.024 convictions and 0.137 for mercy recommendations (conditional on a conviction).

Using the set of controls from the baseline specification, the remaining columns of Table 3 demonstrate the robustness of our conclusions to alternative margins and measures of Irishness. We first turn to the "intensive margin" of Irish names rather than using a binary classification. Column (6) includes the Irish surname ratio as a continuous measure while column (7) breaks up the Irish surname ratio into four sub-categories (3-5, 5-15, 15-25, and more than 25; omitted category: 0-3). There is a significant and positive relationship between how Irish a name is and guilty jury verdicts, while there is a negative relationship with mercy recommendations. The Irish versus English gaps are largest for those defendants with surnames in the two most distinctive subcategories. Finally, column (8) of Table 3 returns to the alternative classification of Irish names according to the probability that the surname is Irish (rather than the odds ratio). Defendants with surnames that have a 100% chance of being Irish compared to a 0% chance are 6.2 percentage points more likely to be convicted and 4.5 percentage points less likely to receive mercy. Put differently, for the most common Irish name (Sullivan, see Appendix Table A1) and English name (Jones), the difference in the simple probability of the name being Irish is 0.341 – 0.005 = 0.336 or 33.6 percentage points. This translates into a 2.1 percentage points higher (1.5 percentage points lower) likelihood of being convicted (recommended mercy). These magnitudes are close to what we saw in column (5) using the binary measure.

Are these gaps economically meaningful? Convictions and recommendations for mercy are high-stake outcomes with severe consequences. Even if a 2-3% higher chance of conviction may appear small on first hearing, but in fact the impact on the defendants (and their families) would be large – especially in a context in which the death penalty or penal transportation to

Australia play a very meaningful and fully credible role. From this perspective, a 16% lower chance of being recommended mercy also appears large and meaningful.[34] Another way to benchmark these estimates is to compare them to other factors that affect jury verdicts during this period. For instance, Bindler and Hjalmarsson (2020) show that females are treated more leniently than males at the Old Bailey: they are seven percentage points less likely to be found guilty by the jury and three percentage points more likely to be recommended for mercy. Benchmarked against these sizable gender gaps, the disparities between Irish and English defendants are around one-third to almost two-thirds as large (depending on the outcome). Finally, a more difficult question is how the Irish-English gap in historical court outcomes compares to race/ethnicity gaps today. To the best of our knowledge, this has not been estimated before for the Irish, but disparate treatment in judicial decisions has been studied with respect to US racial gaps, Arab-Israeli gaps, and religion in India. The results are mixed, ranging from a null effect for judge decisions in India to significant (and large) estimates of in-group bias in US jury decisions (Anwar et al, 2012) and judge decisions in Israeli small claims courts (Shayo and Zussman, 2011).

Robustness Tests

Several robustness tests demonstrate that the above results are not sensitive to specification choices. First, we address the choice of the threshold in the surname ratio classification (compared to the baseline of three): Figure 5 presents the estimated coefficients for both the Irish and non-distinctly classified defendants iterating through each potential threshold from one to fifteen. Qualitatively, the patterns persist. Quantitatively, the size of the point estimates is informative, as disparities are larger when our classification is based on more distinctly Irish names (i.e., with higher thresholds). Further, Appendix Figure B2 shows that our baseline estimates (both for verdicts and mercy recommendations) are very stable to excluding each of the more than 30 offenses one by one. Finally, to address concerns that clustering by offense results in a (too) small number of clusters, Appendix Table B2 shows that the conclusions from Table 3 are robust to alternative standard errors.

5.3. Heterogeneity: Crime Type and Other Outcomes

This section extends the analysis by studying whether these patterns are heterogeneous across

[34] We here refer to the baseline (average) estimates. Our heterogeneity analyses later will show that gaps are partly much larger (see Section 5.3).

offense types and whether disparities are seen also for judge sentencing decisions or just for jury verdicts.

There are two reasons that the effects may be heterogeneous across offense categories. First, the Irish are over-represented in violent offenses and, as discussed earlier, were anecdotally perceived and stereotyped as violent. Second, there is variation across offenses possibly in the quality of evidence, conviction rates, and expected punishment – all dimensions that may be related to the extent to which juries are able and/or willing to use discretion in decisions. Columns (1) to (4) of Table 4 thus show the results separately for the broad categories of property, violent, fraud and other offenses. Panels A and B present the results for the main outcome variables of guilty verdicts and mercy recommendations. Defendants with distinct Irish surnames are significantly more likely to be convicted by the jury of both property crimes (1.9 percentage points or 2.6%) and violent crimes (4.9 percentage points or 8%). Irish defendants are less likely to receive recommendations for mercy in property crime (1.7 percentage points or 15%), violent crime (1.7 percentage points or 17.2%), and fraud cases (1.4 percentage points or 13%).[35]

Panel C of Table 4 presents results for the judges' sentencing decisions. The dependent variable is whether the defendant received the harshest punishment possible (conditional on being convicted). We use this variable given the changing punishment possibilities throughout the century, as capital punishment and later penal transportation to Australia were abolished. Overall, we do not find evidence that Irish defendants received harsher punishment conditional on a guilty jury verdict.[36] This is consistent with multiple explanations. First, judges may be impartial. Second, our sentencing measure may not capture the margin at which disparities occur (e.g., pardons or prison sentence length, which we do not observe). Third, judges may be biased but face on average weaker cases for convicted Irish than English defendants (given potential jury bias in earlier decisions where weaker cases may lead to convictions for Irish defendants).

5.4. Potential Confounders and Possible Mechanisms

The previous sections found consistent evidence that Irish-named defendants are more likely to be found guilty by the jury and, conditional on guilt, less likely to receive a recommendation for mercy. Though consistent with historical evidence of animus towards the Irish, such gaps

[35] Appendix Table B2 shows alternative standard errors for the main violent and property crime offense categories.
[36] The exception is "all other crime", but as this pattern is not robust across all measures of Irish names, we refrain from strongly interpreting this as evidence for gaps in judge decisions.

are not by themselves conclusive evidence of disparate treatment. This section discusses potential confounders to such an interpretation.

Unobservables Correlated with Quality of Evidence and Case Outcomes

The main concern is that Irish defendants may be systematically different, in unobserved dimensions, from English defendants, and that these differences account for the gaps in courtroom outcomes. One potential source of such differences is the fact that we only observe the Proceedings of the Old Bailey trials, but not those of the Grand Jury. This relates to the issue of post-treatment conditioning, as discussed in Knox et al (2020) and Knox and Mummolo (2020). If the Grand Jury treats Irish(-named) defendants more harshly, this would imply using a lower threshold of evidence. In this case, one would expect a greater representation of Irish defendants – with weaker cases against them – in the Old Bailey sample of jury trials.[37] In other words, selection in the Grand Jury stage could lead to unobservable case differences. The nature of the selection in this case, however, would work against us: it would lead us to underestimate the extent of disparate treatment against the Irish by the Old Bailey juries. Appendix Table B3 provides evidence consistent with this: it shows that Irish-named defendants are less likely to plead guilty in the Old Bailey data than English-named defendants.[38] This is what one would expect if biased Grand Jury decisions sent Irish defendants who were more likely to be innocent (i.e., with weaker cases against them) to trial. A similar bias could arise when looking at recommendation to mercy outcomes, which conditions on the defendants being found guilty. Disparities in the jury verdict stage will lead to an underestimation of the gap in the mercy recommendation (unless we assume that recommendations to mercy are unrelated to a defendant's true likelihood of being guilty).[39]

This logic suggests that our estimates of the gaps in verdicts and jury recommendations should be interpreted as a lower bound of disparate court outcomes for those perceived to be Irish. This notion aligns well with the arguments of Knox et al. (2020), who conclude that (in their policing context) the bias resulting from post-treatment conditioning is negative, underestimating the extent of racial discrimination in the respective outcomes.

[37] If the Grand Jury treats all defendants the same, there is no selection at this stage. Given the historical context, we deem it very unlikely that the Grand Jury preferentially treated Irish defendants.

[38] Pleading guilty became a part of the judicial system, primarily for property offenses, after the shift from a presumption guilt to the presumption of innocence in 1827.

[39] We acknowledge that we cannot directly test whether mercy recommendations are related to the likelihood of guilt/strength of the evidence. If it is, then our conjecture regarding underestimation plausibly holds. If it is not, the mercy recommendation results may simply be the result of disparate preferences by the jurors.

In our case, analogous concerns about post-treatment conditioning include not only the Grand Jury stage, but also whether cases end up in court at all.[40] This could generate a worry about (causally upstream) mediators that are relevant to decision-makers at all stages ("mediator ignorability") - attempts to condition on them through social background/criminal history are discussed below. A second concern could arise from ethnicity-bias in reporting to police/courts. With our data, we cannot test this directly, but instead we highlight that some offenses may be more or less likely to suffer from selective reporting.[41] Our heterogeneity analyses in Section 5.3 suggest the strongest disparities in verdicts for violent crimes where selective reporting might be a lesser concern. This relieves concerns that our empirical results may be a (mechanical) consequence of selective reporting.

In terms of confounders, the stability of the baseline results once offense fixed effects were included suggests that it is also not systematic differences in case characteristics (associated with different conviction rates) driving these gaps. We further assess this issue by controlling for a defendant's criminal history; we do not include this in the baseline specification since the measure is only available starting in 1832. The results are presented in column (2) of Appendix Table B4 (column (1) reiterates the baseline specification for ease of comparison). Criminal history (defined as previously being in custody or known to be an associate of bad characters) is strongly predictive of harsher jury decisions: having a criminal history increases the chance of conviction by 31 percentage points and decreases recommendations of mercy by 8.5 percentage points. It is not surprising that an offender's criminal history is empirically important, given the historical emphasis on 'habitual offenders' in courtroom decisions.[42] It is perhaps more surprising, however, that its inclusion does not impact the gaps between Irish and English defendants, and is strongly suggestive that unobservable case characteristics are not underlying the patterns.

We further gauge the potential importance of unobservables by implementing the Oster (2019) test for selection on unobservables and follow Bazzi et al. (2020) to allow for fixed effects. We calculate the Oster δ for $\beta = 0$, assessing how important unobservables would need to be to render a zero-treatment effect. Oster (2019) suggests that any $|\delta| > 1$ leaves limited

[40] Note our setting is different from their modern-day policing context in that the decision-makers are different at each stage (victims reporting, police (after 1829) acting versus jurors deciding on the verdict.
[41] Specifically, as argued (and found to be consistent with the data) in Bindler and Hjalmarsson (2021), more serious crimes and in particular violent crimes are likely to be reported whereas with less serious crimes there may be more selective reporting.
[42] Concerns about recidivism, for instance, led to the Habitual Offenders Act of 1869.

scope for unobservables to explain the results. Reassuringly, we find $\delta = 17.9$ for jury verdicts and $\delta = 8.4$ for mercy recommendations.

Unobservable Defendant Characteristics Affecting the Defense

Irish and English defendants could in theory differ in dimensions other than the characteristics of the case itself. If such differences exist *and* affect the quality of the defense, then differential court outcomes can occur even in the absence of disparate treatment. In a modern-day context, for instance, defendants of lower socioeconomic status and income may be more likely to have a public defender (as opposed to a private attorney) and less likely to be able to afford bail.

Unfortunately, we cannot observe income or employment systematically for all defendants in the Old Bailey Proceedings. But occupation is tagged for a small sample of individuals in the Old Bailey Corpus online (N (Irish) = 190, N (English) = 852, and N (non-distinct) = 884). Appendix Table B5 lists the twenty most common occupations and demonstrates on the one hand substantial occupational overlap across defendants of each group and on the other hand that occupations are typically associated with lower socioeconomic status (e.g., servant, shopman, post office worker, shoemaker).[43] These descriptives suggest that the social class and occupations are similar for both English and Irish defendants, which is not surprising given that we study the population of individuals charged most commonly with property crimes (including, for instance, stealing food). Moreover, even if Irish defendants were poorer than English defendants, the Victorian courtroom was very different than that of today, with incredibly short trials and a limited role of defense attorneys; defendants did not even have the legal right to a defense attorney until 1836.

What's in a Name? Name Signals Beyond Ethnicity

Finally, it may be that there is disparate treatment against Irish defendants, but it is not because they are Irish per se, but rather because of correlated characteristics, such as religion or class. Disentangling the source of disparate treatment is not the focus of the paper, and given the available data, certainly hard to study at all. We thus provide only suggestive evidence that these gaps are attributable to surname Irishness and not to other associated characteristics. Put differently, what else might a name signal? We consider proxies for three types of name signals: occupation, regions of Ireland, and criminality. We thus present additional specifications that

[43] For the occupational classifications, we have aggregated occupations encompassing semantic similarities. For instance, the category post-office worker includes letter carrier and letter man. Likewise, we have aggregated domestic jobs such as "housekeeper", "maid", "washer" under the "cleaner" category.

attempt to isolate the effect of perceived surname Irishness from perceptions of these other potentially surname associated characteristics. This is useful both to isolate the effect of primary interest but may also be relevant regarding mediators and post-treatment conditioning (Knox et al., 2020). Nonetheless, we do not include the respective variables in our baseline specification, as one might be concerned about introducing "bad controls" (by conditioning on endogenous variables). Importantly, adding the controls to our baseline specification (see Appendix Table B4, columns (3) to (6)), however, does not change the qualitative nature of results, though sometimes attenuates the point estimates. We briefly discuss each one.

First, names might signal occupation and class; indeed some surnames historically originated from occupations (e.g., Baker, Shoemaker) while others may be associated with the aristocracy (e.g., Windsor, Cromwell, Tudor), as seen in our AI analysis of Table 2.[44] We create 52 occupation or occupation groups (e.g., tailor and tailor's assistant) that contain more than 5000 individuals in the London and surrounding area from the 1881 Census. We then identify the share of each surname in each occupation category.[45] Using a split sample approach, we demonstrate that these measures are informative about actual occupations (see Appendix Figure B4). Second, some Irish surnames are more common in certain regions of Ireland than others, and names associated with certain regions may be more likely to signal, for instance, religiosity or poverty.[46] Specifically, we include a variable for each of the 36 Irish administrative units (32 counties plus cities of Dublin, Belfast, Cork, and Limerick) that lists the share of households in that Irish area (obtained from the *Grenham data*) with the defendant's given surname. Finally, to proxy for whether Irish surnames are associated with higher criminality, we recall our earlier robustness test (column (2) in Appendix Table B4) that showed the point estimates to be unaffected by the inclusion of the criminal history control. In addition, we (i) code the share of individuals in a dataset of transportees from Ireland to Australia from 1791 to 1868 for each Old Bailey defendant's surname and (ii) identify surnames associated with famous 19th century Irish gangsters in New York, US, Australia and Ireland.[47] As pointed out above, adding these controls sometimes attenuates the point estimates, but does not change our results qualitatively.

[44] See Güell et al. (2015) for a detailed study of the socio-economic and occupation information contained in surnames, especially less common ones.
[45] An examination of these occupation distributions (Appendix Figure B3) shows that certain manual labor jobs (e.g., laundress, laborer, and servant) are more prevalent for both distinctly Irish and English defendant surnames.
[46] Gregory et al., (2013) and the companion website (see https://www.lancaster.ac.uk/troubledgeogs/chap1.htm, last accessed December 23, 2025) provide a discussion and visual representation of evidence of the geographic differences – e.g., in religion, industrialization, population density – across 19th century Ireland.
[47] The Irish-Australia Transportation Database 1791-1868 is searchable on the Irish National Archives website: https://www.nationalarchives.ie/article/penal-transportation-records-ireland-australia-1788-1868-2/. The specific

6. Direct Tests of Disparate Treatment

The discussion above focused on potential confounders but also already highlighted possible explanations for the gaps in jury decisions and court outcomes for Irish versus English-named defendants. This includes both disparate treatment and unobservable case or defendant characteristics that may be related to the quality of evidence and the defense at court. Though we provide suggestive evidence that such correlated unobservables are not underlying the observed gaps, we cannot yet definitively conclude that disparate treatment is the source. This section provides two additional pieces of direct evidence that corroborate this conclusion.

6.1. A Reform Based Test of Disparate Treatment

The first direct test for disparate treatment explores credibly exogenous variation in punishment severity induced by the offense-by-offense abolition of capital punishment. Specifically, a series of staggered reforms abolished the death penalty for most (but not all) offenses during the first forty years of the 19th century.[48] Bindler and Hjalmarsson (2018) first evaluated these reforms and demonstrated that jury verdicts are sensitive to expected punishment: specifically, juries are more lenient as the expected consequences of their decision increases. With the data at hand, we can now test whether these dynamic changes differentially affected jury verdicts for Irish and English defendants, respectively. If they do, this speaks towards preferences of the jury (which decides on verdicts but not on sentences per se) playing a role for the disparate court outcomes documented above. If juries used the same quality of evidence threshold in their decisions to convict for both Irish and English-named defendants, then a reform that exogenously impacts this threshold (shown by changes in conviction rates) should not have a differential effect across these two groups.

Specifically, we use the same difference-in-difference approach as in Bindler and Hjalmarsson (2018, 2020) for the sample years 1803-1871, capturing the period of reforms. The staggered abolition allows us to identify never, always, and once capital eligible offenses where the variation stems from the latter. We augment equation (1) to estimate the following difference-in-difference model where the coefficients β_1, β_2, and β_3 indicate, respectively, how

gangster names are: Coleman (Forty Thieves Gang, NY from 1825), Roach (Roast Guards gang, NY from 1820), Morrissey (Dead Rabbits gang, NY from 1830), Chicester (Chicester Gang, NY from 1820), Lyons (Whyos gang, NY from 1870), Driscoll (Whyos gang, NY from 1870), McCarty (alias Billy the Kid, US, from 1875), Dalton (Dalton gang, US from 1892), Kelly (Australian legend from 1875), and Freney (Highway Man in Ireland, 18th century). This information is based on internet searches.

[48] See Bindler and Hjalmarsson (2018) for details on the year of abolition of each offense category, and Bindler and Hjalmarsson (2020) for a discussion of the reforms in the context of gender gaps at court.

capital punishment and its abolition affected jury decisions, whether there was an Irish-English gap prior to the abolition, and how the gap changed with the reforms:[49]

$$(2)\quad Outcome_{isot} = \alpha + \beta_1 Noncapital_{ot} + \beta_2 Irish_s + \beta_3 Irish_s \times Noncapital_{ot} + \beta_4 NonDistinct_s + X_{io}\delta + \gamma_t + \varepsilon_{isot}$$

The results are shown in Table 5. When pooling all types of guilty verdicts (Panel A), the chance of conviction increases with the abolition of capital punishment, especially for violent crime, but the interaction terms are not statistically significant. This, however, hides some important differences across property and violent offenses. For property offenses, juries could more easily adjust the verdict to a "conviction of a lesser charge" (as a means of leniency) while for violence offenses, convictions would typically be of the original charge (and leniency to avoid the death penalty would work through acquittals or recommendations for mercy). Indeed, the results in Panel B show that the decrease in punishment severity increased the chance of a violent crime conviction of the original charge for non-Irish defendants by 15 percentage points but an additional six percentage points for Irish defendants. Similarly, the chance of being convicted of a lesser offense for property offenses decreased more for Irish compared to non-Irish defendants (Panel C). These differential reactions by juries (which are also reflected in mercy recommendations in Panel D) suggest that preferences may feature into their decisions, giving room for differential treatment based on perceived ethnicity.[50] In other words, the fact that juries react differentially to shifts in extraneous factors for cases with Irish versus English-named defendants suggests that the disparities are not (only) driven by a differential quality of evidence or defense.

6.2. A Victim Based Test of Disparate Treatment

A second direct test turns the attention away from defendants towards victims. If we also see disparate outcomes when looking at other Irish parties in the courtroom, then this again points towards a story of systematic discrimination of the Irish rather than one of unobservable differences of Irish defendants.

To study victims, we supplement our Old Bailey data set with victim information for two subsamples. First, we manually coded victim names for all trials from 1880 to 1886 (i.e., during the Irish Republican Brotherhood or Fenian bombing campaign discussed in Section

[49] We refer the reader to Bindler and Hjalmarsson (2018, 2020) for a detailed discussion of identification and the plausibility of the parallel trends assumption.

[50] To address potential concerns from the staggered treatment in the two-way fixed effects design, Appendix Table B6 shows the results are robust to using Borusyak et al.'s (2024) imputation-based estimation approach.

2.2), and classified them as Irish, English, and non-distinct according to the same definitions used for defendants. Second, we retrieved victim names from a random subset of trials coded in the Old Bailey Corpus, which spans the entire sample, and matched these to the main Old Bailey dataset.[51] We restrict the analysis in each sub-sample to cases with one victim. Panel A of Table 6 demonstrates that in both of these samples, and despite smaller sample sizes, Irish-named defendants are significantly more likely than English-named defendants to be convicted by the jury (as in our baseline sample including all trials throughout the century).

Panel B turns to the victims by including three dummy variables describing the ethnic combination of defendants and victims: Irish defendant and English victim, English defendant and Irish victim, and Irish defendant and Irish victim. Compared to the omitted category of English defendants with English victims, the overall conviction gap is largely driven by cases with Irish defendants and English victims.[52] The fact that the chance of conviction differs with the ethnicity of the victim is in itself telling of disparate treatment by the juries. Moreover, the finding that the overall conviction gap appears to be driven by cases of Irish defendants with English victims pointing towards in-group versus outgroup bias of the predominantly English jurors. Though not significant, we further see that English defendants with Irish victims are less likely to be convicted – again consistent with in-group versus out-group bias.

7. The Origins and Dynamics of the Gap

Most of the results in the paper thus far pool all 19th century jury decisions together. But, as discussed earlier, the 19th century was a period of dynamic change with respect to both the criminal justice system in England but also the presence and perceptions of the Irish in England. The natural experiment of the capital punishment abolition already demonstrated that the treatment of the Irish changed with the reforms. This section takes a step back to document how the jury decision gaps between Irish- and English-named defendants change throughout the century. It then tests whether they significantly differ across periods of particularly salient change with respect to the Irish: the period of migration during the Irish potato famine and the years of the Irish Republican Brotherhood bombings.

Figure 6 shows the evolution of the gaps in jury verdicts (left) and mercy recommendations (right) for each decade from 1800 to 1900. Results for all offenses are shown in Panels A and B, while Panels C and D restrict the sample to property offenses and E and F

[51] See Appendix A for further details about these data.
[52] Panel C alternatively classifies victims as Irish or non-Irish (as opposed to just English).

to violent offenses. Dashed vertical lines mark key events: the year that capital punishment began to be abolished, the famine years, and the years of the Clerkenwell and Fenian Bombings.

First, these figures illustrate the dynamics in the raw conviction rates and mercy recommendations for Irish and English defendants (gray circles and blue triangles, respectively). For the first three decades, there is little difference in raw conviction and mercy rates for Irish and English defendants. As the abolition of capital punishment proceeds through the 1830s and 1840s, we observe increases in jury convictions and decreases in mercy recommendations for both the Irish and English, but also that a gap now opens up – with Irish defendants treated more harshly than English defendants. In other words, this figure provides a visual illustration of the capital punishment analysis of Section 6.1. The raw gaps persist, with some fluctuations in size, until the end of the century.

Second, to assess whether the raw gaps are significant and to adjust for observable differences, the black crosses present the results of estimating our baseline adjusted regression specification separately by decade. One can now see that the conviction gap widens during the time of the potato famine (and the related migration of Irish to England) for property offenses and in the years after the large migration movement for violent offenses. While the gaps appear to close somewhat during the 1860s, they start to widen again with the Clerkenwell bombing and the Irish Republican Brotherhood bombing campaign in the 1880s.

Appendix Table B7 takes these dynamics into account more formally. Instead of estimating the gaps by decade, the underlying regressions are based on the full sample (1800-1899) but allow the coefficients to vary by period which we classify based on the above-described events (demarcated by the red lines in Figure 6). The results support our conclusions above: First gaps open up during the capital punishment reform period (especially for violent offenses) and widen during the period of the Irish potato famine. They largely persist throughout the century but do not grow dramatically larger during and following the bombing campaign periods (except for a marginally significant increase in property convictions during/following the Fenian bombing campaign).[53]

[53] The lack of large effects associated with the bombing campaigns is consistent with recent work, e.g., by Hanemaiijer et al. (forthcoming) that finds that a salient shock (due to violence) to the Moroccan minority in the Netherlands does not affect police and prosecutor decisions but leads to short-term (four weeks) increases in judge sentence lengths. Other papers on the effects of minority salience shocks also tend to focus on sentencing, including studies of 9/11 attacks on Muslim and non-Muslim minority sentences (McConnell and Rasul, 2021; McConnell et al, 2024). Thus, though we do not find a persistent effect on jury decisions, we cannot rule out that the Fenian bombing campaigns had (temporary) effects on attitudes (that cannot be captured given limited sample sizes around each specific bombing) or other criminal justice margins, e.g., judge sentence lengths.

8. Conclusion

This paper presents evidence on disparate treatment by the legal system of a sizable migrant group, the Irish, in 19th century England. Specifically, it looks at whether defendants with Irish surnames faced harsher judicial outcomes than those with English names in a large sample of trials that took place in the Old Bailey in London throughout the whole of the century. The analysis uncovers evidence of significant, socially meaningful outcome gaps, as Irish-named defendants are more likely to be convicted by the jury and less likely to receive a jury recommendation for mercy, even after conditioning on case characteristics. We further argue that these gaps are unlikely to be driven by unobservable case and trial (e.g., quality of defense) characteristics, but rather are consistent with disparate treatment by nearly all-English juries. This conclusion is supported by two additional findings. The first is that English juries differentially react to an exogenous shock to expected punishment severity, i.e., in a context when there is no reason to think that Irish and English defendants have a differential quality of evidence or defense. The second is that these courtroom gaps are not limited to defendants but also seen for victims.

Finally, there are interesting temporal patterns through the century, most notably with an upsurge in disparate treatment in the wake of the potato famine that both caused a huge increase in Irish migration to England (and elsewhere) and strongly impacted criminality patterns and economic disadvantage, especially in urban areas. When this occurred, there is evidence of an increased prevalence of discrimination surrounding criminality and justice.

The subsequent economic, social and political integration of the Irish in London, coupled with the persistence of their working-class status and lack of social mobility across generations as recently documented by Cummins and Ó Gráda (2025), present key questions for future research. Assessing whether the unequal treatment suffered by the Irish in the legal system documented here had longer run adverse effects on families and communities of Irish heritage forms an important research agenda that can inform and better understand sources of the documented persistent inequalities.

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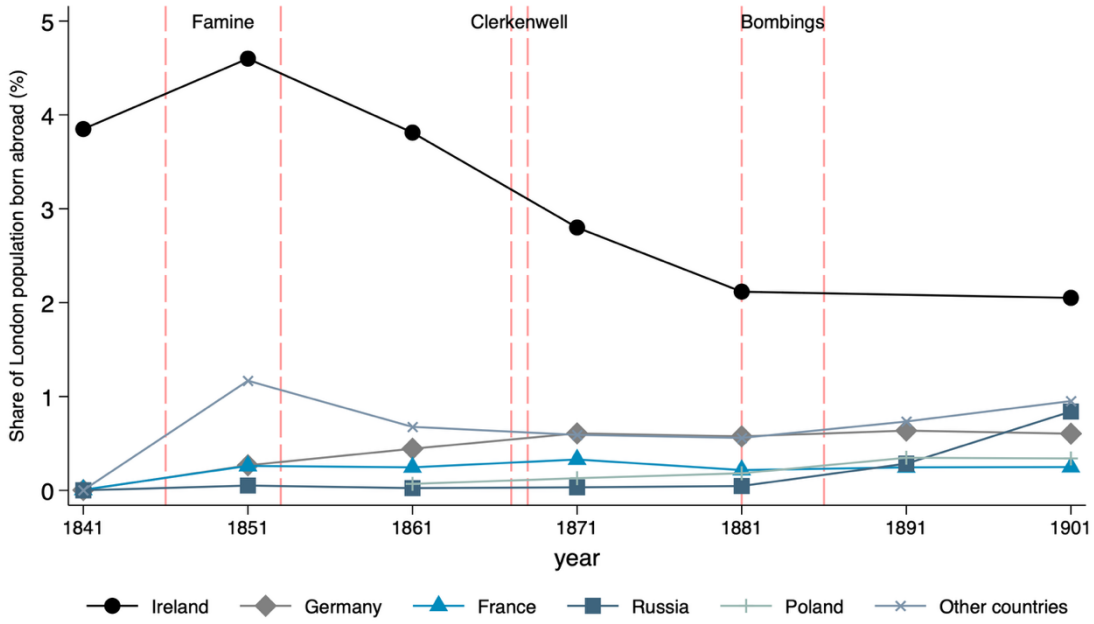
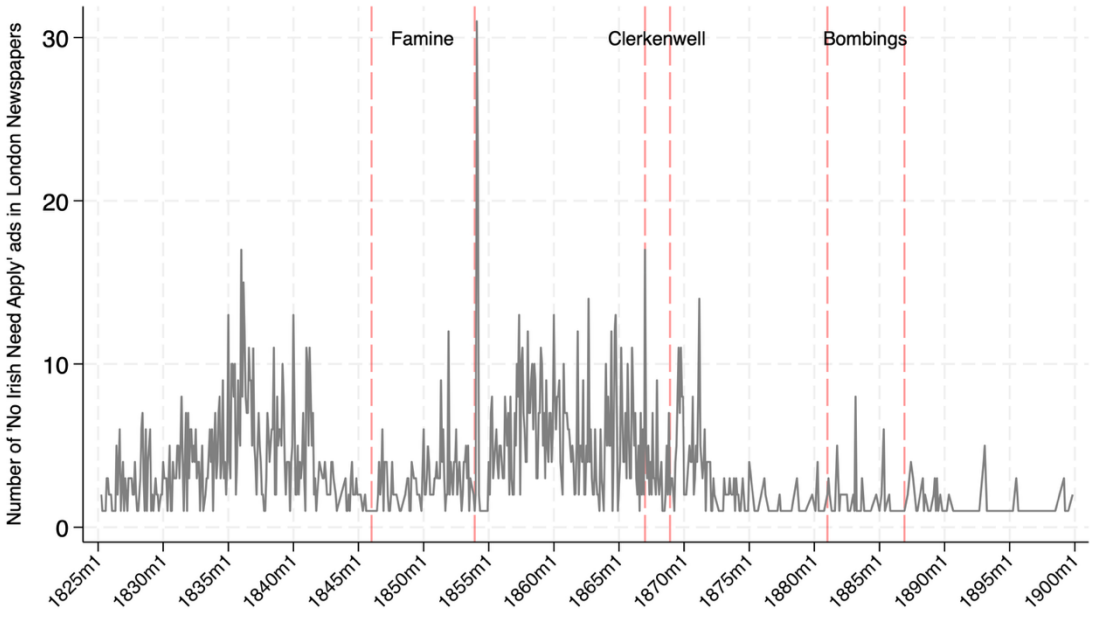
Figure 1. 19th Century Irish Migration and Anti-Irish Sentiment

Panel A. Immigration to London



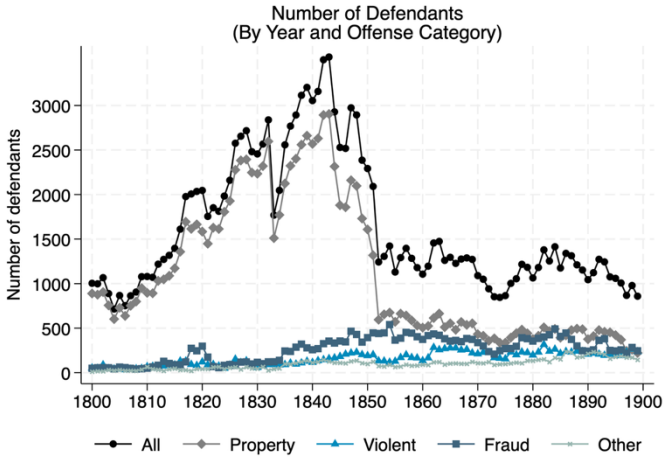
Panel B. 19th-century attitudes towards the Irish



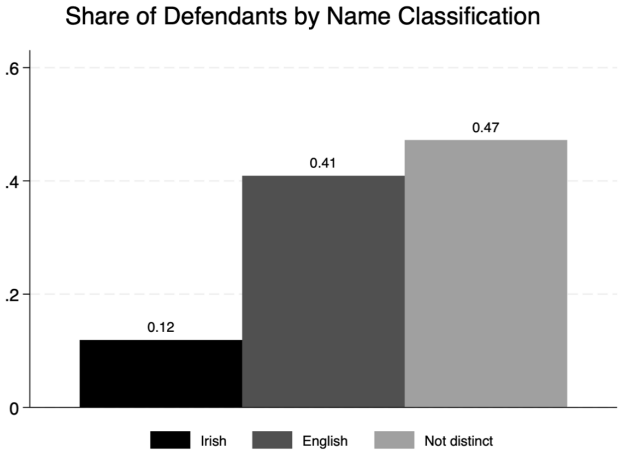
NOTE - Panel A shows the share of the London population born in Ireland, Germany, France, Russia, Poland and in other countries, from 1841 until 1901. These numbers were transcribed from different archival sources (see text). See Section 2.1 for details. Panel B shows the monthly number of job ads in London newspapers that contain the sentence "No Irish Need Apply". The analysis is based on autmated searches for the phrase in the British Newspaper Archives, using London-based publications between 1800 and 1900. See Section 2.3. for details.

Figure 2. Cases and Defendants at the Old Bailey Courtroom

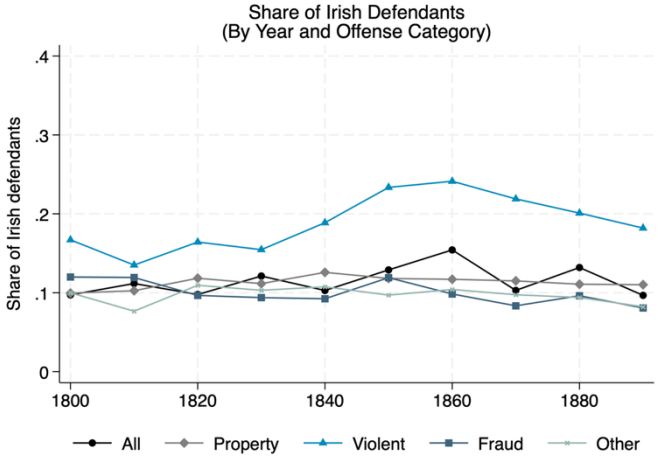
Panel A. Number of cases over time



Panel B. Share of all defendants with Irish, English, and non-distinct surnames



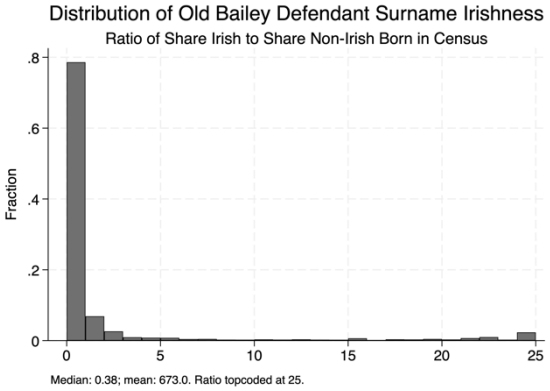
Panel C. Irish surnames: Share over time and across offense types



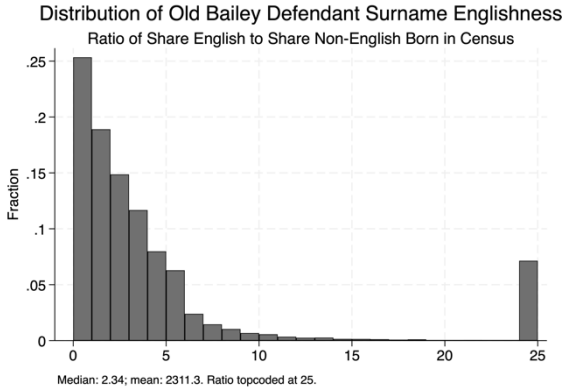
NOTE – Panel A shows the number of defendants at the Old Bailey from 1800 to 1899 overall, and separately for property, violent, fraud and (remaining) other offenses. See Section 3.2 for details. Panel B shows the share of defendants classified as Irish, English and non-distinct for the entire sample period (1800-1899). See Section 4.3 for details. Panel C shows the share of Irish classified defendants by decade, overall and separately for property, violent, fraud and (remaining) other offenses. See Section 4.3 for details.

Figure 3. Surname Classification

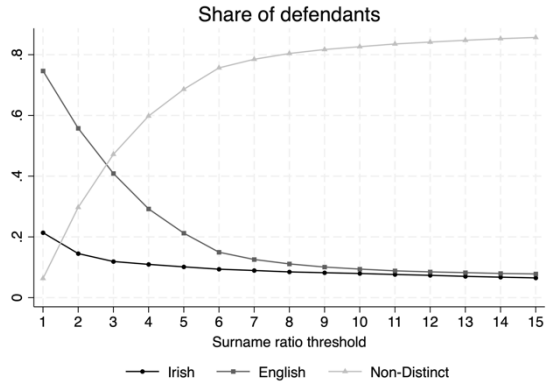
Panel A. Histogram Irish surname ratios



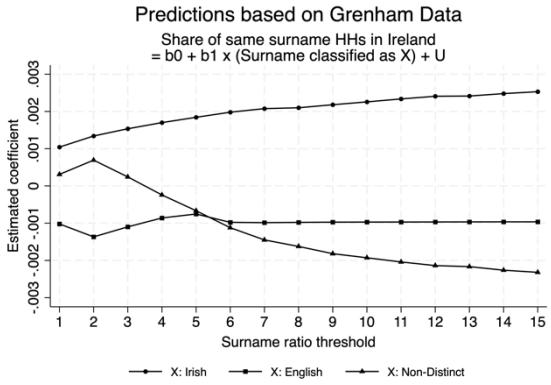
Panel B. Histogram English surname ratios



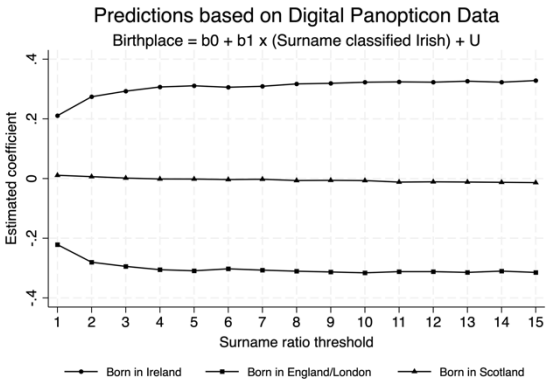
Panel C. Share of defendants by surname classification



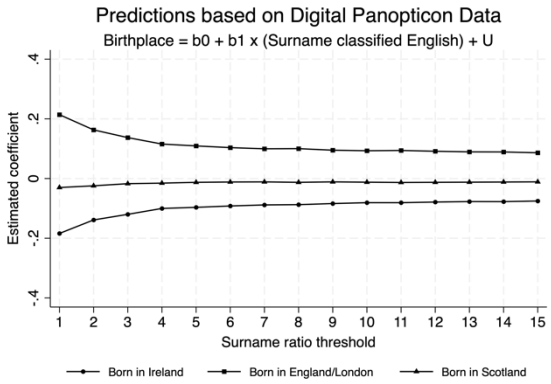
Panel D. Validation with Grenham data



Panel E. Validation with Digital Panopticon - Irish names



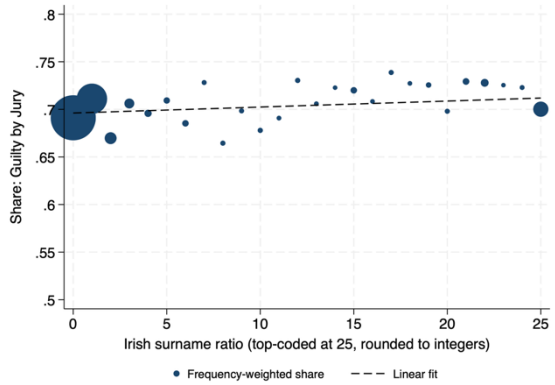
Panel F. Validation with Digital Panopticon - English names



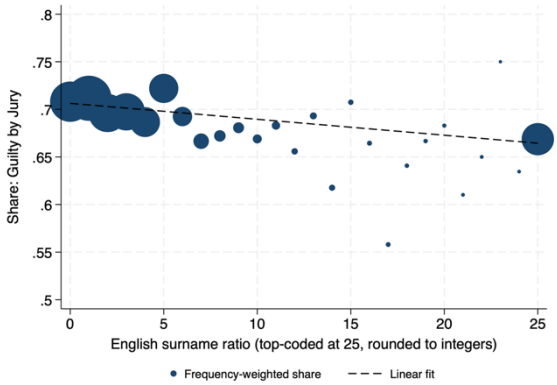
NOTE – Panels A and B plot histograms of the Irish and English surname ratios for defendants in the Old Bailey data, respectively. Ratios larger than 25 are top-coded at 25 for ease of presentation. Panel C depicts the share of defendants that we classify as Irish, English or non-distinct varying the threshold for the surname ratio from 1 to 15. Panels D to F plot coefficients from regressions of external measures for the defendant's ethnicity on the classification based on the surname ratio, iterating through thresholds as shown on the x-axis. In Panel D, dots represent regressions with Irish classified defendants as right-hand side variable, squares with English classified defendants and triangles with non-distinct defendants. In Panels E and F, dots represent regressions when the outcome is "born in Ireland", squares when the outcome is "born in England/London" and triangles when the outcome is "born in Scotland". In Panel E, the right-hand side variable is a dummy for the defendant being classified Irish and in Panel F being classified English. For all panels, see Section 3.2 for details.

Figure 4. Correlations Between Surname Ratios and Jury Decisions

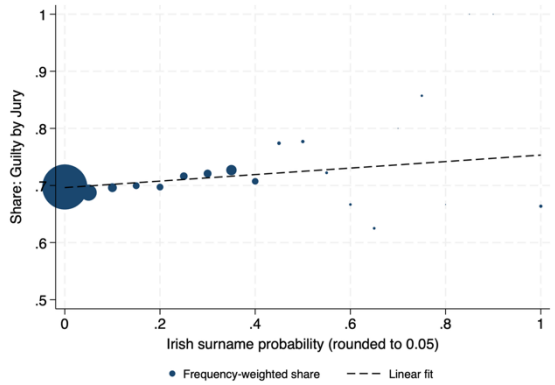
Panel A. Conviction rates by Irish surname ratio



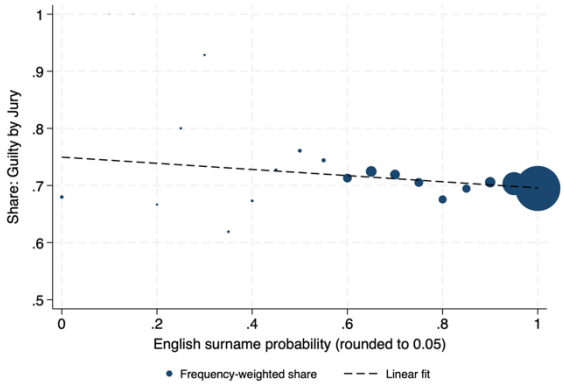
Panel B. Conviction rates by English surname ratio



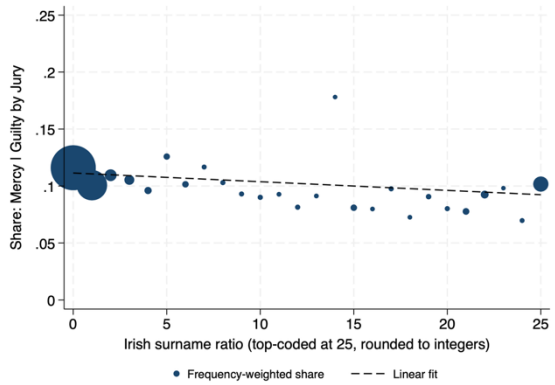
Panel C. Conviction rates by Irish surname probability



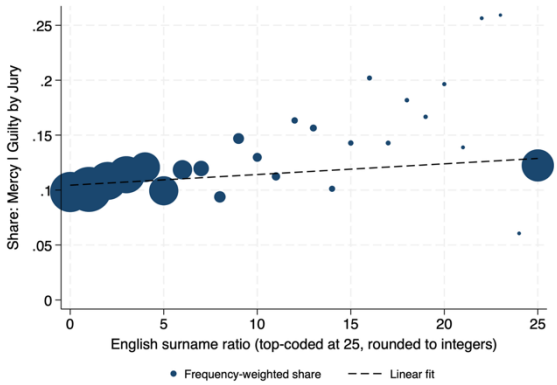
Panel D. Conviction rates by English surname probability



Panel E. Recommendations for mercy by Irish surname ratio



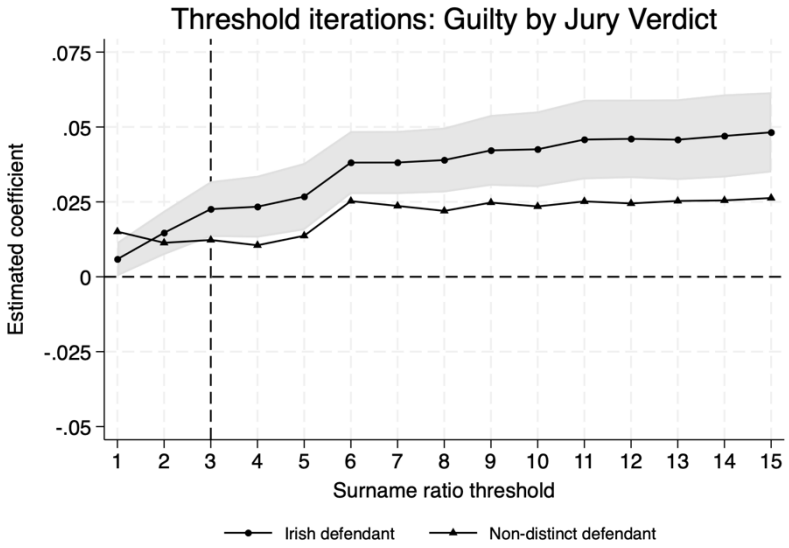
Panel F. Recommendations for mercy by English surname ratio



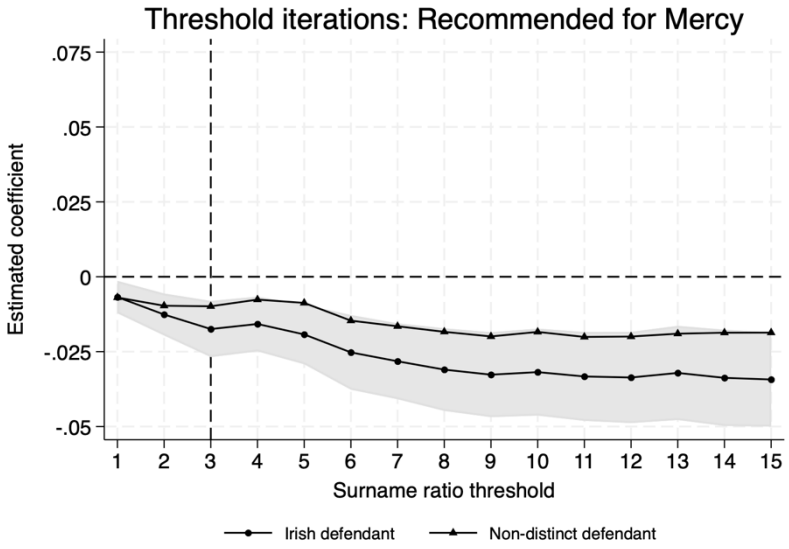
NOTE – Panel A (B) shows the (frequency-weighted) share of jury convictions by Irish (English) surname ratio (rounded to integers, and top-coded at 25) as well as the correlation (linear fit). Panels C and D show the (frequency-weighted) share of jury convictions by Irish (English) surname probability (in bins of 0.05) as well as the correlation (linear fit). Panel E (F) shows the (frequency-weighted) share of jury mercy recommendations by Irish (English) surname ratio (rounded to integers, and top-coded at 25) as well as the correlation (linear fit). See Section 5.1 for details.

Figure 5. Robustness Tests: Threshold Iterations

Panel A. Guilty by jury verdict, all offenses



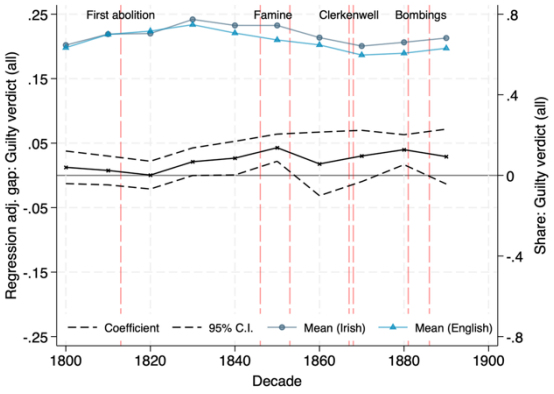
Panel B. Recommendation for mercy, all offenses



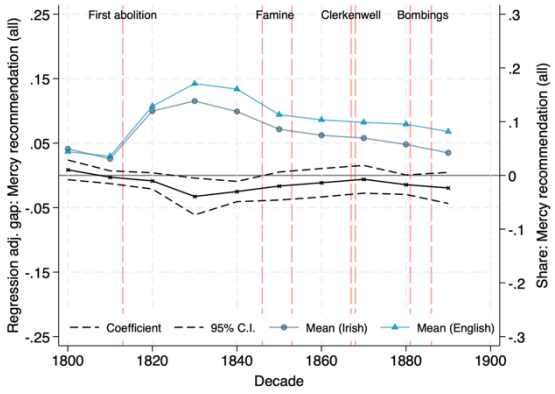
NOTE - The figure shows the estimated coefficients when iterating the threshold for the name classification for each outcome (Panel A: guilty jury verdict, Panel B: recommended for mercy). The markers depict the estimated coefficients using our baseline specification as in column (4) of Table 3. The dots refer to the coefficient for Irish defendants, the triangles to those for non-distinct defendants. The gray shaded area shows the 95% confidence interval for the Irish defendant coefficient. We estimate a separate regression for each threshold indicated on the x-axis; our baseline with a threshold of 3 is marked by the vertical line. See Section 5.2 for details.

Figure 6. The Dynamics of the Gap

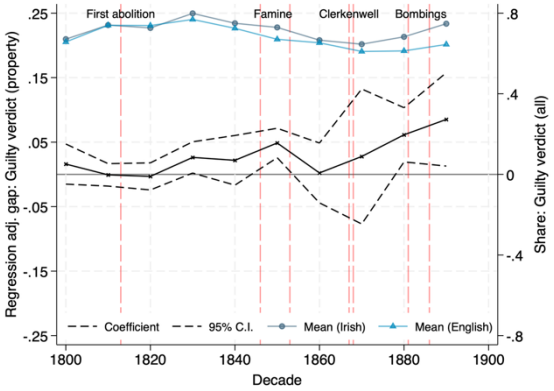
Panel A. Jury verdicts (all offenses)



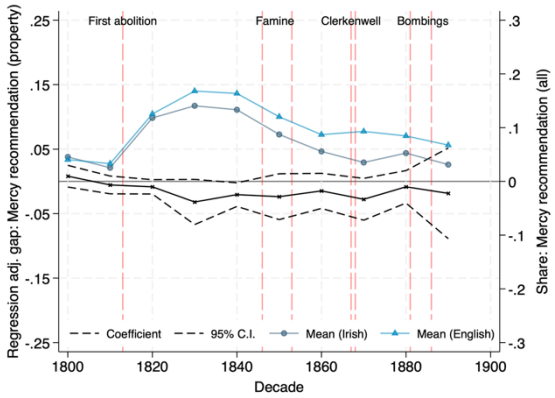
Panel B. Recommendations for mercy (all offenses)



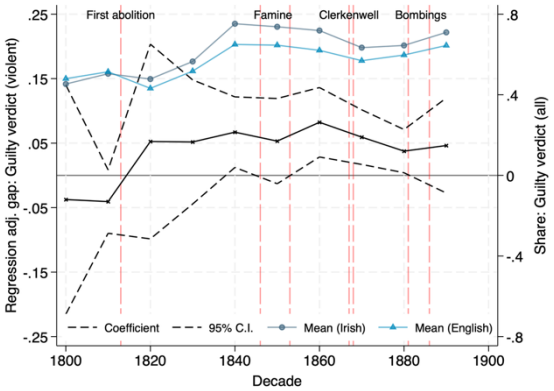
Panel C. Jury verdicts (property off.)



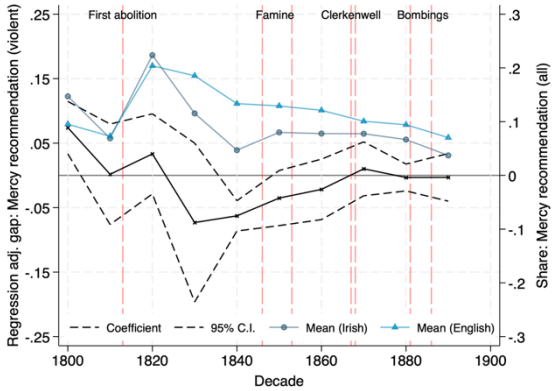
Panel D. Recommendations for mercy (property off.)



Panel E. Jury verdicts (violent off.)



Panel F. Recommendations for mercy (violent off.)



NOTE - The figure shows the evolution of the gaps in jury verdicts (left) and mercy recommendations (right) for each decade from 1800 to 1900. Panels A and B show results for all offenses, Panels C and D for property offenses, Panels E and F for violent offenses. Dashed vertical lines mark key events: the year that capital punishment began to be abolished, the famine years, and the years of the Clerkenwell and Fenian Bombings. The black markers correspond to the decade-specific point estimate and the dashed black lines to the corresponding 95% confidence intervals. The grey circles show the raw outcome means for Irish-classified defendants, the blue triangles for English-classified defendants. See Section 7 for details.

Table 1. Summary Statistics – Old Bailey Data (Jury Trials)

	(1)			(2)			(3)			(4)			(5)		(6)	
	All defendants			**English-classified defendants**			**Irish-classified defendants**			**Non-distinct-classified defendants**			**Diff. to English-classified defendants**			
	N	Mean	SD	N	Mean	SD	N	Mean	SD	N	Mean	SD	Irish - English		Nondistinct - English	
Defendant and case characteristics																
Irish surname ratio (truncated at 25)	134,204	3.02	6.78	52,784	0.18	0.11	16,085	15.26	7.85	61,159	0.76	0.56	15.079	***	0.579	***
English surname ratio (truncated at 25)	134,204	4.98	7.15	52,784	8.84	7.87	16,085	0.13	0.10	61,159	1.55	0.77	-8.717	***	-7.288	***
Probabilty Irish name	130,028	0.04	0.10	52,784	0.00	0.00	16,085	0.26	0.13	61,159	0.02	0.01	0.255	***	0.013	***
Female	133,823	0.20	0.40	52,646	0.18	0.39	16,052	0.26	0.44	61,025	0.21	0.41	0.076	***	0.023	***
Age | guilty verdict	88,777	27.27	11.59	34,230	27.26	11.46	10,937	26.62	11.60	40,917	27.36	11.68	-0.632	***	0.099	
Any criminal history | after 1832	82,009	0.11	0.31	32,095	0.10	0.30	10,428	0.14	0.35	36,934	0.11	0.32	0.039	***	0.012	***
Capital eligible off.	129,949	0.16	0.36	50,872	0.16	0.36	15,762	0.14	0.34	59,253	0.16	0.36	-0.021	***	0.000	
Trial year	134,204	1843	24.45	52,784	1842	24.54	16,085	1844	24.19	61,159	1842	24	2.047	***	-0.498	***
No. of defendants	134,204	1.50	1.09	52,784	1.49	1.07	16,085	1.52	1.14	61,159	1.49	1.10	0.027	***	0.005	
No. of Irish codefendants (if any)	130,028	0.06	0.29	52,784	0.04	0.24	16,085	0.16	0.48	61,159	0.05	0.27	0.118	***	0.008	***
No. of English codefendants (if any)	130,028	0.19	0.54	52,784	0.22	0.56	16,085	0.14	0.48	61,159	0.18	0.53	-0.079	***	-0.042	***
No. of non-distinct codefendants (if any)	130,028	0.23	0.62	52,784	0.21	0.59	16,085	0.20	0.62	61,159	0.25	0.64	-0.011	**	0.039	***
Offenses																
Property off.	134,096	0.70	0.46	52,753	0.70	0.46	16,075	0.66	0.47	61,102	0.71	0.45	-0.037	***	0.012	***
Violent off.	134,096	0.11	0.31	52,753	0.10	0.30	16,075	0.18	0.38	61,102	0.10	0.30	0.077	***	-0.001	
Sex off.	134,096	0.02	0.15	52,753	0.02	0.15	16,075	0.02	0.13	61,102	0.02	0.14	-0.007	***	-0.003	***
Fraud off.	134,096	0.14	0.34	52,753	0.14	0.35	16,075	0.12	0.32	61,102	0.14	0.34	-0.024	***	-0.003	
Special off.	134,096	0.00	0.04	52,753	0.00	0.04	16,075	0.00	0.05	61,102	0.00	0.04	0.001	**	0.000	
Other off.	134,096	0.03	0.18	52,753	0.04	0.19	16,075	0.03	0.16	61,102	0.03	0.17	-0.009	***	-0.005	***
Verdicts																
Guilty by jury	134,204	0.70	0.46	52,784	0.69	0.46	16,085	0.71	0.45	61,159	0.71	0.46	0.027	***	0.018	***
Guilty by jury - original charge	134,204	0.65	0.48	52,784	0.64	0.48	16,085	0.65	0.48	61,159	0.65	0.48	0.018	***	0.017	***
Guilty by jury - lesser off.	134,204	0.05	0.23	52,784	0.05	0.22	16,085	0.06	0.24	61,159	0.05	0.22	0.010	***	0.001	
Recommended for mercy | guilty verdict	93,673	0.11	0.31	36,240	0.12	0.32	11,475	0.09	0.29	43,091	0.11	0.31	-0.024	***	-0.013	***
Acquittal	134,204	0.30	0.46	52,784	0.31	0.46	16,085	0.29	0.45	61,159	0.29	0.46	-0.026	***	-0.018	***
Sentences																
Harshest available punishment	88,480	0.49	0.50	34,301	0.49	0.50	10,817	0.51	0.50	40,695	0.49	0.50	0.024	***	0.003	
Death penalty	91,411	0.05	0.23	35,368	0.05	0.23	11,235	0.05	0.21	42,018	0.05	0.23	-0.006	**	0.001	
Transportation	91,411	0.27	0.45	35,368	0.28	0.45	11,235	0.25	0.43	42,018	0.28	0.45	-0.025	***	0.002	
Prison	91,411	0.57	0.50	35,368	0.56	0.50	11,235	0.60	0.49	42,018	0.57	0.50	0.041	***	0.003	

NOTE – The table shows summary statistics for our analysis sample of jury trials from the Old Bailey for the entire sample period for all defendants in column (1), English-classified defendants in column (2), Irish-classified defendants in column (3) and non-distinct classified defendants in column (4). Column (5) shows the difference in means and corresponding significance levels between Irish- and English-classified defendants; column (6) shows the difference between non-distinct and English-classified defendants. See Section 3.3.

Table 2. Non-Distinct Surnames

	Defendant Surname		
	Non-Distinct	Distinctly Irish	Distinctly English
Panel A. Surname characteristics at defendant level.			
Number of defendants	74325	18747	64412
Number of unique surnames among defendants	4989	2631	12144
Avg. number born in ... in 1881 Census with defendant's surname:			
Scotland	602	93	75
England	51271	3146	33762
Ireland	741	1012	173
Share of ... born in 1881 Census with defendant's surname			
Scottish	0.24%	0.04%	0.03%
English	0.22%	0.01%	0.14%
Irish	0.14%	0.18%	0.03%
Share of defendants with Jewish surname (Leeds names)			
Top 1-50 names	9.65%	0.00%	3.61%
Top 51-100 names	2.86%	0.51%	0.40%
Top 1-100 names	12.52%	0.51%	4.01%
Panel B. ChatGPT queries: Is this surname of commonly ... origin? Yes or No.			
Share yes: English	96.03%	74.35%	89.36%
Share yes: Irish	56.53%	85.06%	39.28%
Share yes: Scottish	87.59%	71.0%	68.01%
Share yes: German	32.41%	13.37%	27.55%
Share yes: Jewish	19.55%	7.73%	13.56%
Share yes: French	13.58%	11.96%	16.07%
Share yes: Russian	1.03%	0.16%	7.89%
Share yes: Polish	2.05%	0.95%	2.65%
Panel C. ChatGPT queries: Other surname characteristics.			
Is this surname an occupational surname? Yes or No.			
Share yes	27.29%	6.0%	22.42%
Is this surname (of a 19th century person in England) of high class, aristocracy, or landownership? Yes or No.			
Share yes	18.34%	13.83%	13.69%
Connected to 19th century migration or diaspora to England? Yes or No.			
Share yes	6.15%	49.45%	3.15%

NOTE - Panel A shows surname characteristics based on the 1881 Census data and on historical sources listing common Jewish names. See Section 4.5 for details. Panel B shows the results from ChatGPT queries when asking the question specified in the panel header. The columns refer to the classification of each surname in our analysis sample.

Table 3. Disparate Treatment of Irish Defendants

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Panel A. Guilty by jury verdict								
Defendant classified Irish	0.027***	0.019***	0.023***	0.023***	0.023***			
	(0.008)	(0.005)	(0.004)	(0.005)	(0.004)			
Defendant classified non-distinct	0.018***	0.012***	0.013***	0.012***	0.012***			
	(0.003)	(0.003)	(0.003)	(0.003)	(0.003)			
Irish Surname ratio						0.0010***		
						(0.0002)		
Irish ratio >3 and <5							0.019*	
							(0.010)	
Irish ratio >5 and <15							0.009	
							(0.008)	
Irish ratio >15 and <25							0.031***	
							(0.005)	
Irish ratio >25							0.031***	
							(0.009)	
Irish surname probability								0.062***
								(0.013)
Observations	129,930	129,930	125,598	125,598	125,598	125,449	125,598	125,598
Mean of Y	0.699	0.699	0.704	0.704	0.704	0.704	0.704	0.704
Adj R2	0.000	0.048	0.058	0.064	0.069	0.0634	0.064	0.063
pvalue Irish=Nondistinct	0.228	0.133	0.020	0.025	0.024			
Panel B. Recommended for mercy (conditional on guilty verdict by jury)								
Defendant classified Irish	-0.024***	-0.014***	-0.015***	-0.017***	-0.017***			
	(0.008)	(0.004)	(0.004)	(0.005)	(0.005)			
Defendant classified non-distinct	-0.013***	-0.009***	-0.010***	-0.010***	-0.010***			
	(0.004)	(0.002)	(0.002)	(0.002)	(0.002)			
Irish Surname ratio						-0.0006**		
						(0.0002)		
Irish ratio >3 and <5							-0.014*	
							(0.008)	
Irish ratio >5 and <15							-0.009**	
							(0.004)	
Irish ratio >15 and <25							-0.025***	
							(0.006)	
Irish ratio >25							-0.019***	
							(0.007)	
Irish surname probability								-0.045**
								(0.016)
Observations	90,767	90,767	88,449	88,449	88,449	88,342	88,449	88,449
Mean of Y	0.109	0.109	0.106	0.106	0.106	0.106	0.106	0.106
Adj R2	0.001	0.0489	0.049	0.067	0.069	0.0666	0.067	0.067
pvalue Irish=Nondistinct	0.049	0.199	0.241	0.145	0.137			
Offense FE		x	x	x	x	x	x	x
Controls (female, num.def., capital)			x	x	x	x	x	x
Year and month FE				x		x	x	x
Session FE					x			

NOTE – The table shows regression results corresponding to equation (1) for all offenses. Columns (1) to (5) use the binary classification of defendants, where the omitted (reference) category is defendants with names classified as distinctly English. Column (6) uses the (continuous) underlying surname ratio. Column (7) includes four dummy variables indicating different thresholds of the surname ratio, with the omitted category being a ratio less than 3. Column (8) uses the simple surname probability. See Section 5.2. for details. Specifications are indicated at the bottom of the table. The dependent variable is a dummy variable indicating whether the defendant was found guilty in a jury trial (Panel A) and whether the defendant was recommended for mercy after a guilty verdict (Panel B). The p-value refers to a test of equality of coefficients for Irish and non-distinct defendants. Robust standard errors clustered by offense are shown in parentheses. *** p<0.01, ** p<0.05, * p<0.1.

Table 4. Heterogeneity by Offense Category

	(1)	(2)	(3)	(4)
Offense category:	Property	Violent	Fraud	All other
Panel A. Guilty by jury verdict				
Defendant classified Irish	0.019***	0.049*	0.005	0.029
	(0.005)	(0.020)	(0.012)	(0.029)
Defendant classified non-distinct	0.012***	0.026*	0.012	-0.007
	(0.004)	(0.011)	(0.009)	(0.013)
Observations	90,705	14,151	14820	5,922
Mean of Y	0.729	0.615	0.711	0.527
Adj R2	0.049	0.092	0.0811	0.0674
pvalue Irish=Nondistinct	0.136	0.179	0.542	0.155
Panel B. Recommended for mercy (conditional on guilty verdict by jury)				
Defendant classified Irish	-0.017**	-0.017*	-0.014**	-0.007
	(0.007)	(0.008)	(0.003)	(0.016)
Defendant classified non-distinct	-0.009***	-0.009	-0.011**	-0.009
	(0.002)	(0.006)	(0.003)	(0.013)
Observations	66,084	8,704	10,543	3,118
Mean of Y	0.111	0,099	0.0799	0.106
Adj R2	0.068	0.125	0.0319	0.106
pvalue Irish=Nondistinct	0.287	0.543	0.669	0.934
Panel C. Judge Sentence to Harshest Punishment Available (conditional on guilty verdict by jury)				
Defendant classified Irish	-0.002	-0.002	0.011	0.061*
	(0.005)	(0.009)	(0.015)	(0.029)
Defendant classified non-distinct	0.005	-0.011*	-0.003	0.013
	(0.003)	(0.006)	(0.009)	(0.014)
Observations	63,265	8,114	9,211	2,929
Mean of Y	0.448	0.702	0.689	0.614
Adj R2	0.211	0.379	0.527	0.530
pvalue Irish=Nondistinct	0.165	0.440	0.213	0.0426
Offense FE and controls (female, num.def., capital)	x	x	x	x
Year and month FE	x	x	x	x

NOTE – The table shows regression results corresponding to the baseline specification in column (4) of Table 3, but for the sample of property offenses in (1), violent offenses in (2), fraud offenses in (3) and (remaining) other offenses in (4). The omitted (reference) category of defendant surname is names classified as distinctly English. See Section 5.4. Specifications are indicated at the bottom of the table. The dependent variable is a dummy variable indicating whether the defendant was found guilty in a jury trial (Panel A) and whether the defendant was recommended for mercy after a guilty verdict (Panel B). The p-value refers to a test of equality of coefficients for Irish and non-distinct defendants. Robust standard errors clustered by offense are shown in parentheses. *** p<0.01, ** p<0.05, * p<0.1.

Table 5. The Abolition of Capital Punishment

Offense Category:	**All**	**Property**	**Violent**	**All**	**Property**	**Violent**
Sample:		**1803-1871**			**1803-1871**	
	(1)	(2)	(3)	(4)	(5)	(6)
	Panel A. Guilty by jury verdict			*Panel B. Guilty of original offense by jury verdict*		
Non-capital	0.079*	0.018	0.181**	0.166***	0.151**	0.152*
	(0.041)	(0.029)	(0.068)	(0.039)	(0.048)	(0.067)
Defendant classified Irish	0.019	0.027	0.024	0.005	-0.001	0.006
	(0.015)	(0.016)	(0.041)	(0.015)	(0.021)	(0.009)
Non-capital x Defendant classified Irish	0.002	-0.014	0.046	0.016	0.017	0.062**
	(0.016)	(0.014)	(0.030)	(0.015)	(0.018)	(0.020)
Observations	102,942	81,704	8,563	102,942	81,704	8,563
Mean of Y	0.719	0.737	0.605	0.670	0.698	0.435
Adj R2	0.067	0.050	0.102	0.109	0.0769	0.102
	(7)	(8)	(9)	(10)	(11)	(12)
	Panel C. Guilty of lesser offense by jury verdict			*Panel D. Recommended for mercy | convicted*		
Non-capital	-0.093**	-0.142***	0.045	-0.059***	-0.040*	-0.249***
	(0.037)	(0.039)	(0.128)	(0.020)	(0.020)	(0.045)
Defendant classified Irish	0.018	0.028***	0.037	-0.004	-0.010	0.019
	(0.013)	(0.007)	(0.054)	(0.009)	(0.010)	(0.011)
Non-capital x Defendant classified Irish	-0.018	-0.030***	-0.035	-0.016	-0.008	-0.059**
	(0.013)	(0.008)	(0.051)	(0.011)	(0.010)	(0.023)
Observations	102,942	81,704	8,563	73,982	60,246	5,183
Mean of Y	0.051	0.041	0.175	0.113	0.117	0.110
Adj R2	0.172	0.179	0.153	0.066	0.066	0.131
Defendant classified non-distinct	x	x	x	x	x	x
Offense FE	x	x	x	x	x	x
Controls	x	x	x	x	x	x
Year and month FE	x	x	x	x	x	x

NOTE – The table shows regression results for the time period (1803-1871) around the offense-by-offense abolition of capital punishment, as described in Section 6.1. The dependent variable is a dummy variable indicating whether the defendant was found guilty in a jury trial (Panel A), guilty of the original charge (Panel B) or guilty of a lesser offense (Panel C), and whether the defendant was recommended for mercy after a guilty verdict (Panel D). Results are shown for all, property and violent offenses as indicated at the top of each column. Robust standard errors clustered by offense are shown in parentheses. *** p<0.01, ** p<0.05, * p<0.1.

Table 6. Irish Victims

	(1)	(2)	(3)	(4)	(5)	(6)
Outcome:	**Guilty by jury verdict**			**Guilty by jury verdict**		
Sample:	**1880-1886 (Bombing Campaign Sample)**			**1800-1899 (Old Bailey Corpus Sample)**		
Offense Category:	**All**	**Property**	**Violent**	**All**	**Property**	**Violent**
Specification:	Baseline	Baseline	Baseline	Baseline	Baseline	Baseline
Panel A. Defendants						
Defendant classified Irish	0.061***	0.066**	0.069*	0.032***	0.024*	0.060**
	(0.017)	(0.027)	(0.028)	(0.011)	(0.012)	(0.023)
Defendant classified non-distinct	0.009	0.025	0.026	0.014**	0.012	0.031*
	(0.019)	(0.037)	(0.026)	(0.006)	(0.007)	(0.015)
Observations	3,287	1,345	1,255	18,878	15,354	2,417
Mean of Y	0.613	0.624	0.622	0.701	0.727	0.591
Adj R2	0,038	0,024	0,097	0,072	0,061	0.132
Panel B. Irish and English defendants and victims						
Irish defendant and English victim	0.093**	0.070	0.128**	0.023	0.018	0.077**
	(0.037)	(0.068)	(0.045)	(0.015)	(0.014)	(0.021)
Irish defendant and Irish victim	0.028	-0.098	0.065	-0.026	-0.067***	0.017
	(0.055)	(0.124)	(0.053)	(0.033)	(0.017)	(0.067)
English defendant and Irish victim	-0.044	-0.099	-0.067	-0.014	-0.007	-0.028
	(0.058)	(0.088)	(0.085)	(0.023)	(0.018)	(0.054)
Observations	1,019	369	462	4,542	3,55	743
Mean of Y	0.620	0.615	0.636	0.699	0.731	0.580
Adj R2	0,028	0,006	0.108	0,081	0,071	0.190
Panel C. Irish and English defendants, all victims						
Irish defendant and non-Irish victim	0.070***	0.084***	0.067*	0.029*	0.022	0.058***
	(0.020)	(0.027)	(0.031)	(0.014)	(0.016)	(0.012)
Irish defendant and Irish victim	0.048	-0.055	0.065	-0.013	-0.060**	0.005
	(0.046)	(0.099)	(0.055)	(0.030)	(0.024)	(0.068)
English defendant and Irish victim	-0.034	-0.080	-0.051	-0.012	-0.005	-0.051
	(0.055)	(0.058)	(0.084)	(0.025)	(0.022)	(0.056)
Observations	1,845	723	744	10,038	7,992	1,452
Mean of Y	0.614	0.614	0.626	0.694	0.723	0.588
Adj R2	0,035	0,019	0.102	0,071	0,06	0.144
Offense FE and controls (female, num.def., capital)	x	x	x	x	x	x
Year and month FE	x	x	x	x	x	x

NOTE - The table shows regression results for the sub-sample of cases with victim information (columns (1)-(3): 1880-1886 based on the bombing campaign sample and columns (4)-(6): 1800-1899 based on the Old Bailey Corpus sample) and exactly one victim. Panel A replicates our baseline specification from Column (4) in Table 3 for these subsamples. Panel B restricts the sample to Irish and English defendants and victims, and shows results for Irish and English defendants with Irish and English victims, respectively (omitted category: English defendant with English victim). Panel C uses the sample of Irish and English defendants and all victims, and shows results for Irish and English defendants with Irish and non-Irish (English or non-distinct) victims, respectively (omitted category: English defendant with non-Irish victim). Columns (1) and (4) show results for all offenses, columns (2) and (5) and (3) and (6) for property and violent offenses, respectively. The dependent variable in all panels/columns is a dummy variable indicating whether the defendant was found guilty in a jury trial. Robust standard errors clustered by offense are shown in parentheses. *** p<0.01, ** p<0.05, * p<0.1.

Online Appendix

Appendix A. Data Descriptions and Name Classification

Appendix B. Additional Tables and Figures

Appendix C. Historical Records

Appendix A. Additional Data Descriptions

A1. Data Sources and Data Cleaning for Name Classifications

As described in Section 4.1 of the main text, since the Old Bailey Proceedings do not systematically record defendant ethnicity or place of birth, a fundamental analysis step is to identify Irish and non-Irish courtroom participants. We do this by measuring surname ethnicity using the 1881 Census, which does include country of birth. In other words, we use the names of first-generation immigrants from Ireland to England to identify names that are distinctly Irish. In the following, we describe the data sources (1881 Census and additional sources) and the steps we undertook in terms of data cleaning and the matching by name to the Old Bailey data.

A. 1881 Census

We retrieved the 1881 Census data from the UK Data Service (https://ukdataservice.ac.uk), Study Number 4177: *1881 Census for England and Wales, the Channel Islands and the Isle of Man [Enhanced Version]* (Wollard and Schurer, 2000). These records include the county and parish of the person, their surname and first name, their relationship to the head of household, marital status, gender, age, occupation, place of birth and disabilities. We do not have permission to publicly share these raw data files.

To prepare the data for our analyses, we first undertook some basic data cleaning steps. We use names for residents of all counties in England and Wales, and clean the names by removing special characters, numbers etc. To identify the origin of a name, we use the county of birth and classify persons as born in: Ireland, Scotland, England/Wales, other. From there, we collapse the data by surname and first name, respectively, to compute the number and share of individuals with a given name by birth country. We use this information to compute the surname and first name ratios as described in the text (see Section 3.2).

To construct control variables for occupations/socio-economic status (as used in Section 4.3), we focus on the 1881 Census records for persons in London and the Home Counties (Berkshire, Buckingham, Essex, Hampshire, Hertford, Kent, Middlesex/London, Oxford, Surrey, Sussex). We retrieve a list of occupations with more than 5000 observed individuals overall (across names) and combine very similar occupations into one, e.g., tailor and tailor assistant. We code occupations with less than 5000 observations as "other/not coded/missing". We use this information to collapse the data by surname and occupation, generating variables that measure the share of individuals with a given surname in each of these most common (and not coded) occupations.

B. Historically Irish Surnames Dataset

We retrieved a list of Irish surnames and name variants from Adam Crymble's Historically Irish Surnames Dataset (Crymble, 2015).[54] This dataset is based on a subsample of males in the 1841 Census of England and Wales and includes historically Irish surnames, including their rootnames and (up to eight) name variants for those included in the sample.

[54] See https://sandbox.zenodo.org/record/20985#.YwSBgy0RpQL for more details and the raw data.

C. Griffith's Valuation

Griffith's Valuation was a mid-nineteenth-century property survey in Ireland with the aim of enabling a reform to standardize local taxation.[55] The results of the survey were published between 1847 and 1864 and recorded the name of every occupier of property in Ireland (with the only omission of slums in Dublin, Belfast and Cork). The data contain the count of households of all surnames for Ireland overall and by county. We obtained the data for Ireland from *Grenham's Irish Surnames* (CD-ROM, 2003) and updates plus the data by county directly from John Grenham by email. We are grateful to John Grenham for sharing his data with us so generously. From the raw data, we created variables measuring the number and the share of households with a given surname in Ireland and by county in Ireland. We are again not permitted to share these raw data.

Matching by Name

To match the surname ratios constructed from the 1881 Census data as well as the information from the Griffith's Valuation to our main data (the Old Bailey data), we proceed in two steps.

Step 1. File with names and name ratios

We start by using the names from the main Old Bailey dataset (both surnames and first names, undergoing similar cleaning steps as described for the Census names). We merge these names with the *Historically Irish Surnames* by Crymble (2015), retrieving a list of Old Bailey names with (when available) their rootname and name variants of the same surname. Next, we merge these Old Bailey names (both surnames and first names separately) with the Census names and name information (ratios): We start with matching by the original name, and then increase the matching rate by additionally matching by the respective rootname and name variants of the name in the Old Bailey records. This is only relevant in cases in which we cannot match the original Old Bailey name to a Census name, but the rootname or a name variant (if available).

We follow a similar procedure to merge these records with (i) the names and household information from the Griffith's Valuation (data provided by John Grenham) to add information on the number/share of households with a given name in Ireland and Irish administrative units (32 counties plus the cities of Dublin, Belfast, Cork, and Limerick), and (ii) with information from Irish transportee lists to add a variable measuring the share of transportees with a given surname (see Section 4.3 for further details on this dataset).

Overall, these matching procedures result in the list of Old Bailey names matched to (i) Census names and name information (for both surnames and first names), (ii) the number/share of households with that name in Ireland and Irish counties (for surnames) and (iii) extra information from the transportee lists (for surnames). Matching rates are high: For 96.9% of defendants in our Old Bailey sample (from 1800-1899), we can identify their surname or a surname variant in the Census while the comparable first name statistic is 99.6%.

Step 2. Merging with analysis data

In the second step, we merge this list of names and name information back to the main analysis data from the Old Bailey. To be able to classify names of different agents in the Old Bailey data, we merge the data by (i) defendant name (1800-1899), (ii) victim name (1880-1886) and

[55] See John Grenham's website: https://www.johngrenham.com/.

(iii) juror name (1800-1860). This results in our analysis sample as described in the text in which we can use the name ratios for defendants, victims and jurors to classify them as Irish, English and non-distinct and use the extra information for each name.

A2. The Old Bailey Corpus

To augment the data based on the Old Bailey Proceedings (see Section 3.2 of the main text), we use data from the Old Bailey Corpus, version 2.0 (Huber et al., 2016). The Old Bailey Corpus is a corpus based on a selection of the trials reported in the Old Bailey Proceedings. It consists of 637 selected Proceedings and contains speech-related texts from 1720 to 1913 and contains additional information about each speaker involved in the trials (coded from the speech sequences reported in the proceedings). This includes gender, age, occupation (according to the Historical International Standard Classification of Occupations HISCO), social class (according to HISCLASS), and the role of the speaker in the courtroom: defendant, judge, victim, witness, lawyer, and interpreter.

A. ***Victim names*** We retrieved the files from The Old Bailey Corpus (OBC), which comprehends 24.4 million words in 637 XML files. Using Python, we searched through each trial to find the speaker's ID, name, surname, and role in the courtroom. The python script produced CSV files uniquely identifying trial by defendant observations and including the names and surnames of victims. We subsequently imported these files into Stata. From there, we merged the information to the main analysis sample by trial and defendant ID and recovered for those trials that merged the name(s) of the victims involved in the case.

B. ***Data on Social Class Status*** We retrieved the files from The Old Bailey Corpus (OBC), which comprehends 24.4 million words in 637 XML files. Using Python, we searched through each trial to find the relevant information for each speaker (trial ID, gender, age, occupation, social class, and role). The Python script produced CSV files that were subsequently imported into Stata. As this dataset does not contain the speaker ID, but instead is structured by speech sequence (naming only the speaker role), we restrict the sample to (i) single defendant cases or (ii) multiple defendant cases where all (speaking) defendants have the same gender and social class. From there, we collapse the data to the trial level and merged the information with the main analysis sample by trial ID.

Appendix Table A1. Most common Irish, English and Non-distinct Names

Name	N	Irish ratio	English ratio	Name	N	Irish ratio	English ratio	Name	N	Irish ratio	English ratio
	Irish Surnames				**English Surnames**				**Non-Distinct Surnames**		
Sullivan	734	22.32	0.06	Jones	2893	0.20	5.10	Smith	4680	0.56	1.43
Murphy	474	25.50	0.05	Williams	2312	0.24	4.61	Brown	2169	0.75	0.93
Kelly	414	15.25	0.09	Harris	744	0.29	3.47	Johnson	1385	0.55	1.62
Donovan	290	21.45	0.07	Thomas	654	0.15	6.67	Davis	1331	0.42	2.60
Murray	273	7.77	0.11	Edwards	599	0.22	3.75	Wilson	1057	0.72	0.75
Ryan	265	25.65	0.06	Evans	541	0.19	5.79	Taylor	978	0.31	2.29
Bryan	225	4.03	0.34	Roberts	513	0.21	4.41	Thompson	906	0.74	0.84
Welch	220	3.40	0.39	Baker	469	0.31	3.59	White	849	0.94	1.05
Riley	218	4.11	0.34	Cooper	457	0.23	3.66	Clark	806	0.70	1.06
Fitzgerald	217	19.03	0.07	Lewis	454	0.25	4.34	Green	725	0.61	1.92
Connor	217	20.59	0.07	Price	383	0.37	3.07	King	636	0.90	1.25
Burke	215	22.11	0.07	Webb	368	0.23	4.68	Wood	615	0.30	2.14
M Carthy	198	15.30	0.09	Stevens	354	0.26	3.44	Martin	592	1.25	0.79
Mccarthy	184	22.15	0.07	James	351	0.18	4.78	Wright	580	0.33	2.14
Dunn	174	3.05	0.38	Parker	315	0.29	3.14	Collins	579	2.72	0.49
Crawley	164	5.85	0.25	Knight	277	0.26	3.82	Robinson	572	0.53	1.83
Mahoney	159	26.78	0.05	Bailey	270	0.33	3.19	Jackson	567	0.35	2.32
Driscoll	154	21.23	0.07	Chapman	267	0.22	3.99	Allen	510	0.68	1.43
Hurley	144	9.57	0.15	Powell	260	0.33	3.43	Moore	510	1.27	0.95
Barry	143	13.60	0.10	West	257	0.34	3.10	Turner	503	0.30	2.87
Hamilton	132	4.45	0.15	Watts	239	0.23	4.07	Walker	481	0.38	1.39
Campbell	131	5.06	0.10	Griffiths	239	0.20	5.24	Ward	462	0.98	1.23
Conner	130	15.82	0.09	Richards	239	0.16	5.50	Phillips	437	0.41	2.38
Roach	128	8.50	0.17	Pearce	230	0.21	4.96	Hall	436	0.40	2.18
Daley	128	18.63	0.08	Wells	227	0.17	3.47	Hill	429	0.38	2.26
Higgins	121	5.52	0.25	Hawkins	226	0.35	3.29	Clarke	415	1.03	1.14
Burns	121	12.43	0.10	Cole	221	0.32	3.69	Miller	406	0.70	0.66
Carroll	119	19.57	0.07	Payne	217	0.27	3.48	Adams	388	0.48	1.67
Lynch	116	21.18	0.07	Brooks	216	0.27	4.02	Carter	386	0.36	2.78
Leary	112	13.48	0.11	Lloyd	216	0.27	4.19	Lee	386	0.83	1.48

NOTE - This table shows the most common surnames names in our analysis sample that we classify as Irish, English or non-distinct following the classifications described in Section 4.4. For each Irish, English and non-distinct classified name, the table shows the number of defendants in our analysis sample plus their Irish and English ratios.

Appendix Table A2. Cross-Validation of Surname Classifications

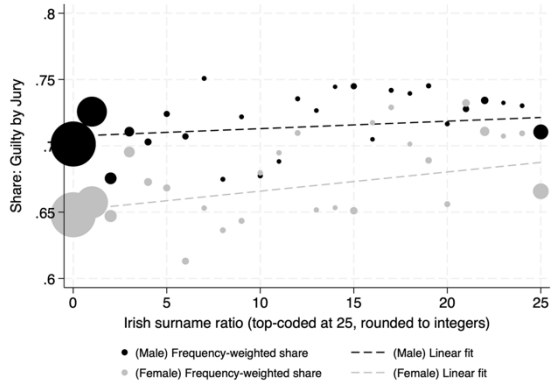
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Data Source:	**Digital Panopticon**			**Grenham Data**	**Manual Validation**			**Firstname Classification**		
Outcome:	Born in Ireland	Born in London/ England	Born in Scotland	Share of households in Ireland with surname	Irish name origin	English name origin	Non-distinct name origin	Classified Irish	Classified English	Classified non-distinct
Panel A. Irish										
Defendant Classified Irish	0.293***	-0.294***	0.002	0.0015***	0.502***	-0.407***	-0.093***	0.167***	-0.054***	-0.113***
	(0.015)	(0.015)	(0.005)	(0.0000)	(0.023)	(0.014)	(0.024)	(0.003)	(0.002)	(0.003)
Observations	6,394	6,394	6,394	124,843	3,324	3,324	3,324	157,108	157,108	157,108
R-squared	0.113	0.097	0.000	0.088	0.449	0.084	0.004	0.063	0.004	0.011
Panel B. English										
Defendant Classified English	-0.120***	0.137***	-0.017***	-0.0011***	-0.117***	0.343***	-0.241***	-0.044***	0.022***	0.022***
	(0.007)	(0.008)	(0.004)	(0.0000)	(0.007)	(0.017)	(0.017)	(0.001)	(0.002)	(0.002)
Observations	6,394	6,394	6,394	124,843	3,324	3,324	3,324	157,108	157,108	157,108
R-squared	0.030	0.034	0.003	0.084	0.047	0.115	0.056	0.010	0.001	0.001
Panel C. Non-Distinct										
Defendant Classified Non-Distinct	-0.059***	0.044***	0.015***	0.0002***	-0.136***	-0.125***	0.275***	-0.028***	0.001	0.026***
	(0.008)	(0.009)	(0.004)	(0.0000)	(0.008)	(0.017)	(0.017)	(0.001)	(0.001)	(0.002)
Observations	6,394	6,394	6,394	124,843	3,324	3,324	3,324	157,108	157,108	157,108
R-squared	0.008	0.004	0.002	0.005	0.067	0.016	0.076	0.004	0.000	0.001

NOTE - The table shows regression results for cross-validation of our surname classifications. We regress external measures regarding the defendant's surname ethnicity on dummy variables indicating our classification based on the surname (Irish in Panel A, English in Panel B, non-distinct in Panel C). In columns (1) to (3), the dependent variables are dummy variables for whether the person was born in Ireland, London or Scotland (retrieved from the Digital Panopticon, see Section 4.4 for details). In column (4), the dependent variable is the share of households in Ireland with the same surname (retrieved from Grenham's data based on the Griffith's Valuation, see Appendix A for details). In columns (5) to (7), the dependent variables are dummy variables for whether the name has an Irish, English or non-distinct origin (based on manual coding from genealogy websites). In columns (8) to (10), the dependent variables are dummy variables for whether we classify the defendant's first name as Irish, English or non-distinct. Robust standard errors are shown in parentheses. *** p<0.01, ** p<0.05, * p<0.1.

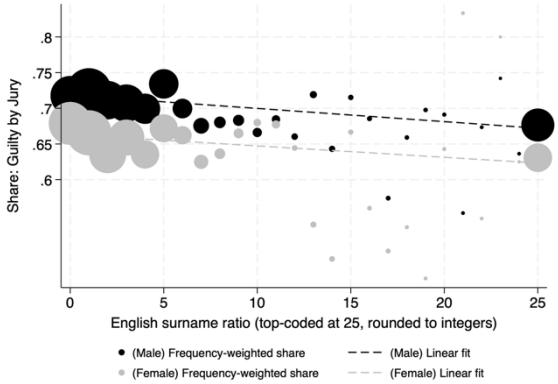
Appendix B. Additional Tables and Figures

Appendix Figure B1. Surname Ratio and Outcome Relationships by Gender

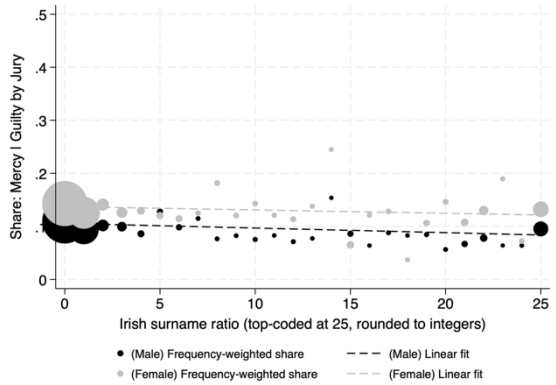
Panel A. Conviction rates by Irish surname ratio



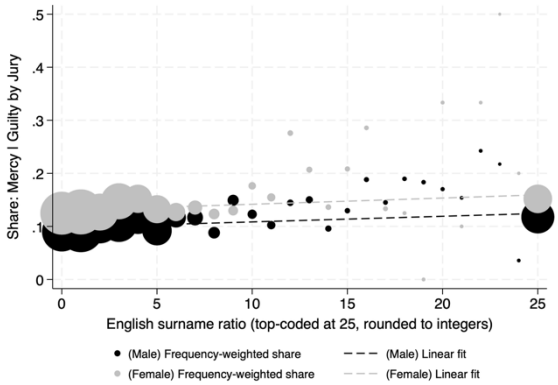
Panel B. Conviction rates by English surname ratio



Panel C. Recommendations for mercy by Irish surname ratio



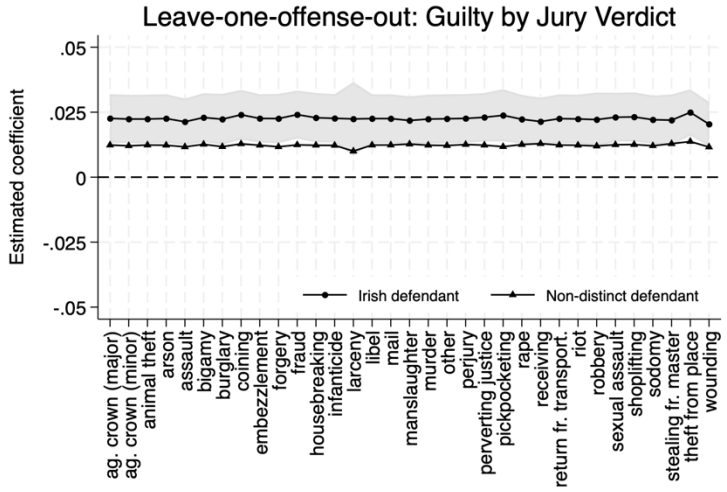
Panel D. Recommendations for mercy by English surname ratio



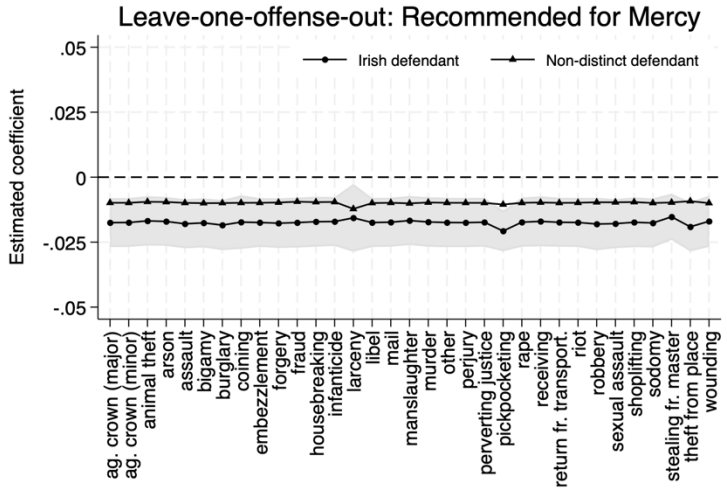
NOTE – Panel A (B) shows the (frequency-weighted) share of jury convictions by Irish (English) surname ratio (rounded to integers, and top-coded at 25) as well as the correlation (linear fit). Panel C (D) shows the (frequency-weighted) share of jury mercy recommendations by Irish (English) surname ratio (rounded to integers, and top-coded at 25) as well as the correlation (linear fit). Grey markers and lines correspond to female defendants, black markers and lines to male defendants. See Section 5.1 for details.

Appendix Figure B2. Robustness Tests – Leave-One-Offense-Out

Panel A. Guilty by Jury Verdict, All Offenses



Panel B. Recommendation for Mercy, All Offenses



NOTE - The figure shows the estimated coefficients when leaving one offense out at a time for each outcome (Panel A: guilty jury verdict, Panel B: recommended for mercy). The markers depict the estimated coefficients using our baseline specification, as in column (4) of Table 3. The dots refer to the coefficient for Irish defendants, the triangles to those for non-distinct defendants. The grey shaded area shows the 95% confidence interval for the Irish defendant coefficient. We estimate a separate regression for each offense left out as indicated on the x-axis.

Appendix Figure B3. Most Common Defendant Surnames and Occupations (Part I)

Panel A. Twenty Most Common Irish Surnames

Occupation\Surname	Sullivan	Murphy	Kelly	Donovan	Murray	Ryan	Bryan	Welch	Riley	Fitzgerald	Connor	Burke	M Carthy	Mccarthy	Dunn	Crawley	Mahoney	Driscoll	Hurley	Barry
Scholar	0.240	0.241	0.259	0.257	0.254	0.262	0.285	0.277	0.262	0.257	0.260	0.281	0.235	0.199	0.276	0.275	0.264	0.259	0.250	0.282
Agricultural labourer	0.006	0.006	0.003	0.010	0.007	0.006	0.010	0.027	0.015	0.004	0.007	0.007	0.000	0.015	0.005	0.015	0.009	0.015	0.009	0.004
Dressmaker	0.011	0.010	0.014	0.007	0.016	0.015	0.013	0.017	0.016	0.015	0.014	0.011	0.000	0.005	0.013	0.015	0.009	0.011	0.011	0.015
Laundress	0.028	0.030	0.028	0.021	0.016	0.029	0.019	0.023	0.017	0.025	0.018	0.027	0.000	0.027	0.017	0.022	0.023	0.022	0.011	0.019
Labourer	0.100	0.086	0.043	0.100	0.025	0.061	0.049	0.035	0.050	0.060	0.066	0.053	0.118	0.095	0.025	0.055	0.093	0.091	0.096	0.054
Carpenter	0.003	0.004	0.004	0.002	0.010	0.005	0.008	0.006	0.006	0.003	0.005	0.004	0.000	0.004	0.008	0.002	0.004	0.001	0.006	0.008
Annuitant	0.003	0.004	0.006	0.002	0.012	0.003	0.006	0.008	0.004	0.008	0.002	0.003	0.000	0.005	0.004	0.006	0.003	0.001	0.002	0.010
Bricklayer	0.014	0.012	0.009	0.017	0.007	0.014	0.011	0.012	0.009	0.010	0.012	0.014	0.000	0.016	0.006	0.014	0.013	0.015	0.014	0.006
Coach-/carman	0.008	0.007	0.007	0.011	0.007	0.006	0.011	0.008	0.006	0.008	0.003	0.013	0.000	0.004	0.011	0.013	0.007	0.006	0.006	0.009
Charwoman	0.018	0.018	0.014	0.018	0.010	0.013	0.010	0.010	0.011	0.014	0.012	0.015	0.000	0.022	0.007	0.012	0.018	0.018	0.015	0.012
Housemaid	0.002	0.004	0.006	0.002	0.004	0.003	0.004	0.004	0.002	0.005	0.003	0.005	0.000	0.002	0.003	0.004	0.003	0.002	0.008	0.003
Gardener	0.001	0.001	0.001	0.001	0.003	0.001	0.002	0.006	0.001	0.002	0.002	0.002	0.000	0.004	0.003	0.003	0.002	0.000	0.001	0.001
Housekeeper	0.006	0.003	0.008	0.004	0.007	0.007	0.008	0.005	0.008	0.004	0.004	0.004	0.000	0.009	0.006	0.002	0.003	0.004	0.007	0.008
Tailor	0.023	0.026	0.021	0.022	0.016	0.028	0.016	0.005	0.017	0.020	0.018	0.018	0.000	0.022	0.009	0.012	0.034	0.033	0.024	0.021
Cook	0.004	0.006	0.011	0.002	0.004	0.009	0.009	0.005	0.006	0.005	0.009	0.005	0.000	0.011	0.005	0.005	0.002	0.006	0.005	0.002
Servant	0.039	0.040	0.036	0.032	0.033	0.044	0.026	0.029	0.027	0.035	0.041	0.037	0.000	0.026	0.031	0.035	0.044	0.042	0.025	0.037
Clerk	0.002	0.003	0.007	0.000	0.006	0.002	0.006	0.002	0.003	0.002	0.004	0.004	0.000	0.000	0.005	0.004	0.002	0.000	0.004	0.004
Painter	0.003	0.004	0.004	0.004	0.005	0.005	0.004	0.006	0.005	0.002	0.005	0.002	0.000	0.000	0.005	0.006	0.002	0.003	0.003	0.004
Baker	0.001	0.001	0.000	0.000	0.004	0.001	0.001	0.003	0.003	0.002	0.001	0.002	0.000	0.000	0.003	0.001	0.001	0.001	0.002	0.000
Butcher	0.001	0.000	0.000	0.002	0.000	0.001	0.002	0.003	0.001	0.000	0.001	0.000	0.000	0.000	0.002	0.006	0.000	0.001	0.000	0.001
Blacksmith	0.002	0.001	0.001	0.001	0.000	0.002	0.003	0.002	0.002	0.001	0.000	0.002	0.000	0.002	0.000	0.000	0.002	0.001	0.000	0.001
Needlewoman	0.003	0.003	0.001	0.003	0.002	0.006	0.004	0.002	0.002	0.002	0.003	0.007	0.000	0.007	0.002	0.004	0.002	0.001	0.004	0.003
Nurse	0.001	0.001	0.003	0.001	0.004	0.002	0.001	0.001	0.004	0.002	0.002	0.002	0.000	0.000	0.004	0.001	0.003	0.000	0.001	0.001
Porter	0.004	0.004	0.006	0.003	0.005	0.005	0.004	0.002	0.005	0.005	0.006	0.005	0.000	0.009	0.004	0.002	0.006	0.003	0.005	0.006
Milliner	0.000	0.002	0.001	0.001	0.002	0.003	0.006	0.002	0.002	0.002	0.001	0.002	0.000	0.002	0.002	0.001	0.001	0.001	0.005	0.002
Machinist	0.003	0.003	0.002	0.002	0.004	0.009	0.001	0.004	0.009	0.004	0.005	0.005	0.000	0.002	0.006	0.003	0.004	0.006	0.001	0.003
Cabinet maker	0.001	0.003	0.002	0.001	0.002	0.001	0.001	0.001	0.000	0.002	0.003	0.001	0.000	0.002	0.003	0.002	0.000	0.000	0.004	0.001
Draper	0.000	0.002	0.001	0.001	0.002	0.001	0.010	0.002	0.001	0.000	0.001	0.001	0.000	0.000	0.005	0.001	0.000	0.000	0.000	0.004
Shoemaker	0.004	0.005	0.005	0.003	0.002	0.003	0.002	0.003	0.003	0.007	0.005	0.003	0.000	0.005	0.005	0.006	0.005	0.001	0.000	0.006
Grocer	0.003	0.002	0.001	0.004	0.002	0.002	0.003	0.004	0.003	0.003	0.001	0.001	0.059	0.000	0.008	0.001	0.002	0.001	0.003	0.003
Bootmaker	0.004	0.004	0.006	0.003	0.002	0.005	0.001	0.001	0.008	0.008	0.005	0.004	0.000	0.000	0.005	0.006	0.009	0.004	0.001	0.005
Plasterer	0.005	0.005	0.004	0.003	0.004	0.001	0.003	0.001	0.003	0.004	0.005	0.000	0.000	0.000	0.005	0.001	0.003	0.003	0.006	0.001
Police constable	0.001	0.001	0.003	0.001	0.001	0.002	0.003	0.001	0.002	0.002	0.000	0.002	0.000	0.004	0.002	0.002	0.001	0.000	0.002	0.001
Warehouse man	0.001	0.002	0.001	0.002	0.002	0.001	0.000	0.000	0.001	0.001	0.004	0.000	0.059	0.000	0.002	0.001	0.002	0.002	0.002	0.003
Printer	0.004	0.003	0.004	0.002	0.003	0.002	0.003	0.001	0.004	0.004	0.008	0.001	0.000	0.004	0.003	0.002	0.003	0.002	0.002	0.004
Plumber	0.001	0.001	0.000	0.000	0.000	0.002	0.001	0.001	0.000	0.001	0.001	0.001	0.000	0.000	0.002	0.000	0.000	0.001	0.000	0.003
Hawker	0.009	0.007	0.006	0.009	0.005	0.008	0.005	0.005	0.005	0.003	0.011	0.009	0.000	0.013	0.003	0.004	0.008	0.009	0.007	0.004
Soldier	0.005	0.008	0.009	0.001	0.005	0.010	0.006	0.000	0.004	0.004	0.002	0.010	0.000	0.002	0.004	0.002	0.006	0.004	0.002	0.008
Victualler	0.001	0.001	0.000	0.000	0.001	0.000	0.004	0.002	0.001	0.001	0.002	0.001	0.000	0.000	0.001	0.000	0.000	0.001	0.001	0.000
Joiner	0.000	0.000	0.000	0.000	0.002	0.000	0.001	0.001	0.001	0.000	0.000	0.002	0.000	0.002	0.001	0.000	0.000	0.000	0.002	0.001
Mariner	0.001	0.000	0.000	0.000	0.002	0.000	0.002	0.001	0.002	0.000	0.000	0.001	0.000	0.002	0.001	0.001	0.003	0.000	0.001	0.002
Dealer	0.005	0.002	0.002	0.006	0.002	0.004	0.003	0.001	0.005	0.003	0.004	0.008	0.000	0.004	0.002	0.001	0.003	0.003	0.003	0.004
Strawplaiter	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.005	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.011	0.000	0.000	0.000	0.000
Governess	0.000	0.001	0.001	0.000	0.003	0.000	0.002	0.001	0.001	0.001	0.000	0.002	0.000	0.000	0.001	0.001	0.000	0.000	0.001	0.001
Teacher	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Ironer	0.005	0.003	0.002	0.001	0.002	0.004	0.001	0.002	0.001	0.002	0.004	0.001	0.000	0.004	0.001	0.001	0.000	0.002	0.002	0.001
Wheelwright	0.000	0.001	0.001	0.000	0.000	0.000	0.001	0.001	0.001	0.000	0.000	0.001	0.000	0.000	0.001	0.002	0.000	0.000	0.000	0.000
Barmaid	0.000	0.001	0.001	0.001	0.002	0.001	0.001	0.000	0.004	0.002	0.001	0.003	0.000	0.000	0.002	0.001	0.000	0.003	0.000	0.001
Solicitor	0.000	0.000	0.001	0.000	0.002	0.001	0.001	0.000	0.001	0.000	0.000	0.000	0.000	0.000	0.001	0.000	0.000	0.000	0.000	0.000
Builder	0.000	0.000	0.002	0.000	0.000	0.000	0.001	0.001	0.000	0.000	0.001	0.000	0.000	0.000	0.000	0.000	0.001	0.000	0.001	0.000
None	0.013	0.017	0.019	0.014	0.020	0.021	0.014	0.007	0.008	0.018	0.017	0.019	0.059	0.011	0.009	0.005	0.013	0.012	0.014	0.008
Not coded / other	0.319	0.320	0.333	0.329	0.361	0.328	0.340	0.304	0.318	0.320	0.330	0.325	0.452	0.362	0.323	0.340	0.320	0.317	0.307	0.326

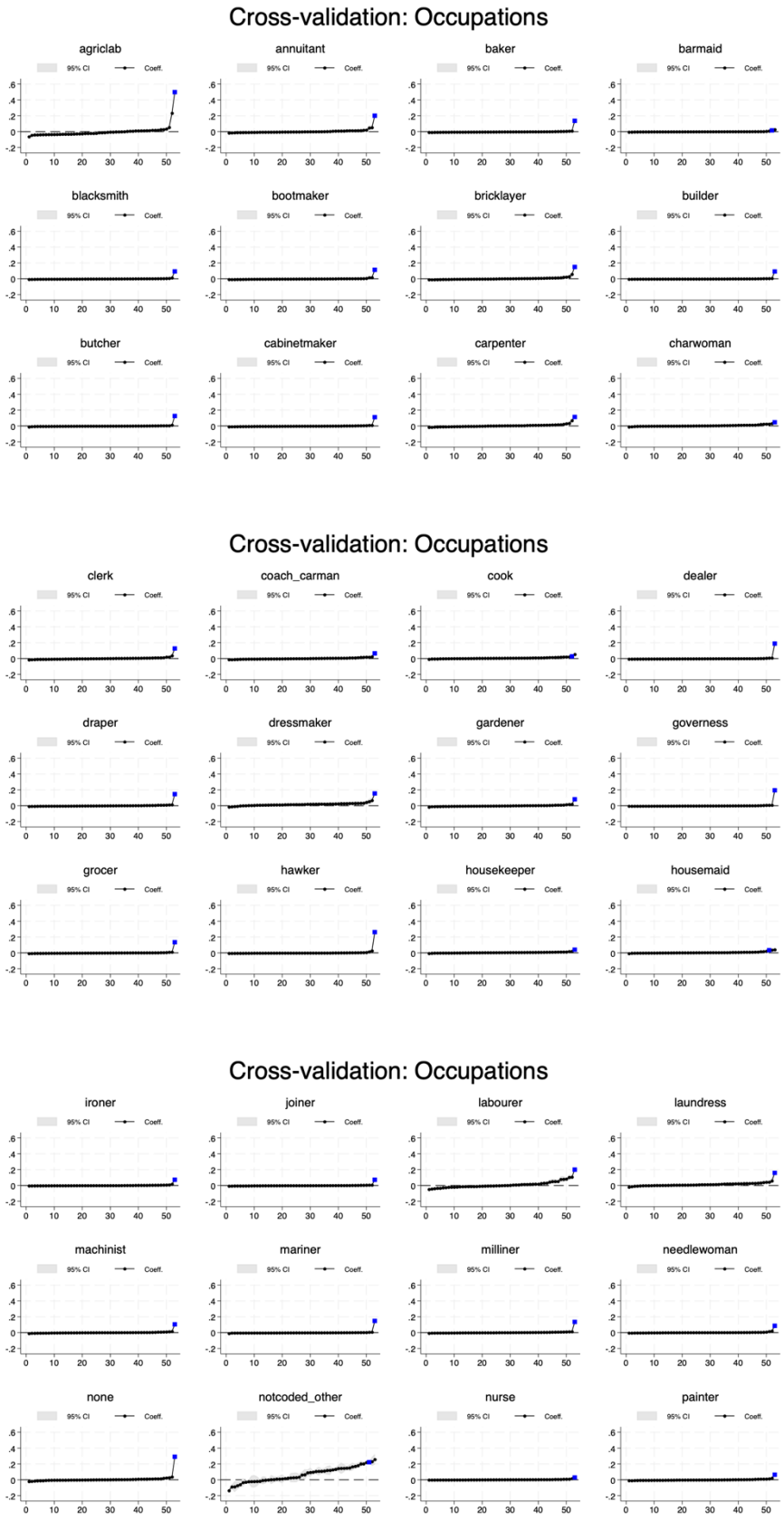
(Part II)

Panel B. Twenty Most Common English Surnames

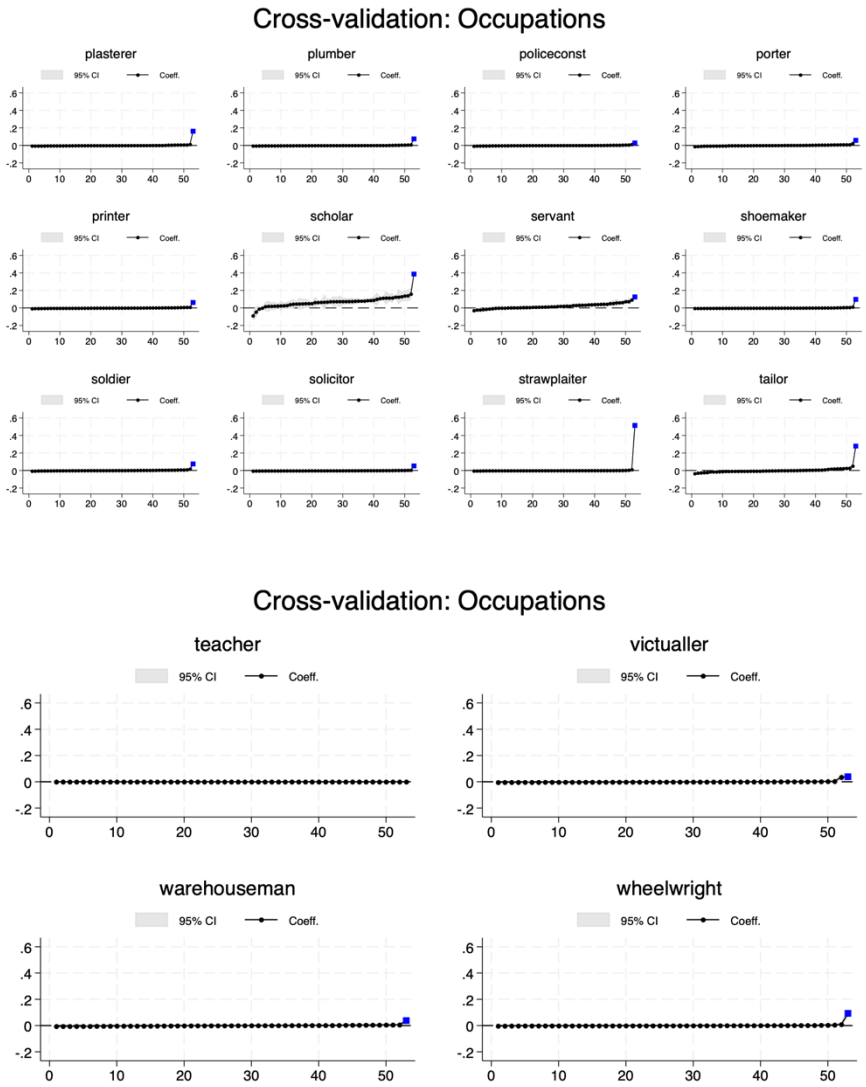
Occupation\Surname	Jones	Williams	Harris	Thomas	Edwards	Evans	Roberts	Baker	Cooper	Lewis	Price	Webb	Stevens	James	Parker	Knight	Bailey	Chapman	Powell	West
Scholar	0.2635	0.2600	0.2702	0.2551	0.2656	0.2628	0.2577	0.2751	0.2701	0.2634	0.2677	0.2726	0.2734	0.2729	0.2618	0.2868	0.2743	0.2691	0.2592	0.274
Agricultural labourer	0.0154	0.0133	0.0289	0.0140	0.0263	0.0164	0.0183	0.0353	0.0311	0.0148	0.0164	0.0358	0.0343	0.0187	0.0269	0.0394	0.0319	0.0413	0.0221	0.029
Dressmaker	0.0168	0.0197	0.0159	0.0173	0.0176	0.0169	0.0198	0.0162	0.0153	0.0154	0.0134	0.0142	0.0162	0.0173	0.0161	0.0163	0.0166	0.0147	0.0166	0.018
Laundress	0.0135	0.0142	0.0147	0.0139	0.0150	0.0125	0.0100	0.0131	0.0110	0.0128	0.0138	0.0148	0.0147	0.0123	0.0145	0.0124	0.0155	0.0110	0.0148	0.013
Labourer	0.0293	0.0271	0.0245	0.0230	0.0235	0.0273	0.0258	0.0281	0.0282	0.0228	0.0296	0.0304	0.0330	0.0295	0.0323	0.0298	0.0296	0.0256	0.0239	0.033
Carpenter	0.0116	0.0117	0.0110	0.0140	0.0117	0.0117	0.0136	0.0109	0.0096	0.0118	0.0080	0.0097	0.0108	0.0146	0.0117	0.0111	0.0137	0.0084	0.0091	0.009
Annuitant	0.0080	0.0089	0.0066	0.0093	0.0072	0.0077	0.0096	0.0055	0.0079	0.0086	0.0110	0.0077	0.0067	0.0088	0.0080	0.0050	0.0077	0.0076	0.0098	0.006
Bricklayer	0.0074	0.0069	0.0080	0.0048	0.0090	0.0065	0.0049	0.0073	0.0076	0.0060	0.0081	0.0091	0.0064	0.0091	0.0075	0.0117	0.0090	0.0070	0.0085	0.006
Coach-/carman	0.0089	0.0079	0.0083	0.0076	0.0111	0.0096	0.0092	0.0100	0.0109	0.0085	0.0068	0.0090	0.0084	0.0085	0.0082	0.0089	0.0098	0.0079	0.0083	0.009
Charwoman	0.0065	0.0062	0.0068	0.0056	0.0075	0.0065	0.0050	0.0061	0.0054	0.0054	0.0064	0.0059	0.0052	0.0044	0.0061	0.0054	0.0057	0.0053	0.0041	0.006
Housemaid	0.0066	0.0059	0.0050	0.0084	0.0050	0.0063	0.0055	0.0053	0.0043	0.0070	0.0045	0.0060	0.0045	0.0065	0.0059	0.0061	0.0053	0.0046	0.0068	0.005
Gardener	0.0037	0.0032	0.0042	0.0033	0.0061	0.0045	0.0041	0.0055	0.0050	0.0030	0.0032	0.0050	0.0056	0.0034	0.0066	0.0066	0.0049	0.0057	0.0055	0.005
Housekeeper	0.0060	0.0065	0.0061	0.0065	0.0063	0.0061	0.0079	0.0070	0.0061	0.0064	0.0092	0.0053	0.0058	0.0074	0.0061	0.0072	0.0060	0.0059	0.0088	0.006
Tailor	0.0084	0.0094	0.0127	0.0129	0.0074	0.0105	0.0066	0.0067	0.0054	0.0126	0.0095	0.0038	0.0072	0.0059	0.0058	0.0043	0.0068	0.0049	0.0061	0.005
Cook	0.0100	0.0087	0.0057	0.0079	0.0058	0.0094	0.0082	0.0062	0.0053	0.0074	0.0083	0.0053	0.0068	0.0065	0.0051	0.0061	0.0044	0.0055	0.0063	0.006
Servant	0.0353	0.0346	0.0302	0.0351	0.0311	0.0315	0.0322	0.0317	0.0331	0.0323	0.0325	0.0302	0.0320	0.0376	0.0328	0.0337	0.0296	0.0325	0.0314	0.034
Clerk	0.0046	0.0043	0.0028	0.0063	0.0056	0.0053	0.0054	0.0028	0.0027	0.0033	0.0048	0.0037	0.0031	0.0040	0.0025	0.0037	0.0037	0.0039	0.0033	0.002
Painter	0.0062	0.0066	0.0047	0.0057	0.0053	0.0056	0.0073	0.0058	0.0051	0.0064	0.0060	0.0043	0.0058	0.0045	0.0065	0.0046	0.0040	0.0046	0.0075	0.005
Baker	0.0022	0.0018	0.0033	0.0026	0.0020	0.0016	0.0019	0.0037	0.0026	0.0026	0.0029	0.0033	0.0023	0.0028	0.0027	0.0025	0.0034	0.0024	0.0020	0.003
Butcher	0.0026	0.0023	0.0037	0.0023	0.0031	0.0020	0.0016	0.0034	0.0035	0.0018	0.0049	0.0039	0.0029	0.0018	0.0025	0.0021	0.0032	0.0023	0.0028	0.002
Blacksmith	0.0024	0.0023	0.0034	0.0029	0.0020	0.0026	0.0016	0.0026	0.0041	0.0026	0.0025	0.0026	0.0025	0.0039	0.0028	0.0020	0.0033	0.0023	0.0027	0.003
Needlewoman	0.0028	0.0035	0.0025	0.0034	0.0034	0.0030	0.0033	0.0027	0.0025	0.0029	0.0027	0.0023	0.0020	0.0036	0.0021	0.0024	0.0015	0.0021	0.0028	0.002
Nurse	0.0024	0.0030	0.0024	0.0029	0.0022	0.0031	0.0033	0.0022	0.0021	0.0027	0.0027	0.0022	0.0019	0.0032	0.0025	0.0024	0.0025	0.0017	0.0018	0.002
Porter	0.0043	0.0048	0.0036	0.0039	0.0045	0.0046	0.0026	0.0043	0.0031	0.0040	0.0040	0.0036	0.0043	0.0041	0.0035	0.0033	0.0032	0.0042	0.0037	0.005
Milliner	0.0024	0.0033	0.0017	0.0028	0.0022	0.0036	0.0025	0.0019	0.0017	0.0032	0.0022	0.0014	0.0023	0.0027	0.0023	0.0015	0.0021	0.0024	0.0027	0.001
Machinist	0.0045	0.0043	0.0032	0.0047	0.0037	0.0037	0.0043	0.0021	0.0034	0.0031	0.0029	0.0026	0.0026	0.0034	0.0034	0.0023	0.0036	0.0029	0.0055	0.001
Cabinet maker	0.0027	0.0019	0.0016	0.0023	0.0030	0.0021	0.0021	0.0017	0.0019	0.0034	0.0029	0.0019	0.0016	0.0026	0.0025	0.0019	0.0025	0.0014	0.0013	0.001
Draper	0.0052	0.0035	0.0022	0.0046	0.0037	0.0052	0.0042	0.0038	0.0025	0.0053	0.0035	0.0024	0.0025	0.0047	0.0031	0.0025	0.0033	0.0026	0.0048	0.002
Shoemaker	0.0021	0.0017	0.0024	0.0027	0.0026	0.0023	0.0025	0.0018	0.0017	0.0017	0.0019	0.0017	0.0019	0.0029	0.0020	0.0022	0.0012	0.0022	0.0018	0.001
Grocer	0.0039	0.0045	0.0040	0.0038	0.0040	0.0040	0.0046	0.0058	0.0043	0.0032	0.0056	0.0049	0.0047	0.0029	0.0043	0.0037	0.0057	0.0040	0.0025	0.003
Bootmaker	0.0035	0.0038	0.0031	0.0041	0.0030	0.0039	0.0035	0.0023	0.0028	0.0037	0.0030	0.0042	0.0026	0.0044	0.0055	0.0026	0.0022	0.0040	0.0033	0.002
Plasterer	0.0019	0.0017	0.0019	0.0023	0.0010	0.0028	0.0024	0.0025	0.0014	0.0032	0.0019	0.0006	0.0018	0.0024	0.0021	0.0018	0.0012	0.0009	0.0028	0.001
Police constable	0.0012	0.0011	0.0010	0.0020	0.0025	0.0014	0.0011	0.0019	0.0015	0.0024	0.0017	0.0018	0.0016	0.0029	0.0016	0.0015	0.0011	0.0012	0.0008	0.001
Warehouse man	0.0025	0.0024	0.0013	0.0018	0.0020	0.0029	0.0017	0.0015	0.0017	0.0014	0.0027	0.0016	0.0012	0.0021	0.0008	0.0011	0.0019	0.0014	0.0020	0.001
Printer	0.0025	0.0018	0.0012	0.0021	0.0020	0.0026	0.0021	0.0013	0.0015	0.0011	0.0024	0.0012	0.0011	0.0018	0.0010	0.0013	0.0012	0.0015	0.0027	0.001
Plumber	0.0017	0.0017	0.0014	0.0017	0.0015	0.0013	0.0020	0.0014	0.0012	0.0011	0.0014	0.0016	0.0019	0.0016	0.0019	0.0020	0.0016	0.0027	0.0007	0.001
Hawker	0.0026	0.0032	0.0019	0.0027	0.0015	0.0017	0.0009	0.0018	0.0020	0.0022	0.0014	0.0016	0.0008	0.0011	0.0011	0.0010	0.0005	0.0018	0.0007	0.000
Soldier	0.0024	0.0026	0.0012	0.0022	0.0017	0.0022	0.0024	0.0007	0.0016	0.0020	0.0024	0.0009	0.0005	0.0013	0.0010	0.0008	0.0020	0.0009	0.0015	0.000
Victualler	0.0013	0.0009	0.0017	0.0011	0.0014	0.0013	0.0015	0.0013	0.0013	0.0014	0.0022	0.0018	0.0012	0.0014	0.0010	0.0011	0.0012	0.0017	0.0008	0.001
Joiner	0.0023	0.0027	0.0011	0.0023	0.0015	0.0024	0.0014	0.0012	0.0013	0.0015	0.0011	0.0007	0.0013	0.0015	0.0016	0.0010	0.0012	0.0020	0.0013	0.001
Mariner	0.0014	0.0018	0.0009	0.0011	0.0007	0.0010	0.0014	0.0016	0.0012	0.0019	0.0002	0.0017	0.0008	0.0009	0.0019	0.0008	0.0011	0.0010	0.0012	0.001
Dealer	0.0019	0.0013	0.0023	0.0020	0.0013	0.0016	0.0013	0.0015	0.0013	0.0007	0.0010	0.0009	0.0012	0.0016	0.0014	0.0005	0.0014	0.0010	0.0017	0.001
Strawplaiter	0.0003	0.0002	0.0010	0.0000	0.0008	0.0010	0.0015	0.0008	0.0007	0.0000	0.0008	0.0019	0.0014	0.0012	0.0005	0.0007	0.0001	0.0026	0.0002	0.000
Governess	0.0010	0.0014	0.0006	0.0012	0.0008	0.0012	0.0013	0.0009	0.0009	0.0023	0.0024	0.0013	0.0009	0.0005	0.0010	0.0011	0.0008	0.0016	0.0005	0.000
Teacher	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.000
Ironer	0.0013	0.0009	0.0011	0.0014	0.0014	0.0007	0.0011	0.0013	0.0007	0.0008	0.0005	0.0015	0.0012	0.0015	0.0013	0.0012	0.0013	0.0009	0.0020	0.000
Wheelwright	0.0006	0.0010	0.0009	0.0010	0.0013	0.0005	0.0008	0.0011	0.0012	0.0003	0.0006	0.0014	0.0006	0.0013	0.0006	0.0011	0.0008	0.0030	0.0010	0.001
Barmaid	0.0012	0.0010	0.0010	0.0012	0.0007	0.0019	0.0009	0.0010	0.0013	0.0010	0.0011	0.0009	0.0008	0.0009	0.0011	0.0011	0.0013	0.0009	0.0012	0.001
Solicitor	0.0009	0.0010	0.0007	0.0009	0.0011	0.0008	0.0014	0.0005	0.0007	0.0023	0.0005	0.0015	0.0008	0.0018	0.0013	0.0007	0.0005	0.0004	0.0017	0.000
Builder	0.0008	0.0011	0.0010	0.0005	0.0015	0.0010	0.0006	0.0007	0.0009	0.0010	0.0010	0.0008	0.0007	0.0009	0.0009	0.0011	0.0011	0.0009	0.0007	0.001
None	0.0092	0.0101	0.0068	0.0110	0.0103	0.0083	0.0090	0.0092	0.0087	0.0089	0.0105	0.0090	0.0095	0.0100	0.0091	0.0058	0.0065	0.0091	0.0111	0.008
Not coded / other	0.3260	0.3361	0.3112	0.3227	0.3064	0.3279	0.3282	0.2960	0.3083	0.3140	0.3220	0.3082	0.3024	0.3195	0.3012	0.2946	0.2986	0.3005	0.3109	0.309

NOTE - The figure shows a heatmap of the twenty most common surnames of Irish (Panel A) and English (Panel B) defendants against the most common occupations from the Census by surname. We focus on those occupations/occupation groups (e.g., tailor and tailor's assistant) with more than 5000 observations in London and the surrounding counties in the 1881 Census. We classify all other occupations in the 'other' category. For each surname, we identify the share of individuals in each of the resulting 52 occupational categories. Each cell depicts the share from the Census of persons with a given surname in this occupation. The shading refers to the deciles of these shares; darker shaded cells reflect higher shares and lighter shaded cells lower shares. This figure shows that amongst the most common names seen amongst Old Bailey defendants, certain manual labor jobs (e.g., laundress, laborer, and servant) are more prevalent for both Irish and English names. In other words, English-named defendants are of a similar class as Irish-named defendants (but there is also variation across surnames in occupational categories). See Section 5.4..

Appendix Figure B4. Cross-Validation of Census Occupation Proxies (Part I)



(Part II)



NOTE – These figures show empirically that the Census occupation shares have predictive power of actual occupations. Randomly splitting the London and surrounding counties sample from the Census into two subsamples, we use the first to create the shares in the most common occupations by surname (see Appendix Figure B3 and Section 5.4), and merge these by surname to the second (individual-level) subsample. With the resulting data, we regress for each occupation category a dummy variable indicating whether an individual has this occupation on the shares in the different occupation categories for individuals with the same surname. This figure plots the resulting estimates, where point estimates are sorted by magnitude in each sub-figure and coefficients on the share corresponding to the individual's own occupation are depicted with a blue square (all others: black circles). In each plot, the respective occupation that is coded as a dummy outcome variable is indicated at the top, the coefficients correspond to the included shares per occupation (for the given surname). The share of same-surname individuals in the same occupation is the strongest predictor in almost all cases (compared to other occupations). See Section 5.4.

Appendix Table B1. Share of Irish, English, and Non-Distinct Defendants by Offense

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
	All	**Irish**		**English**		**Non-Distinct**	
Detail offense category (combined)	N	N	Share	N	Share	N	Share
(Missing)	167	15	0.10	54	0.35	86	0.55
Against crown (major)	48	14	0.30	15	0.33	17	0.37
Against crown (minor)	98	10	0.11	40	0.43	43	0.46
Animal theft	2962	162	0.06	1366	0.47	1364	0.47
Arson	458	47	0.11	213	0.49	176	0.40
Assault	953	193	0.21	334	0.36	389	0.42
Bigamy	1497	105	0.07	718	0.50	627	0.43
Burglary	8857	1047	0.12	3391	0.39	4150	0.48
Coining offenses	10733	1418	0.14	3839	0.37	5245	0.50
Embezzlement	4447	248	0.06	2093	0.48	2014	0.46
Forgery	4975	374	0.08	2175	0.46	2202	0.46
Fraud	5275	394	0.08	2254	0.45	2411	0.48
Housebreaking	3515	385	0.11	1372	0.40	1676	0.49
Infanticide (combined)	758	51	0.07	364	0.50	317	0.43
Larceny (combined)	50407	5694	0.12	19647	0.40	23642	0.48
Libel	504	45	0.10	206	0.44	216	0.46
Mail	1177	76	0.07	574	0.50	499	0.43
Manslaughter	1831	246	0.14	751	0.42	780	0.44
Murder	1153	176	0.16	468	0.43	435	0.40
Other (combined)	3230	308	0.10	1341	0.44	1412	0.46
Perjury	796	59	0.08	361	0.47	342	0.45
Perverting justice	379	53	0.14	156	0.42	159	0.43
Pickpocketing	13647	1948	0.15	4904	0.37	6455	0.49
Rape	1392	158	0.12	608	0.46	563	0.42
Receiving	6813	653	0.10	2894	0.44	3101	0.47
Return from transportation	148	15	0.10	56	0.38	75	0.51
Riot	105	17	0.17	38	0.38	44	0.44
Robbery (combined)	6827	1493	0.22	2277	0.34	2892	0.43
Sexual assault (combined)	976	75	0.08	418	0.45	436	0.47
Shoplifting	1728	238	0.14	627	0.38	796	0.48
Sodomy (combined)	854	62	0.08	364	0.45	388	0.48
Stealing from master	10674	1016	0.10	4741	0.46	4628	0.45
Theft from place	10570	1088	0.11	4144	0.41	4976	0.49
Wounding	4528	864	0.20	1609	0.38	1769	0.42

NOTE - The table lists the offenses included in our analysis sample (in alphabetical order). Column (1) displays the number of observations (i.e. defendant by trial) for each offense for all defendants (including those with names that we cannot classify in the Census data). Columns (2)-(3), (4)-(5) and (6)-(7) list the number of observations by offense for Irish, English and non-distinct defendants as well as the share of Irish, English and non-distinct defendants of all defendants for each offense. See Section 3.2.

Appendix Table B2. Main Results are Robust to Alternative Standard

	All offenses	Property Offenses	Violent Offenses
Sample:	**1800-99**	**1800-99**	**1800-99**
VERDICTS Defendant classified Irish	0.023	0.019	0.049
SE clustered by offense (baseline)	(0.005)***	(0.005)***	(0.020)*
Heteroskedasticity robust SE	(0.004)***	(0.005)***	(0.011)***
SE clustered by offense and year	(0.005)***	(0.005)***	(0.012)***
SE two-way clustered by offense and year	(0.007)***	(0.006)***	(0.022)**
SE cluster bootstrapped by offense	(0.005)***	(0.006)***	(0.022)**
p-value wild-cluster bootstrap by offense	0.000***	0.000***	0.210
MERCY Defendant classified Irish	-0.017	-0.017	-0.017
SE clustered by offense (baseline)	(0.005)***	(0.007)**	(0.008)*
Heteroskedasticity robust SE	(0.003)***	(0.004)***	(0.008)**
SE clustered by offense and year	(0.003)***	(0.004)***	(0.008)**
SE two-way clustered by offense and year	(0.006)***	(0.007)**	(0.010)*
SE cluster bootstrapped by offense	(0.005)***	(0.008)**	(0.009)*
p-value wild-cluster bootstrap by offense	0.002***	0.002***	0.002***
Offense FE and controls	x	x	x
Year and month FE	x	x	x

NOTE - The table shows regression results corresponding to Tables 3 and 4, using the baseline specification. Each row shows for the main coefficient the standard error or p-value for different approaches to inference. *** p<0.01, ** p<0.05, * p<0.1.

Appendix Table B3. Disparities in Pleas for Irish Defendants

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Sample:			**1800-1899**			**Q1**	**Q2**	**Q3**	**Q4**
Defendant classified Irish	-0.038**	-0.016**	-0.015**	-0.019***	-0.019***	-0.003	-0.022***	-0.009*	-0.031**
	(0.014)	(0.006)	(0.007)	(0.005)	(0.005)	(0.004)	(0.006)	(0.005)	(0.013)
Defendant classified non-distinct	-0.003	0.002	0.003	0.003	0.002	0.000	-0.002	0.009*	0.008
	(0.005)	(0.003)	(0.003)	(0.002)	(0.002)	(0.002)	(0.003)	(0.005)	(0.007)
Observations	157,329	157,329	150,939	150,939	150,939	31,694	63,560	29,589	26,096
Mean of Y	0.174	0.174	0.168	0.168	0.168	0.024	0.128	0.281	0.312
Adj R2	0.001	0.081	0.097	0.172	0.178	0.361	0.108	0.105	0.173
pvalue Irish=Nondistinct	0.002	0.001	0.001	0.000	0.000	0.344	0.000	0.031	0.000
Offense FE		x	x	x	x	x	x	x	x
Controls (female, num.def., capital)			x	x	x	x	x	x	x
Year and month FE				x		x	x	x	x
Session FE					x				

NOTE - The table shows regression results corresponding to equation (1) for all offenses, where the dependent variable is a dummy variable indicating whether the defendant pled guilty. Columns (1) to (5) use the entire sample period. Columns (6) to (9) use 25-year sub-periods(Q1: 1800-1824, Q2: 1825-1849, Q3: 1850-1874, Q4: 1875-1899). Specifications are indicated at the bottom of the table. The omitted (reference) category of defendant surname is surnames classified as distinctly English. The p-value refers to a test of equality of coefficients for Irish and non-distinct defendants. Robust standard errors clustered by offense are shown in parentheses. *** p<0.01, ** p<0.05, * p<0.1.

Appendix Table B4. Controls for Socio-Demographic Signals of Irish Names

	(1)	(2)	(3)	(4)	(5)	(6)
Sample:			**All offenses**			
Years:	**1800-99**	**1832-99**	**1800-99**	**1800-99**	**1800-99**	**1800-99**
Specification:	Baseline	Crim. History	Occupation	Name Origin	Transportees	Gangsters
Panel A. Guilty by jury verdict						
Defendant classified Irish	0.023***	0.025***	0.017***	0.017***	0.016***	0.017***
	(0.005)	(0.009)	(0.004)	(0.005)	(0.005)	(0.005)
Any criminal history		0.306***				
		(0.019)				
Transportee share					0.051*	
					(0.026)	
Gangster surname						-0.008
						(0.014)
Observations	125,598	76,281	123,797	125,598	125,598	125,598
Mean of Y	0.704	0.699	0.704	0.704	0.704	0.704
Adj R2	0.064	0.109	0.063	0.065	0.065	0.065
Panel B. Recommended for mercy (conditional on guilty verdict by jury)						
Defendant classified Irish	-0.017***	-0.019***	-0.016***	-0.016***	-0.016***	-0.016***
	(0.005)	(0.006)	(0.004)	(0.005)	(0.005)	(0.005)
Any criminal history		-0.085***				
		(0.015)				
Transportee share					-0.028*	
					(0.015)	
Gangster surname						0.001
						(0.024)
Observations	88,449	53,305	87,189	88,449	88,449	88,449
Mean of Y	0.106	0.118	0.106	0.106	0.106	0.106
Adj R2	0.067	0.082	0.067	0.068	0.068	0.068
Defendant non-distinct	x	x	x	x	x	x
Offense FE and controls	x	x	x	x	x	x
Year and month FE	x	x	x	x	x	x
Criminal history		x				
SES/Occupations shares			x			
Name prevalence Ireland				x	x	x
Share on transportee lists					x	
Famous gang(ster) name						x

NOTE – The table shows regression results corresponding to equation (1), adding control variables for what characteristics may be measured by a name using the discrete measure classification as in Table 3 (first columns). The first column repeats the baseline specification for ease of comparison; the second column adds a control for whether the defendant has any known criminal history, the third adds controls for the share with the defendant's surname in the most common occupations, the fourth adds the share of households in Irish counties with the defendant's surname, the fifth adds the share of Irish transportees with the defendant's surname and the sixth a dummy variable for whether the surname is the same as the surname of infamous gangs(ters). Each regression includes as a control variable for whether the defendant is classified non-distinct; the results are omitted for ease of exposition. Coefficients for Irish-named defendants should thus still be interpreted compared to the omitted category of English-named defendants. The dependent variable is a dummy variable indicating whether the defendant was found guilty in a jury trial (Panel A) and whether the defendant was recommended for mercy after a guilty verdict (Panel B). Controls: female, number of defendants, capital offense. Robust standard errors clustered by offense are shown in parentheses. *** p<0.01, ** p<0.05, * p<0.1.

Appendix Table B5. Twenty Most Common Occupations in the Old Bailey

(1)	(2)	(3)	(4)	(5)	(6)
Irish		**English**		**Non-Distinct**	
Occupation	**N**	**Occupation**	**N**	**Occupation**	**N**
Soldier	42	Post office	166	Post office	165
Servant	25	Soldier	89	Soldier	93
Post office	23	Servant	73	Servant	70
Waiter	12	Porter	60	Carman	44
Cleaner	11	Carman	43	Seaman/sailor	42
Labourer	6	Railway worker	28	Shopman	24
Clerk	5	Clerk	28	Clerk	23
Coal worker	5	Shopman	26	Errand-boy	23
Shoemaker	4	Errand-boy	24	Coal worker	22
Porter	4	Cleaner	22	Porter	17
Cook	4	Seaman/sailor	22	Cleaner	17
Police	3	Labourer	14	Railway worker	17
Baker	3	Cook	12	Employed by traveller	13
Shopman	3	Warehouseman	11	Labourer	9
Artillery man	3	Counterman	9	Pot-boy	9
Carman	2	Coachman	9	Apprentice	9
Errand-boy	2	Pot-boy	8	Cook	8
Sawyer	2	Shoemaker	6	Police	7
Militiaman	2	Assistant	6	Assistant	7
Smith	2	Apprentice	6	Watchman	7

NOTE - The table shows the twenty most common occupation categories in a subset of Old Bailey trials between 1800 and 1899 (subset of trials as coded in the Old Bailey Corpus for which occupations are available).

Appendix Table B6. The Abolition of Capital Punishment, TWFE Robustness Tests

	(1)	(2)	(3)	(4)	(5)	(6)
Offense Category:	**All**	**Property**	**Violent**	**All**	**Property**	**Violent**
Sample:		**1803-1871**			**1803-1871**	
	Treatment effect: All			**Treatment effect: Irish - non-Irish**		
Panel A. Guilty by jury verdict						
tau (all)	0.152***	0.054***	0.316***			
	(0.037)	(0.005)	(0.072)			
tau (Irish) - tau (non-Irish)				0.057***	0.002	0.023**
				(0.020)	(0.005)	(0.010)
Observations	94,596	72,474	8,021	93,875	72,145	7,869
Panel B. Guilty of original offense by jury verdict						
tau (all)	0.169***	0.178***	0.158*			
	(0.019)	(0.026)	(0.081)			
tau (Irish) - tau (non-Irish)				0.038***	0.019**	0.044**
				(0.009)	(0.009)	(0.018)
Observations	94,596	72,474	8,021	93,875	72,145	7,869
Panel C. Guilty of lesser offense by jury verdict						
tau (all)	-0.020	-0.134***	0.153			
	(0.043)	(0.023)	(0.144)			
tau (Irish) - tau (non-Irish)				0.019	-0.017*	-0.022
				(0.025)	(0.009)	(0.016)
Observations	94,596	72,474	8,021	93,875	72,145	7,869
Panel D. Recommended for mercy | convicted						
tau (all)	-0.110***	-0.052***	-0.393***			
	(0.026)	(0.014)	(0.073)			
tau (Irish) - tau (non-Irish)				-0.035***	-0.011**	-0.021***
				(0.012)	(0.005)	(0.006)
Observations	67,543	53,173	4,930	67,030	52,939	4,815

NOTE - The table shows the results for robustness tests corresponding to the regressions shown in Table 6. Instead of TWFE as in Table 5, this table is based on the imputation-based estimation approach Borusyak et al. (2024). The dependent variable is a dummy variable indicating whether the defendant was found guilty in a jury trial (Panel A), guilty of the original charge (Panel B) or guilty of a lesser offense (Panel C), and whether the defendant was recommended for mercy after a guilty verdict (Panel D). Results are shown for all, property and violent offenses as indicated at the top of each column. Columns (1) to (3) show the estimated treatment effects of the abolition of capital punishment for all defendants (based on the did_imputation command in Stata), columns (4) to (6) the difference between the treatment effects for Irish and non-Irish defendants (based on the hetby and lincom options). Standard errors clustered by offense are shown in parentheses. *** p<0.01, ** p<0.05, * p<0.1.

Appendix Table B7. The Dynamics of Disparate Treatment

Outcome:	(1)	(2)	(3)	(4)	(5)	(6)
	Guilty by jury verdict			Recommended for mercy		
Offense category:	All	Property	Violent	All	Property	Violent
Defendant classified Irish	0.010	0.014	-0.075	0.004	0.001	0.071***
	(0.013)	(0.013)	(0.053)	(0.007)	(0.006)	(0.013)
Defendant classified Irish	-0.000	-0.003	0.118***	-0.025**	-0.020	-0.107***
x [Reform period: 1813-1845]	(0.012)	(0.013)	(0.030)	(0.010)	(0.011)	(0.013)
Defendant classified Irish	0.043**	0.032	0.161**	-0.025**	-0.029**	-0.107***
x [Famine: 1846-1852]	(0.017)	(0.019)	(0.046)	(0.010)	(0.011)	(0.006)
Defendant classified Irish	0.031	0.022	0.156***	-0.021	-0.019	-0.105**
x [Post-famine: 1853-1866]	(0.028)	(0.022)	(0.040)	(0.014)	(0.013)	(0.030)
Defendant classified Irish	0.018	-0.014	0.164*	-0.033*	-0.086***	-0.091**
x [Clerkenwell: 1867-1868]	(0.042)	(0.056)	(0.079)	(0.017)	(0.024)	(0.033)
Defendant classified Irish	0.028	0.009	0.119**	-0.006	-0.011	-0.069**
x [Post-Clerkenwell: 1869-1879]	(0.020)	(0.040)	(0.038)	(0.012)	(0.012)	(0.026)
Defendant classified Irish	0.040*	0.059*	0.137*	-0.025*	-0.011	-0.061*
x [Bombing campaign: 1880-1886]	(0.023)	(0.031)	(0.061)	(0.013)	(0.016)	(0.026)
Defendant classified Irish	0.015	0.049*	0.091	-0.024**	-0.017	-0.085***
x [Post-campaign: 1887-1899]	(0.023)	(0.027)	(0.055)	(0.011)	(0.023)	(0.016)
Defendant classified non-distinct	0.017*	0.014	-0.009	-0.003	-0.003	0.021
	(0.008)	(0.008)	(0.032)	(0.003)	(0.003)	(0.019)
Defendant classified non-distinct	-0.007	-0.004	0.015	-0.009*	-0.007	-0.044*
x [Reform period: 1813-1845]	(0.012)	(0.012)	(0.033)	(0.005)	(0.005)	(0.022)
Defendant classified non-distinct	-0.005	-0.006	0.064	0.003	0.004	-0.025
x [Famine: 1846-1852]	(0.009)	(0.006)	(0.049)	(0.008)	(0.011)	(0.032)
Defendant classified non-distinct	-0.003	0.002	0.046	-0.012*	-0.011	-0.056*
x [Post-famine: 1853-1866]	(0.013)	(0.018)	(0.031)	(0.006)	(0.009)	(0.026)
Defendant classified non-distinct	-0.019	-0.016	0.050	-0.021	-0.037**	-0.017
x [Clerkenwell: 1867-1868]	(0.032)	(0.045)	(0.042)	(0.014)	(0.014)	(0.038)
Defendant classified non-distinct	0.005	0.011	0.064*	0.000	0.002	-0.008
x [Post-Clerkenwell: 1869-1879]	(0.014)	(0.018)	(0.030)	(0.009)	(0.011)	(0.036)
Defendant classified non-distinct	0.002	0.023	0.036	-0.013	-0.015	-0.050
x [Bombing campaign: 1880-1886]	(0.013)	(0.031)	(0.035)	(0.010)	(0.019)	(0.031)
Defendant classified non-distinct	0.005	0.016	0.018	-0.009	-0.015	-0.007
x [Post-campaign: 1887-1899]	(0.012)	(0.020)	(0.033)	(0.009)	(0.016)	(0.025)
Observations	125,598	90,705	14,151	88,449	66,084	8,704
Mean of Y	0.704	0.729	0.615	0.106	0.111	0.0988
Adj R2	0.0636	0.0494	0.0917	0.0668	0.0676	0.125
Offense FE	x	x	x	x	x	x
Controls (female, num.def., capital)	x	x	x	x	x	x
Year and month FE	x	x	x	x	x	x

NOTE - The table shows the regression results for an augmented version of equation (1)/Table 3 by allowing the coefficients for Irish- and non-distinct classified defendants to vary by time period. The time periods correspond to the events described in Section 7 and throughout the text. Estimates for non-distinct classified defendants are not shown for ease of exposition. The dependent variable is a dummy variable indicating whether the defendant was found guilty in a jury trial in columns (1) to (3) and whether the defendant was recommended for mercy after a guilty verdict in columns (4) to (5), for all, property and violent offenses, respectively. Robust standard errors clustered by offense are shown in parentheses. *** p<0.01, ** p<0.05, * p<0.1.

Appendix C. Historical Records

Appendix Figure C1. Historical English Newspaper Clippings: No Irish Need Apply

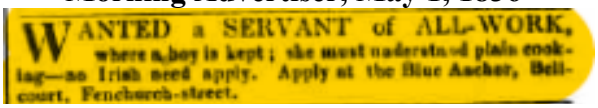
Morning Advertiser, May 27, 1828

WANTED, in a respectable Public-House, a Female SERVANT of ALL-WORK. One of undeniable character may apply at the Rose, Old Bailey. All letters must be post-paid, and no Irish need apply.

WANTED, in a respectable Public-house, a good SERVANT of ALL-WORK, where a Lad is kept—a good character required. Apply at No. 18, New North-street, Red Lion-square. No Irish need apply.

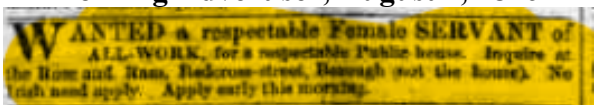
WANTED a SERVANT of ALL-WORK, at a respectable Public-House; one who has been accustomed to wait on a parlor—none need apply whose character will not bear the strictest inquiry; also a LAD, to carry out beer and make himself generally useful. Apply at the Mitre, Upper-street, Islington.—No Irish need apply.

Morning Advertiser, May 1, 1836



WANTED a SERVANT of ALL-WORK, where a boy is kept; she must understand plain cooking—no Irish need apply. Apply at the Blue Anchor, Bell-court, Fenchurch-street.

Morning Advertiser, August 4, 1846



WANTED a respectable Female SERVANT of ALL-WORK, for a respectable Public-house. Inquire at the Rose and Ram, Redcross-street, Borough (not the house). No Irish need apply. Apply early this morning.

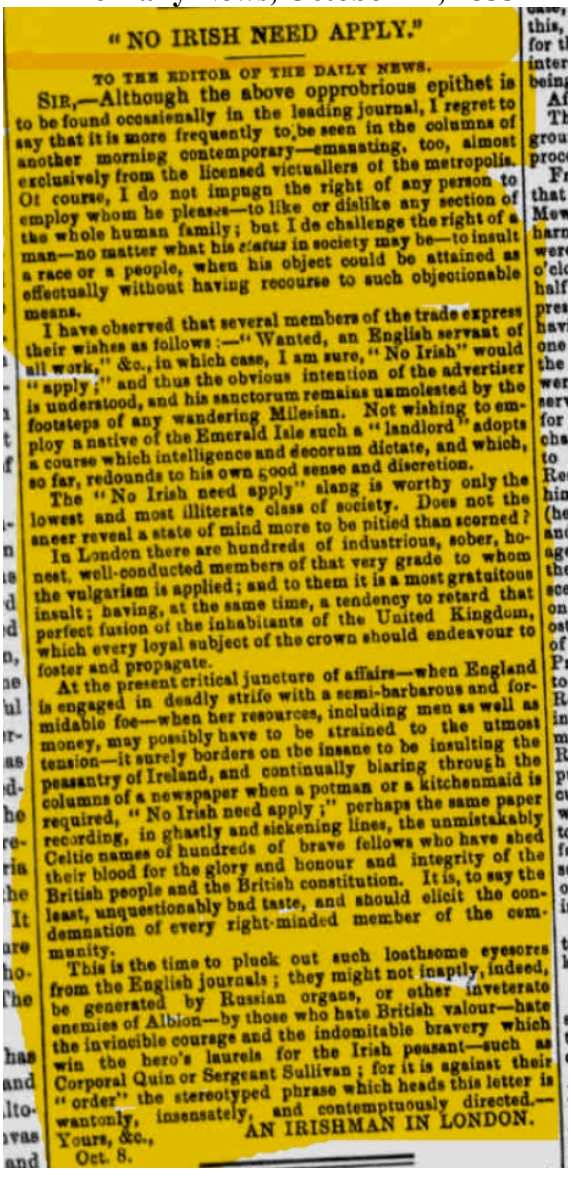
The Morning Post, October 1, 1881

"NO IRISH NEED APPLY."

TO THE EDITOR OF THE MORNING POST.

SIR,—Your correspondent Sir Charles Domville asks, "Would it not be just and prudent to cease to employ Irishmen of any class, to cease to give them houses, and force them to leave England?" I am a loyal Irishman and object to Sir Charles Domville's proposal on account of its injustice and imprudence. There are a million Irish resident in England, the vast majority of them good and loyal subjects, who do not carry dynamite in their pockets, and have no inclination to blow up any person or building. Sir Charles would not except any class of Irishmen from his ban. What about the numerous Irish landlords and others who have taken refuge in London, driven out of their own country by Mr. Parnell's "Boycotters"—would he include them? That the Irish in England are suffering to some extent by the malpractices of their countrymen is beyond doubt. I was walking in Fulham a few days ago, when I met a poorly-dressed workman, who accosted me thus, "Would yer honner give me a loight for me pipe?" "Certainly," said I, "have you any tobacco?"

The Daily News, October 11, 1855



"NO IRISH NEED APPLY."

TO THE EDITOR OF THE DAILY NEWS.

SIR,—Although the above opprobrious epithet is to be found occasionally in the leading journal, I regret to say that it is more frequently to be seen in the columns of another morning contemporary—emanating, too, almost exclusively from the licensed victuallers of the metropolis. Of course, I do not impugn the right of any person to employ whom he pleases—to like or dislike any section of the whole human family; but I do challenge the right of a man—no matter what his *status* in society may be—to insult a race or a people, when his object could be attained as effectually without having recourse to such objectionable means.

I have observed that several members of the trade express their wishes as follows:—"Wanted, an English servant of all work," &c., in which case, I am sure, "No Irish" would "apply;" and thus the obvious intention of the advertiser is understood, and his sanctorum remains unmolested by the footsteps of any wandering Milesian. Not wishing to employ a native of the Emerald Isle such a "landlord" adopts a course which intelligence and decorum dictate, and which, so far, redounds to his own good sense and discretion.

The "No Irish need apply" slang is worthy only the lowest and most illiterate class of society. Does not the sneer reveal a state of mind more to be pitied than scorned?

In London there are hundreds of industrious, sober, honest, well-conducted members of that very grade to whom the vulgarism is applied; and to them it is a most gratuitous insult; having, at the same time, a tendency to retard that perfect fusion of the inhabitants of the United Kingdom, which every loyal subject of the crown should endeavour to foster and propagate.

At the present critical juncture of affairs—when England is engaged in deadly strife with a semi-barbarous and formidable foe—when her resources, including men as well as money, may possibly have to be strained to the utmost tension—it surely borders on the insane to be insulting the peasantry of Ireland, and continually blaring through the columns of a newspaper when a potman or a kitchenmaid is required, "No Irish need apply;" perhaps the same paper recording, in ghastly and sickening lines, the unmistakably Celtic names of hundreds of brave fellows who have shed their blood for the glory and honour and integrity of the British people and the British constitution. It is, to say the least, unquestionably bad taste, and should elicit the condemnation of every right-minded member of the community.

This is the time to pluck out such loathsome eyesores from the English journals; they might not inaptly, indeed, be generated by Russian organs, or other inveterate enemies of Albion—by those who hate British valour—hate the invincible courage and the indomitable bravery which win the hero's laurels for the Irish peasant—such as Corporal Quin or Sergeant Sullivan; for it is against their "order" the stereotyped phrase which heads this letter is wantonly, insensately, and contemptuously directed.—

Yours, &c.,
AN IRISHMAN IN LONDON.
Oct. 8.

Appendix Figure C2. Historical Depictions of the Clerkenwell Prison Explosion

House of Detention, Clerkenwell, after the explosion.
Original Publication: *Illustrated London News*, December 13, 1867

Published in *Punch*, December 28, 1867
Artist, Sir John Tenniel, ""**Fenian Guy Fawkes**" Political Cartoon," *James Joyce Digital Interpretations*, accessed August 25, 2022, https://jamesjoyce.omeka.net/items/show/33.