

Introduction: ‘Another generation of jail-birds’

On Friday, 3 September 1875, 281 incarcerated women and four children woke up in Mountjoy Female Convict Prison in Dublin.¹ The prison housed all of Ireland’s serious offenders who had received sentences of incarceration of three years or more. The women would spend their day variously employed in the almost exclusively female space: 115 sewing, 47 in the laundry, 15 tailoring, 9 knitting, 4 plaiting, splicing or winding yarn, and 1 breaking bones. Nine incarcerated women cooked the prison meals, which were generally eaten in the individual cells where inmates slept, 4 worked as assistant nurses in the prison hospital tending to the 28 sick inmates, and 1 helped the teacher in the prison school where 153 women were taught that day. Nine women were chastised for breaking prison rules. A prison matron accompanied two prisoners to St Vincent’s Reformatory, also known as Goldenbridge Refuge in Inchicore, Dublin, a halfway house between prison and release run by the Sisters of Mercy, where they would serve the final part of their sentences. They joined 53 Roman Catholic women similarly transferred in the months previously. Six women spent the night in the city’s Protestant equivalent, known as The Shelter. Thirteen children, the offspring of incarcerated women, were in state-funded foster care awaiting their mothers’ release. In many ways it was an unremarkable day in Ireland’s only female convict prison. But for the 279 inmates who lay down in the prison that night, the 61 women who went to sleep in Dublin’s convict refuges, and the 17 children uprooted by their mothers’ convictions, it was another day closer to release or reunion.²

Women featured in this study were sentenced to penal servitude for an average of 5.5 years, although practices of remitting time for good behaviour meant that they did not always serve the complete

¹ For the quotation that serves as this introduction’s title, see Extract from the chaplain’s journal, 1 March 1896, cited in C. J. McCarthy to General Prisons Board (hereafter GPB), 2 March 1896 (National Archives of Ireland (hereafter NAI), GPB/Pen/1896/34). Excepting headings, capitalisation and punctuation remains as in the original.

² Daily state of Mountjoy Female Convict Prison, 3 September 1875 (NAI, Government Prisons Office (hereafter GPO) correspondence, 1875/1523).

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sentence.³ Sentences of penal servitude, imprisonment in a convict prison, were introduced in the mid-1850s to replace transportation. Female convicts were accommodated in Grangegorman Female Penitentiary and Newgate Auxiliary Prison in Dublin and in Cork Female Convict Depot. Provision for women was expanded after the opening of a singular prison for convicted women, Mountjoy Female Convict Prison, in 1858.⁴ Judges sentenced women to penal servitude in the convict prison when dictated by the nature of their crimes or when imprisonment in a local institution was deemed inadequate. The latter was subjective and likely influenced by factors such as appearance and demeanour, family background, age, previous conduct or criminal record. Mary O’Neill was sentenced to five years of penal servitude for stealing clothing in Dublin in 1878, ‘as she appeared to be an old offender’.⁵ The judge who tried Margaret Mellia in Carlow in the following year sought to justify his decision: ‘It was upon all hands agreed she was a perfect nuisance if I may so say and that nothing but penal servitude w[oul]d cure of her Evil ways.’⁶ Charlotte Mallowney received a sentence of five years for stealing in Dublin in 1867, ‘in the hope that a residence in the Reformatory, to which women are usually sent after a prolonged period of imprisonment in the convict Prison when sentenced to penal servitude, might lead to a change in her conduct and character’.⁷

Prison reformer Mary Carpenter complained of diversity in sentencing.⁸ Some judges also recognised their subjectivity. In 1861 Undersecretary for Ireland Sir Thomas Larcom reviewed Judge Jackson’s 1855 decision to sentence Johanna O’Brien to transportation for life for forging cheques on the bank account of the father of her four-year-old child. Larcom admitted: ‘I find it very difficult to account for the very severe sentence passed in this case.’⁹ O’Brien was not transported because the practice of transporting women to Australia had ended by this stage and was replaced by penal servitude in the convict prison. At the time of the trial, she defended her actions, noting ‘I think I have a claim

³ This figure includes sentences of transportation later substituted for lesser periods of penal servitude and excludes sentences of death commuted to penal servitude.

⁴ The names of institutions were used interchangeably. For consistency and clarity, these names will be used throughout.

⁵ James Lawson to the undersecretary, 10 October 1879 (NAI, Convict Reference File (hereafter CRF), O-8–1882). Full names are used throughout this book because they are provided in the records, which are open to the public. It would be dehumanising to change or anonymise the women’s names.

⁶ County court judge to the undersecretary, 23 February 1882 (NAI, CRF, M-11–1882).

⁷ Baron Pigot to the undersecretary, 18 August 1871 (NAI, CRF, M-32–1871).

⁸ Carpenter, *Reformatory prison discipline*, pp. 108–9.

⁹ Thomas Larcom to convict directors, 15 May 1861 (NAI, CRF, O-5–1861).

on' the father of her child, but this view was not shared by Judge Jackson or by the Limerick gaoler, Henry Woodburn, who wrote of O'Brien's 'very bad morals. Intriguing with a married man.'¹⁰ Woodburn clearly viewed O'Brien as exclusively responsible for her son's welfare as well as the affair. Sometimes judges could not explain their own decisions in the aftermath of a trial. The judge who sentenced Mary Pickett to penal servitude for seven years for receiving stolen goods in 1880 admitted a few years later: 'I have no recollection of the grounds upon which I passed the sentence of Penal Servitude.'¹¹ She remained in custody until August 1885.

Women's reactions to the lengths of their sentences or to convict rather than local imprisonment can occasionally be determined. Catherine Alcock's mother considered that the 'most firm minded person would receive a shock on hearing a sentence of 5 years penal servitude pronounced'. She judged her daughter's reaction after having been found guilty of stealing clothing from a house in 1861: 'I am only surprised when penal servitude was mentioned to her that she did not take her illness in the Dock and lose the lives of both herself and the Infant she was carrying'.¹² Anne Lynch's frustration at her seven-year sentence for larceny in 1870 is evident from her behaviour when taken from the dock in County Tyrone. Described as a 'very troublesome refractory and dangerous woman', Lynch allegedly:

made a violent blow at the governor of the gaol who avoided it but received a severe kick on the thigh which was aimed at another part of his body. The police then caught her when she struck one of them in the face and kicked another, although she had at same time a child in her arms.¹³

Johanna Joyce, 'the wife of a travelling tinker who ... discarded her on account of her violent temper and general bad character',¹⁴ responded with shrieks of horror to her three-year penal servitude sentence for stealing in 1893. As the twenty-six-year-old, who had already served several sentences in local prisons, was taken from the Tullamore court in King's County, the judge reassured the jury: 'I know what I'm about gentlemen; she'll be well taken care of by the nuns. It'll be a sort of Industrial School.'¹⁵ The judge's opinion of the convict prison differed drastically to Joyce's. In a private letter he explained that he issued this

¹⁰ Penal record of Johanna O'Brien, 1 May 1861 (NAI, CRF, O-5-1861).

¹¹ James Wall to the undersecretary, 12 September 1883 (NAI, CRF, P-7-1883).

¹² Petition of Esther Alcock, 24 September 1861 (NAI, CRF, A-7-1861).

¹³ Penal record of Anne Lynch (NAI, Records of convicts discharged, 1875).

¹⁴ Francis O'Neill to R. W. Gamble, 9 June 1893 (NAI, GPB/Pen/1896/62).

¹⁵ *King's County Chronicle*, 2 April 1893.

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sentence ‘to save her from herself’.¹⁶ Ellen Shea, charged with the same offence in the same year, showed less concern. When the judge at her trial in County Waterford asked her if she had anything to say, she defiantly retorted: ‘No, the jury can find me guilty and you can sentence me to death, Ta-ra-ra-Boom-de-ay’.¹⁷ She was sentenced to three years.

Different reactions to sentences reflect the diverse personalities of the women housed in Ireland’s female convict prison. Patricia O’Brien reminds us that prisoners ‘did not leave their identities and roles in free society outside the prison gates. They did not adopt totally new behavior patterns particular to the prison but instead brought into the prison with them their experiences in free society.’¹⁸ The personalities of inmates in the porous convict community at any one time, informed by age, background, occupation, previous convictions, family circumstances and marital or parental status, influenced experiences for everyone. This study traces the multiplicity of female convict experiences in the period after the establishment of convict imprisonment in 1854 to the end of the nineteenth century. It aims to demonstrate how individual women, as well as the inmate cohort as a whole, experienced convict life, as far as this is possible from the records.

The prison interior was a private space, beyond the direct reach of the general population. But it was also government property, a space subject to a staff and inmate gaze and visited by prison inspectors and other government officials, philanthropists, men and women religious, journalists, travellers, handymen or other contracted professionals, and relatives or friends of inmates and staff, whose published or verbal accounts would have brought the prison to the public. At the top of the prison hierarchy was the superintendent, who reported to the prison directors at Dublin Castle, the Irish administrative headquarters since the Act of Union, 1801, established the United Kingdom of Great Britain and Ireland. Below her were the deputy superintendent and principal matron (of which there were generally two), followed by the laundry matron, school matron, instructress of works, class matron and assistant matron.¹⁹ By 1858 all female convict prison employees were women, except the gate porters and night watchmen.²⁰ Other men associated with the prison included the medical officer and religious chaplains. Staff quarters were provided for some employees and their

¹⁶ John Curran to the assistant undersecretary, 21 November 1893 (NAI, CRF, J-7–1893).

¹⁷ Newspaper clipping included in the penal file of Ellen Shea (NAI, GPB/Pen/1895/153).

¹⁸ O’Brien, *The promise of punishment*, p. 76.

¹⁹ For a detailed discussion of staff positions, see Lohan, ‘Matrons in Mountjoy Female Convict Prison’, pp. 89–96.

²⁰ *Ibid.*, p. 96.

families.²¹ The prison was thus a place of employment as well as containment, and a temporary home to prisoners and staff and their offspring. This book considers the prison as a material and ideological space where nineteenth-century ideas about penology, criminality and femininity intersected with lived realities.²² My focus, however, remains on the prisoners and their social realities rather than the politics of the institution in which they were housed, and my concern is less with the rhetoric of female criminality and imprisonment generally than with the experiences of women in the Irish convict prison system.

This book explores relationships that developed across the prison space. The institution was designed and conceptualised largely by men in positions of authority to house women whose liberty was curbed by their confinement. Drawing on Foucault, Rob Boddice argues that institutional space represents societal hierarchies and thus directs social interaction.

By such reasoning an architectural plan can have an emotional regime in mind. . . . Emotional expression is literally bounded according to which side of the bars, or which side of the desk, a person finds himself. Behaviour is limited by the clear demarcations of *what* a person is according to *where* he is.²³

But, as Boddice identifies, occupants can adapt or appropriate their space.²⁴ Women who spent years in the institution used the space to form relationships, to seek or provide emotional support, to gain economically or otherwise. Prisoners challenged ascribed power and, in relationships with staff members, sometimes contrived expected power dynamics. This book asks questions like: How did prisoners interact with one another as well as those paid to restrain them? Where did they get practical or emotional support given that they were in most cases locked away for years from their families? How did they maintain contact with loved ones if so desired? It considers how crime or criminal background, or differences such as class, age, religion, regionality or position within the prison affected hierarchies and networks. And it examines the nature of such relationships in prison and after release.

The convict women studied in this book were variously described by those who encountered or imagined them. English writer Fanny Taylor saw upon her visit in the 1860s ‘miserable inmates . . . wild, desperate women, with great physical strength and easily-roused

²¹ Up to 1867 children were permitted to live on site (*ibid.*, p. 97). Thereafter some exceptions could be made. See, for example, Jane Lynch to GPB, 27 August 1883 (NAI, GPB correspondence, 1883/17031).

²² For a discussion of the ‘social’, see Mahood, *Policing gender, class and family*, p. 153.

²³ Boddice, *The history of emotions*, p. 170. Emphasis in the original. ²⁴ *Ibid.*

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passions'.²⁵ Author Margaret Gatty, visiting from England, portrayed in 1861 a 'shocking-looking set of creatures ... one felt in their presence that sin does really deform the outer, as well as the inner man'. She dehumanised the women through her gaze, perhaps influenced by her background in marine biology: 'This is the only female convict prison in Ireland, so we had a full specimen of this painful subject of study.'²⁶ A male writer commissioned by the *Freeman's Journal* to write about Mountjoy surmised in 1871, 'I suppose no man, except a professor of calisthenics, cares to be alone amid a couple of hundred women; but when the women are all ugly, miserable, criminal, wo[e]ful women, the business is infinitely distressing.' His views encapsulated attitudes towards female criminals who had seemingly transgressed moral as well as gender expectations:

When you find yourself in a room with female convicts most of your proceedings are hap-hazard. You never know whether to say a pleasant word or to be quite neutral in your manner; to take off your hat or walk about as if amongst men; in fact you find yourself sorely puzzled as to how you shall demean yourself before the dumb wretches who have forfeited every claim to homage and sympathy.²⁷

As Lucia Zedner has identified in an English context, 'While the male offender was merely immoral, his female counterpart was likely to be seen as utterly deprived irrespective of any actual, objective difference between them.'²⁸ Men were condemned for their criminality, L. Mara Dodge notes, but were not perceived to challenge expectations of masculinity in a way that female criminals were thought to have defied notions of femininity.²⁹ Women's reformation in prison was thus considered a necessary challenge given their expected influence on the next generation.³⁰ Captain Walter Crofton, who headed the Irish convict department from the 1850s, outlined the repercussions of such views in 1866: 'In the face of certain publications, which have tended to increase both the alarm and disgust felt by the public with regard to female convicts, it has not been an easy task either to procure them employment when liberated, or to obtain work for them in the refuge.'³¹ Irish convicts in Australia were often viewed more negatively than their British,

²⁵ Taylor, *Irish homes and Irish hearts*, p. 49.

²⁶ Gatty, *The old folks from home; Or, a holiday in Ireland in 1861*, pp. 195–6.

²⁷ *Freeman's Journal*, 13 September 1871.

²⁸ Zedner, 'Women, crime, and penal responses', p. 321.

²⁹ Dodge, 'Whores and thieves of the worst kind', p. 16. Prison tourism scholars have identified similar stereotyping in contemporary museums. See Chen and Fiander, 'Commemorating captive women'; Katz, 'City of women'.

³⁰ Carpenter, *Our convicts*, p. 205. ³¹ Crofton, 'Repression of crime', p. 877.

especially English, counterparts.³² Ethnic differences between the watcher and watched might likewise have influenced some English writers' views of incarcerated Irish women.

The prison space and experiences produced therein were products of their time. An assessment thus allows for an understanding of contemporary attitudes towards women, crime and punishment. It demonstrates realities of institutionalisation at a time of massive institutional growth across Ireland, particularly for non-conforming women.³³ In 2015 Christina Brophy and Cara Delay observed that despite recent research on Irish women's history 'we still know little about the lives of late nineteenth- and early twentieth-century women, particularly the poor, ordinary, or outcast'.³⁴ The women incarcerated in Ireland's convict prison were exceptional in having been found guilty of a crime and in having been sentenced to penal servitude. But despite the views proffered by some writers who saw them behind bars, they were, in many respects, 'ordinary' women.³⁵ An exploration of their documented experiences thus has the potential to reveal much about their lives, and by extension the lives of women like them outside the confines of the prison. It offers an insight into nineteenth-century survival strategies and women's agency, their networks, struggles, responsibilities or transient lifestyles dictated by economic need. Individual cases show the harsh realities and consequences of poverty in Ireland. They point to women's relationships with parents, children, siblings or other relatives, partners, friends or rivals. The microhistory of the Irish female convict prison is bound up in the macro-history of contemporary gender, class, economic and other relations and expectations, as well as Irish social history more generally.

The Irish Convict System

Historians such as Tim Carey, Patrick Carroll-Burke, Elizabeth Dooley, Richard Hinde, Rena Lohan, R. B. McDowell, Conor Reidy and Beverly Smith have mapped a thorough account of eighteenth- and nineteenth-century Irish penal developments in local and convict prisons that need not be repeated.³⁶ The nineteenth century brought developments across Europe as the emphasis on prison as a site of punishment was gradually

³² Damousi, *Depraved and disorderly*, p. 55.

³³ Smith, 'Your very thankful inmate', pp. 237–52.

³⁴ Brophy and Delay, 'Introduction: Reform and resistance', p. 3.

³⁵ For the use of this term, see Langhamer, 'Who the hell are ordinary people?', pp. 175–95.

³⁶ Carey, *Mountjoy*, chapters 1 and 2; Carroll-Burke, *Colonial discipline*; Dooley, 'Sir Walter Crofton'; Hinde, 'Sir Walter Crofton'; Lohan, 'The treatment of women'; McDowell, *The Irish administration*; Reidy, *Ireland's 'moral hospital'*, pp. 16–21; Smith, 'The female prisoner in Ireland'.

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diluted by ideas about its reformatory potential. O'Brien sums up changes in France, where 'old-regime jails and prisons . . . often no more than large communal rooms teeming with people of all ages and both sexes, those awaiting trial and those convicted, for all types of crimes, beggars, murderers, pickpockets, and prostitutes' were replaced by new-style prisons, 'honeycombed with isolated units, with highly regimented and supervised collective activities during the day'.³⁷ Such changes were gradual in Ireland, with new ideas about the punishment and reform of prisoners clashing with spatial restrictions of old prison buildings. Influential penologists and prison reformers such as Jeremy Bentham, Mary Carpenter, Jeremiah Fitzpatrick, Elizabeth Fry, John Howard and others disseminated ideas, initiated or inspired the establishment of organisations for the promotion of prison reform, and influenced politicians and officials. Increasing institutionalisation was also seen across this period with the building of workhouses, so-called lunatic asylums, industrial schools, reformatories, mother and baby homes and Magdalen asylums.

By the mid-nineteenth century the prison system was heaving under multiple pressures. Although, Dooley observes, the death and emigration associated with the Great Irish Famine, 1845–9, meant a lower population in Ireland than in previous years, the introduction of the Vagrancy (Ireland) Act in 1847, which Reidy describes as a 'disastrous miscalculation by the British government', served to increase the numbers of women, men and children in prison.³⁸ This was compounded by legislation that reduced the crimes for which a convict could be punished by transportation, ensuring that more convicts had to be accommodated at home.³⁹ The Penal Servitude Act, 1853, abolished transportation sentences of less than fourteen years, introduced penal servitude as a punishment, and equated penal servitude sentences for some convicts in lieu of transportation.⁴⁰

The threatened cessation of transportation to Australia also materialised in 1853. Although, Davie recognises, the 'writing had been on the wall for some time in fact, with mounting criticism at home and one Antipodean door after another slamming shut in the face of the Mother Country's criminal export trade',⁴¹ this caused a critical situation in the Irish convict prison system that had come to rely on transportation.⁴² In addition to requiring prison space for many more convict bodies,

³⁷ O'Brien, *The promise of punishment*, p. 18.

³⁸ Dooley, 'Sir Walter Crofton', p. 198; Reidy, *Ireland's 'moral hospital'*, p. 20.

³⁹ Hinde, 'Sir Walter Crofton', p. 119.

⁴⁰ 16 & 17 Vict., c.99; Carey, *Mountjoy*, p. 62; Dooley, 'Sir Walter Crofton', p. 198.

⁴¹ Davie, 'Business as usual?', p. 38.

⁴² Wheatley-Balme, Akroyd, Waterhouse and Foljambe, *Observations on the treatment of convicts in Ireland*, p. 15.

authorities perceived a need to devise a reformatory system so that a convict after release ‘did not fall back into the stream of society in this country to contaminate it by her example’.⁴³ Many hoped for the reintroduction of transportation; in 1859 Grangegorman Female Penitentiary superintendent Marian Rawlins expressed her ‘earnest hope that some colony may yet be found . . . away from the allurements which might tend to shake the foundation of reformation’.⁴⁴ But it was not to be. Mass transportation of convict women was not again officially sanctioned. The Penal Servitude Act, 1857, replaced transportation sentences with penal servitude.

The Act for the Formation, Regulation, and Government of Convict Prisons in Ireland, 1854, directed the establishment of ‘Convict Prisons’, described as ‘places of confinement either at Land or on board Vessels to be provided for that Purpose for Prisoners under Sentence or Order of Transportation or of Penal Servitude’.⁴⁵ The act facilitated the appointment of up to three directors of convict prisons who would sit in Dublin Castle.⁴⁶ The directors were responsible for all convict prisoners and prisons, and governors and superintendents would report directly to them. They had no authority over local prisons that housed women, men and children sentenced to shorter-term imprisonment with or without hard labour. Local sentences were always more common than sentences of penal servitude.

The first directors of convict prisons appointed by the lord lieutenant were chairman Captain Walter Crofton, a retired Royal Artillery captain and magistrate in Wiltshire, who at thirty-nine years of age was the youngest of the three.⁴⁷ Captain Charles Raleigh Knight was formerly the governor of Portsmouth Prison and the governor of Canadian military prisons, while Irish-born John Lentaigne, a fellow of the Royal College of Surgeons, previously held various management positions such as the governor of Richmond District Lunatic Asylum, the vice-chairman of the South Dublin Union, and the high sheriff in Monaghan.⁴⁸ Crofton and Knight had been members of a commission to investigate Irish prisons a year prior to their appointment and would have had some knowledge of the strains under which the system was then operating. Now responsible for a prison system with in excess of 1,000 convicts beyond capacity, and new convictions expected, they set about determining who, under the change from transportation to penal servitude, had

⁴³ *Report of directors of convict prisons, 1855*, 11.

⁴⁴ *Report of directors of convict prisons, 1858*, 203. ⁴⁵ 17 & 18 Vict., c.76, s.2.

⁴⁶ 17 & 18 Vict., c.76, s.4. ⁴⁷ Hinde, ‘Sir Walter Crofton’, pp. 115–16.

⁴⁸ Carey, *Mountjoy*, p. 64; McCarthy and O’Donnabhain, ‘*Too beautiful for thieves and pickpockets*’, p. 100.

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already served their time and could be discharged.⁴⁹ Other ‘insurmountable difficulties’ facing the directors included poorly designed or dilapidated prisons and inefficient or corrupt staff.⁵⁰

Tim Carey describes the Irish Convict System subsequently put into place, also known as the Crofton System after its creator, as ‘the single most important Irish contribution to penal history’.⁵¹ The Crofton System was considered pioneering at the time and has been shown to have had significant international influence.⁵² Carpenter considered in 1862 that the ‘closer the scrutiny, the deeper has been the conviction formed, that the “Irish Convict System” has solved the grand and difficult problem of combining the reformation with the punishment of the offender’.⁵³ The National Association for the Promotion of Social Science (NAPSS) judged Crofton’s system ‘the best system ever tried’.⁵⁴ In 1860 Prussian jurist Baron Franz von Holtendorff considered that the intermediate stage of the system, the period between the convict prison and release whereby a convict was given more freedom than in prison, was a unique feature of the system, as was the intensity of police surveillance post release.⁵⁵ Carroll-Burke has identified other interconnected features that were novel or had up to that point only been attempted on a small scale, such as the system of convicts earning marks and progressing through various classes, promotions based on good conduct, the use of work as a reward, and individualised treatment to support return to society.⁵⁶ He concluded from his close assessment that the Irish Convict System was ‘both more penal *and* more therapeutic than the English system . . . it represented an expression of the pleasure-pain principle, deploying a double system of punishment-gratification, allowing both positive and negative reinforcement of desirable behaviour’.⁵⁷ But it did not receive universal accolade and debates abounded as to whether Crofton appropriately credited the British, Australian and other models on which he had based his system and whether it was as unique and effective as thought.⁵⁸ Crofton clashed in particular with Joshua Jebb, his equivalent in

⁴⁹ Hinde, ‘Sir Walter Crofton’, p. 137. ⁵⁰ Dooley, ‘Sir Walter Crofton’, pp. 198–9.

⁵¹ Carey, *Mountjoy*, p. 66. ⁵² See, for instance, Rafter, *Partial justice*, p. 28.

⁵³ Carpenter, ‘Irish Convict System’, p. 666. ⁵⁴ *Freeman’s Journal*, 22 November 1884.

⁵⁵ Von Holtendorff, *The Irish Convict System*, pp. 133–4; Reidy, *Ireland’s ‘moral hospital’*, p. 22.

⁵⁶ Carroll-Burke, *Colonial discipline*, p. 229; Dooley, ‘Sir Walter Crofton’.

⁵⁷ Carroll-Burke, *Colonial discipline*, p. 230. See also Dooley, ‘Sir Walter Crofton’, pp. 206–11; Hinde, ‘Sir Walter Crofton’. Emphasis in the original.

⁵⁸ Carpenter, *Our convicts*, chapter 2; Carroll-Burke, *Colonial discipline*, chapter 5; Lohan, ‘The treatment of women’, pp. 125–7.