



**TIPPERARY HISTORICAL JOURNAL
1988**

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ISSN 0791-0665

LAND AND VIOLENCE IN 19th-CENTURY TIPPERARY

By Denis G. Marnane

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Such is the power of the literary imagination that it may triumph over the most earnest historical research. In 1870 the first chapters of *Knocknagow* were published, and three years later the novel appeared in book form. It is still in print, and Kickham's descriptions of character and place have entered into the consciousness even of those who have never read the novel.

Kickham would doubtless be pleased that *Knocknagow* has become so much a part of the identity of his native county. However, he would likely be less pleased about another fact, namely, that a novel like *Knocknagow* which is no literary masterpiece becomes a popular success because it allows its readers to abstract from it their deepest concerns and prejudices. In this case the concern relates to land and the prejudice to landlordism.

Knocknagow is a novel about land, and its *leitmotiv* is security, not ownership; yet generations of readers have found confirmation there of their view that tenants should own the land they worked. They also found in it confirmation of their idea that landlordism was evil, an idea not shared by Kickham and one which ignores his subtle delineation of that institution.

The author's feelings range from distaste for Somerfield of Woodlands, understanding for Sir Garrett Butler and nostalgia for Bob Lloyd. Kickham's view of the Tipperary landscape reveals estate agents like Isaac Pender, upwardly-mobile catholics like Attorney Hanly and forelock-tugging tenants like Tom Hogan all as much more worthy objects of scorn.¹

Knocknagow, however, is a novel whose individual parts make a stronger impact on the reader than the author's overall vision. Some quotations from the novel would seem to confirm the popular view of landlord-tenant relations.

On agrarian violence:

"But there is no use in denying that the dread of assassination is the only protection the people have against extermination in this part of Ireland".²

On tenant insecurity:

"But, it must be remembered, (tenants) were conceived and born under a notice-to-quit".³

On landlords and their agents:

"(The landlord) leaves it all to the agent; and, so long as he sends him whatever money he requires, (the landlord) seems not to care for his tenants or trouble his head about them".⁴

On the new landlords of the post-Famine period:

"(They) are raising the rents to the last shilling the land will make. They look upon their purchases solely from a commercial point of view, and I fear many of them will prove harder masters than their predecessors".⁵

On the hazards of rent collection:

". . . it is no joke to collect rents with the muzzle of a blunderbuss looking into your face at every turn".⁶

On tenant solidarity:

"The great point is to divide (the tenants); for when they pull together 'tis dangerous".⁷

On competition for land:

"The big grass farms (are) the ruination of the country".⁸



The point about these quotations is that they have the force of popular recognition. We think we know that tenants were exploited; that landlords waxed fat on the labour of their tenants; that agents were rapacious; that eviction was a common occurrence; that tenant farmers, for so long victims of an alien system, finally emerged victorious to inherit the earth. It is one of the prerogatives of victory to transmute myth into history, and up to recent years the land question in 19th century Ireland was presented as a drama with the tenant farmer as hero.⁹

This altogether simplistic view has been replaced by a recognition that the inter-action between the three elements of the agrarian equation — landlords, tenants and agricultural labourers — was motivated less by some inchoate sense of national destiny and more by economic self-interest and political opportunism.¹⁰

This article examines the relationship between landlord and tenant in county Tipperary during the nineteenth century and the early years of this century.¹¹ While allowing the passion of Kickham's vision, the reader may judge for himself its authenticity as an historical record.

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Before looking at the relationship between landlord and tenant in county Tipperary, some general observations about these two categories will establish a context for their inter-action. One of the first characteristics to note about landlords in Tipperary is that there were a lot of them. The ten most substantial proprietors in the county owned just over 15 per cent of the land as against, for example, Longford where the comparable figure was 50 per cent.¹² Acreage alone is not the most valuable indicator of a landlord's wealth. Valuation and the extent of his holdings elsewhere in Ireland or in Britain are more important.

TABLE 1
Tipperary landlords with valuations exceeding £5,000 (1876)¹³

Landlord	Residence	Valuation (£)	Acreage in Tipperary	Percentage in Tipperary
Viscount Lismore	Clogheen	13,089	34,945	83
A.H. Smith-Barry	Cork	12,131	8,621	32
Lady Margaret Charteris	Cahir	11,635	16,617	100
Viscount Hawarden	Dundrum	8,781	15,272	100
John Bagwell	Marlfield	8,480	3,519	73
Sir John Carden	Templemore	8,344	6,681	100
Marquis of Ormonde	Kilkenny	7,420	15,765	57
Lord Dunally	Kilboy	7,162	21,081	100
Earl of Clonmell	Kildare	6,946	11,098	52
Earl of Normanton	England	6,933	7,653	18
H. Stafford O'Brien	England	6,532	7,984	29
G.K. Massy-Dawson	Ballynacourty	6,331	19,093	100
W. O'Connor	Dublin	6,213	6,178	87
Lord Dunsandle	Galway	5,534	3,514	9
Hon. O. Graham-Toler	England	5,317	8,789	53
W.P. Barker	Kilcooly	5,287	8,184	54



All of these estates, with one exception, showed remarkable continuity of ownership, passing from generation to generation. Of course, the number of generations varied; in comparison with the ancient lineage of the Ormondes, families such as Agar (Normanton) or Scott (Clonmell) were *parvenu*. The exception was the O'Connor estate, which had been the property of the Earl of Derby and which had been purchased by Valentine O'Brien O'Connor just before his death in 1873.¹⁴

Exactly half of these landlords at the apex of the pyramid of ownership were resident in the county. Earlier in the century, they had exercised a predominant political role, but from mid-century onwards such families, in order to win electoral support, had to espouse the popular causes of the day. For example, in the general election of 1874, sons of Viscount Lismore and Lord Annaly headed the poll for the Tipperary constituency.¹⁵ While the local political arena may have been increasingly the preserve of their tenants, these landlord families dominated the economic life of the county to the close of the century.

TABLE 2
Tipperary estates with a valuation exceeding £500 (1876)¹⁶

Valuation (£)	No of Estates	Total Valuation (£)
5,000 plus	16	126,137
4 — 5,000	6	26,351
3 — 4,000	8	26,463
2 — 3,000	28	69,216
1 — 2,000	78	106,536
500 — 1,000	158	107,245

These 294 estates accounted for 68% of the total valuation of the county. One point about this proliferation of estates is that it promoted envy and discontent, as tenants measured their situation against that of their neighbours on different estates. Also, in a situation where estates were generally badly managed and smaller estates were even worse managed, there was much scope for tenants to feel the pressure of landlord insolvency.

It is difficult to translate valuation into acreage. However, in the valuation range £500 — £1,000, estates would have run from as little as 200 to 300 acres, if town property was included, to over 2,000 acres if they included more marginal land.

Whereas landlords shared a community of interest, based not least on religion (though this factor began to break down in the second half of the century) and also be it said, on the hunting-field, there was nevertheless a pecking order. The great magnates, especially if they had estates elsewhere in Ireland or in Britain, made their impact more by reputation than by residence. For those families whose lives were firmly fixed in the soil of Tipperary, marriage was the prime mechanism of class solidarity and was vitally connected with patterns of land transfer from family to family.

Regarding residence in the county for in the 1870s, the level of non-residence in Tipperary of owners of estates with a valuation in excess of £500 was quite high — nearly 50% — though in many cases these people lived in adjacent counties. The percentage of owners living outside Ireland was about 15, but this figure increased, both through the work of the Landed Estates Court (largely completed by the late 1870s) and (more importantly) as landlords later in the century realised that the future lay with tenant proprietorship.



TABLE 3
Landlord residence outside Tipperary (1876)¹⁷

Valuation (£)	Percentage of landlords resident outside county
5,000 plus	50
4 — 5,000	17
3 — 4,000	37
2 — 3,000	39
1 — 2,000	49
500 — 1,000	53

The picture of landlordism in Tipperary presented so far lacks one crucial element, namely, the reality that the situation was in a constant state of change. Throughout the nineteenth century and especially after the Famine, as long-established proprietors sold out, new names were introduced into localities. For many tenants the emotional, as distinct from the economic, response to landlordism changed. The landlord ceased to be the bearer of a name rooted in the life and folklore of a locality, and was merely a name to whom the rent was paid.

One of the difficulties about taking a comprehensive look at land ownership earlier in the century is the absence of comparable information to the *1876 Return of Land Ownership*, described by one writer as “the only solid point of reference in a sea of conjecture”.¹⁸ Perhaps the closest one may come is the 1849 return of estates compiled in connection with the Irish Poor Law.¹⁹

Two points should be noted about this source. First, owners were not returned for 7% of the valuation. Secondly, (and more importantly) in the context of any comparison with the 1876 Return, the eight poor law unions returned for county Tipperary do not coincide with county boundaries. For example, Tipperary included part of county Limerick, and Callan included part of county Tipperary.

TABLE 4
Tipperary estates (1849)

Poor law union	No. of estates	Average no. of holdings per estate	% of estates exceeding £500 val.	% of overall valuation of estates exceeding £500 val.
Carrick	126	23	45	79
Cashel	267	24	33	68
Clogheen	88	54	32	80
Clonmel	107	23	41	58
Nenagh	341	27	14	48
Roscrea	223	28	24	64
Thurles	224	34	26	55
Tipperary	252	30	34	71

These figures confirm Tipperary as a county with land ownership much fragmented from the time when the Butlers of Ormonde dominated the county. One important step in this process had been in the early years of the eighteenth century, when huge areas of Butler land were sold in order to pay debts.²⁰

Clogheen was the poor law union with the lowest valuation per acre. It also had the highest



average number of holdings per estate, 68% of estates being valued at less than £500 and 23% valued at less than £100. Put another way, 32% of estates accounted for 80% of the total valuation of the union, and of this latter figure the two very extensive properties of Lords Lismore and Kingston accounted for 30%.

This general picture of poverty may be contrasted with the neighbouring union of Tipperary, where the average valuation per acre was some 60% higher and where a larger number of substantial estates had control over more highly-valued land. No less than 88% of estates valued in excess of £500 were in the range £500 to £2,000.

Nenagh was the largest union, accounting for 19% of the total area; covering the less fertile and less accessible north-west, its average valuation per acre was only slightly in excess of the Clogheen figure. In Nenagh too there was a proliferation of low valued properties, 86% being valued below £500. There also 28% of estates were valued at less than £100, the comparable figure for Tipperary being 12%.

The main point arising from these figures is the warning that, even within one county, generalisations about estates, their landlords and tenants, are likely to mislead. Estates perched on the foothills of the Galtees or the Silvermines engendered a different view of the world than did the fertile acres on the banks of the Suir.

In the second decade of the nineteenth century Sir Walter Elliot derived considerable comfort from his constant references to a volume on the baronetage, seeing in the entry about his own family confirmation of his self-importance.²¹ No doubt there were many landlords in Tipperary equally conscious of rank. Whatever about the size of a landlord's property, a duke usually commanded more respect than a mere Sir and a baronet expected more deference than a plain Mr. Whether all this made much difference to tenants is problematic; very likely it did.

A peer, whether he was the fifth this or the fourteenth that, was probably conscious of the inherited weight of responsibility in a way that an equally rich non-titled landlord was not. The practice of even the wealthiest nobleman in Ireland, however, fell far short of what could be found in England. In a 20-year period following 1842, the sixth Duke of Bedford spent in excess of £250,000 on permanent improvements on his estates.²²

Some of the reasons for this difference in response between the two islands will be looked at below, but there were noble landlords whose responsible attitude to their Irish estates won contemporary praise.²³ Unlike counties like Waterford or Down, where pre-eminent noblemen flourished, Tipperary was free of such singular weight of ownership.

TABLE 5
Aristocratic landownership in Tipperary (1876)²⁴

Title	Total Number	No. Resident	Total Acreage	Total Val. (£)
Marquis	1	—	15,765	7,420
Younger son	1	—	3,078	753
Earl	12	1	47,246	30,949
Younger son	1	—	8,789	5,317
Daughters	3	1	23,694	15,908
Viscount	5	3	52,848	24,061
Baron	10	2	46,646	24,731
Younger sons	3	1	7,858	3,961

The factor most immediately obvious about this group is the very small number resident in the county — thereby allowing a far greater diffusion of political, social and economic influence than was the case elsewhere. Secondly, this group between them only commanded 20% of the



land of Tipperary.²⁵ Such influence as noble status conferred was even more concentrated than the table suggests since a number of these individuals had quite small estates in the county.

Generally, the reason for this was that in the previous 25 years large amounts of land had been sold. For example, in 1851 over 18,000 acres were sold by the Earl of Kingston, leaving the 1870s holder of the title with a mere 200 acres.²⁶ According to Table 5, the Earl of Portarlington had nearly 3,000 acres; but in the early 1850s some 20,000 acres had been sold in an attempt to clear debts of nearly £750,000.²⁷

Of course, the situation with regard to aristocratic land ownership was in a constant state of flux, as titles either died out or families disposed of all of their Tipperary holdings. In the 1850s and 1860s the Butler Earls of Carrick sold all their Tipperary lands; so did the English-based Earl of Derby in the early 1870s.²⁸

The last Earl of Glengall died in 1858, and by the 1870s this once vast Butler property, apart from lands sold after the Earl's death, was in the hands of Lady Margaret Charteris, the last Earl's daughter, and Lady Emily Hankey, the last Earl's sister.²⁹ The Earl of Llandaff began selling off some of his property before his death in 1833, some to the Scully family of Kilfeakle (for which act later generations of tenants did not pray for the happy repose of the earl's soul) and more to Laurence Waldron. In the 1870s the heir of the estate Lord Dunsandle still had some 3,500 acres in the county.³⁰

For those who failed to merit their nation's reward with a peerage, there was always the lesser prize of a baronetcy. In the mid-1870s Tipperary had 15 landowners who were baronets, honours of various dates, none better known than that conferred on Judkin Fitzgerald in 1801 in reward for his efforts in 1798. Of these 15, only two were resident in the county.

Whatever a landlord's rank, debt was usually the most constant difficulty with which he had to grapple. In the early part of the century especially, it must have seemed to tenants that landlord families whose houses dominated the landscape were immutable. For many of these families this appearance of solidity was an illusion, for behind the facade was the accumulation of generations of debt.

By the 1840s and the Famine, the gap between appetite and income could no longer be sustained. Many estates were characterised by an absence of anything approaching a business-like attitude. This removal from commercial reality was exacerbated by the fact that, up to the 1830s and 1840s, many landlords were even more removed from control over their estates because of the long leases that had been granted in the late eighteenth century, when land had been thought of as a static asset and a handful of very large tenants were more convenient than a plethora of smallholders.³¹

The indifference of these middlemen to long-term management was both understandable and notorious. When William Perry regained possession of his property in the parish of Newcastle in 1851, it was claimed that he found the place covered with a pauper population.³² Such statements were not uncommon. In 1843 the Earl of Glengall described to the *Devon Commission* the state of his property which had just reverted to his control at the expiration of 61-year leases. The townland of Ballingearry in the parish of Cahir he described as "totally worn out with a very considerable pauper population on it".³³

The temporary alienation of their property was one major difficulty for landlords; another was the claim by family members on the estate: These family charges were the price paid by the land-owning class for primogeniture. An essential part of a marriage was the marriage settlement, by which a whole range of charges were made on the estate for the future. The wife, in the event of her widowhood, had to be provided for; so had the offspring. These family charges took no account of the many expenses contracted through the pedicillos of individual



landlords.

A perhaps extreme case was the £10,000 surety-money forfeited by the fourth Earl of Kingston in 1848 when he fled London from a sodomy charge.³⁴ Even before the Famine, pressure of debt on some estates had resulted in their transfer to the court of chancery for disposal. For example, in 1844 58 Tipperary estates were in this position. They had a yearly rental of some £43,000 with arrears in excess of £1,700 when a receiver was appointed. Within four years the arrears had risen to over £32,000.³⁵

On His Majesty's Service.



The standard 1/2p postcard used by the Irish Land Commission 80 years ago notifying landlords of the fixing of judicial rents.

George L. Townsend Esq.

Tipperary



If returned within 7 days, to be returned to the Commission.

Irish Land Commission, Dublin."

M.B.—This Card should be carefully preserved for future reference as to the Record Number and Date of the order of the case referred to.

IRISH LAND COMMISSION.

Tenant, *Thomas Ryall*

Landlord, *Lord Barrymore*

County, *Tipperary*

Record No. *1606* (2nd Statutory Term)

Term commenced *1st May* 1903

The Judicial Rent has been fixed at £ *13:6:0*

Order Dated *18th July* 1904.

JOHN H. FRANKS,
Secretary,



In the midst of such accumulation of debt, the great lifeline was the mortgage market, especially as in the middle decades of the century rental income did not keep step with living costs. For many landlords their situation strikes a familiar note with the Ireland of today. Their interest payments absorbed such a high proportion of their income that there was little hope of repaying the capital.

In some cases their total debt had long since outpaced their assets. In many cases, when property was sold in the Incumbered Estates Court, the purchase-price was totally absorbed by the charges against the estate. One spectacular example was the sale of the 7,500 acre Ashe estate in 1854, which reduced its proprietor to some 60 rented acres.³⁶

Some examples of this process of landlord indebtedness will further illustrate these general points. In 1794 Charles Langley of Coalbrook married Francis Bagwell of Kilmore. Her fortune was £4,000, charged on certain lands, and £500 in cash. The drain on Bagwell property of this £4,000 may be noted in passing.

However, the real focus is the Coalbrook estate. This marriage produced four sons and seven daughters, of whom nine survived. The marriage articles provided for £5,000 to be settled on the children of the union. The Coalbrook estate had a gross rental of about £2,000 in the 1860s. The youngest daughter married in 1840. By 1867 her family by marriage was complaining that, not only was their share of the Langley children's settlement unpaid, but also that the 5% interest on the amount was unpaid. By 1916 the whole question was in litigation, to determine what was due from the estate and to whom it should be paid.³⁷

The Irish appetite for litigation exacerbated such difficult situations for many families. Perhaps more Irish land-owners should have adopted Lizzie Greystock's attitude. When contemplating marriage she remarked that she would have to "look very close after the settlement" and on it being remarked that "the lawyers will do that", asserted, "That's all very well. I know what lawyers are. I'm not going to trust any lawyer to give away my property".³⁸

The small Despard estate near Mullinahone only produced under £800 in rental in 1845, with £1,225 remaining in arrears. From the net rental when family charges, head rents and interest payments were met, a balance of £119 was left. Not surprisingly, this property surfaced for sale in the Encumbered Estates Court a few years later; one of the purchasers was John Kickham, Charles's father. By the time the Despard property was sold, its debts amounted to over twenty times its net annual rental.

Given such financial factors, it was not surprising that the Famine saw the wholesale clearance of the estate's tenants at will.³⁹ The sale of the huge Kingston property has earlier been referred to. In the context of this discussion on debt, it may be remarked that in the 1830s there were some sixteen separate annual payments to Kingston family members, not to mention the £4,000 annual running costs of the family mansion.⁴⁰

In 1849 a somewhat dramatic solution to the growing levels of landlord debt appeared with the establishment of the Encumbered Estates Court. This was to prove so successful that it was continued after its first decade expired in the form of the Landed Estates Court. A creditor (or even a landlord) could petition the court to have some or all of the property sold, and this new court cut through any complications and guaranteed clear title to prospective purchasers.⁴¹

During the early 1850s there was a flood of land on to the market. By 1857 over £20 millions had been realised through sales. Understandably many landowners were displeased with the prices in what was a buyer's market. The Earl of Mountcashell, thousands of acres of whose Tipperary land were sold, was so displeased with the official in charge of the court (who was a small-sized gentleman) that he was heard to remark that it was bad enough to have to sell his lands, but to be "sold up by a dwarf in a garret" was more than he could endure.⁴²



An average purchase-price was about 22 years' rental, depending, of course, on the level of competition for the land and its general desirability. The price usually paid did not allow the incoming owner to expend much on improving the property, if he wished to recoup as much on his investment as would be gained from other and probably less troublesome investments.

There was a temptation to increase rents, and this possibility was often made much of in the advertising of these estates. One of the individuals who purchased part of the Portarlington estate paid 25 years' net rental. To look at the matter another way, at the existing rental he made 4% p.a. on his capital, which compared favourably with alternative investments. However, if this return came under threat because of tenants' demand for rent reduction, judged purely from a business point of view, the landlord's response was obvious, unless he was made to realise that refusal could cost him more in the long run.⁴³

The over-all impact of this volume of land transfer was dramatic. In the barony of Slievardagh in east Tipperary during the three decades following the Famine, the ownership of about 36% of the land changed hands. Not surprisingly, the overwhelming bulk of this occurred in the 1850s — about 31% with about 4% in the 1860s and some 6% during the 1870s. These latter figures account for a certain amount of land being resold.⁴⁴

Among the more important of these properties were the 4,000-acre Hartford estate, the 3,000-acre Lane estate, the 3,000-acre de Vere estate and the 2,500-acre Carrick estate. One thing the Encumbered Estates Court did not do was give to tenants the opportunity of buying their holdings. In 1865 one of the judges of this court explained that "in dividing estates into lots, we look pretty much to the condition of the country, whether or not there are people in the neighbourhood to whom small lots would be convenient".⁴⁵ Fifteen years later this same witness explained the matter, using less economy with the truth, when he claimed that it was not easy to alter lots without prejudice to the owners and — more to the point — that there was a probability of people not bidding against tenants. The owner, after all, deserved first consideration.⁴⁶

One may wonder how it was that these dramatic changes in land ownership were not accompanied by unrest or outrage on the part of tenants. The chief reason for the relative agrarian calm from the 1850s to the 1870s was the level of economic prosperity during these years, a prosperity from which tenants benefited more than landlords.⁴⁷

— 3 —

"I was in great hardship in the time of Lord Stradbrook. I would be afraid to wear a good coat on me at the time he would go about the place".⁴⁸

This statement was made by a tenant to the *Bessborough Commission* in 1880, yet another inquiry in a long line of investigations into Irish land — about what had been and what should be done.⁴⁹ While the quotation above seems to confirm certain widely-held ideas about tenant fear and deference, perhaps more interesting points are that the tenant in question did have a "good coat", and that underlying his attitude was an unwillingness to indicate to his landlord that things were better than they appeared to be.

In the three decades following the Famine things were in fact better, and for many tenants the "poor mouth" was no more than a defence mechanism, arising from memories of the Famine and a determination to hold on to their very real gains.⁵⁰ In 1870 the Irish Poor Law inspectors reported to parliament on relations between landlords and tenants and the condition of agricultural labourers.⁵¹ These reports may be regarded as fair, and generally free of the special pleading found in evidence before parliamentary commissions. The general picture presented of county Tipperary with regard to the farming community was one of relative prosperity and contentment.

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However, it must be said that this did not extend to agricultural labourers who, as one inspector pointed out, were engaged in a perpetual struggle with farmers who wanted their labour as cheaply as possible.⁵² Echoing *Knocknagow*, the inspectors found that the great fear among the farming class was their lack of security. It was a fear much more than a reality, though no less important for that reason.

One of the key factors allowing the increased prosperity of the post-Famine decades was the reduction in population and the habit of emigration, which together allowed the family farm to become the sacred centre of this new Ireland.

TABLE 6
Population change 1841 – 1911 Tipperary⁵³

Year	Population	% decrease	% decrease in Ireland
1841	435,553		
1851	331,567	23.88	19.85
1861	249,106	24.87	11.50
1871	216,713	13.00	6.67
1881	199,612	7.90	4.39
1891	173,188	13.24	9.08
1901	160,232	7.48	5.23
1911	152,433	4.87	1.54

Between 1841 and 1911 county Tipperary suffered a population decline of 65%; the national figure was 46%. The figures for the other Munster counties are: Clare 64%, Cork 54%, Kerry 46%, Limerick 57% and Waterford 57%. A number of factors contributed to Tipperary's severe population loss, and it is likely that many of them were intimately bound up with the county's culture of rural hierarchy.

The business of marriage was carefully balanced against the position of the family in this rural hierarchy; perhaps the more there was to protect, the more marriage was retarded. For example, if the population of Tipperary and Kerry between the ages of 20 and 44 in 1881 are compared from the point of view of the proportion unmarried, we find that the figure for Tipperary was 57%, against Kerry's 45.5%.

Population decline is accounted for by a range of factors, such as little and late marriage, the birth-rate relative to the death rate, movement of population within the country, and of course, emigration. The enormous drain on the population caused by emigration in the context of a very low birth-rate may be understood from the fact that between 1851 and 1891 emigration from the county was 1.18 times the net loss of population in the county — 187,564 as against 158,379. Towns also absorbed a certain amount of population from the land and Tipperary, not least because of its prosperous farming sector, had an urban population that grew from 18% of the total population in 1851 to 28% in 1911.⁵⁴

With the reduction of population, the keen competition for access to land was removed. Competition, of course, remained; but it was no longer deadly, and no longer for survival but for economic betterment and manifested as tenant right (later discussed). In 1869 George Campbell, one of that tribe of 19th century pundits that diagnosed Ireland's ills, paid two visits and later that year published his findings.⁵⁵ He commented that the "consolidation of farms consequent on the famine" meant that "the very small farms which had sufficed to support the people under the potato culture" were now consolidated into farms "capable of supporting them under another system of culture".



Then Campbell went on to cast doubt on the reliability of statistical statements regarding this process of consolidation, but added that the “normal Irish farmer” held from eight or ten to 40 or 50 statute acres and kept one or two horses.⁵⁶ The two issues raised here, farm-size and type of agriculture in the decades following the Famine, may now be seen more clearly.

TABLE 7
Change in Farm Size in Tipperary 1851-71 and 1871-91⁵⁷

1851 — 1871	Percentage change in each category number of holdings							
	Under 1 acre down 26	1—5 acres down 25	5—15 acres down 25	15—30 acres down 16	30—50 acres up 3	50—100 acres up 19	100— 500 acres up 12	Over 500 acres up 4
1851 — 1891	down 31	down 42	down 33	down 21	up 3	up 18	up 19	up 4

As may be seen from these figures, changes in farm-size were most dramatically seen during the first 20 years after the Famine. The period 1871—91 only saw intense consolidation in that most vulnerable of categories, one to five acres. In 1851 51% of holdings in the county were under 15 acres. By 1871 this percentage had been reduced to 44; 20 years later 41% of holdings were under 15 acres.

In dealing with figures like these for the county as a whole, it has to be emphasised that the crucial change occurred not at the extremes but between five and 50 acres. How much land a farmer held between these limits determined every aspect of his family life.

TABLE 8
Key categories of farm-size in Tipperary 1851, 1871, 1891

Percentage of total holdings in key categories			
	5—15 acres	15—30 acres	30—50 acres
1851	22.43	20.63	12.83
1871	19.30	20.07	15.21
1891	18.46	20.15	16.34

In 1851 five to 15 acres was the largest category. In 1871 and 1891 this had changed to the 15 to 30-acre category, with the prospect of a reasonable standard of living.

Within Tipperary there were considerable differences in the pattern of farm size.



TABLE 9

Farm size 1871, Tipperary by barony.⁵⁸

(Percentage of holdings in each category)

acres	5—15	15—30	30—50	50—100	100 plus
Eliogarty	21	21	13	10	6
Ikerrin	18	17	13	09	06
Kilnamanagh Up.	17	24	20	16	6
Ormond Lr.	18	16	13	13	11
Ormond Up.	19	20	17	18	10
Owney and Arra	21	23	16	15	8
Clanwilliam	21	22	15	10	6
Iffa and Offa East	19	17	14	17	8
Iffa and Offa West	22	23	18	11	5
Kilnamanagh Lr.	15	19	17	20	9
Middlethird	17	18	15	17	10
Slievearagh	18	20	16	14	6

This data does not lend itself to easy generalisations. Kilnamanagh Lower, with an average valuation of about 61p per acre, had in 1871 20% of its holdings in the 50-100-acre category; it also had the lowest percentage (15%) in the 5—15-acre category. This barony was dominated by the Maude family, whose estate centred on Dundrum and who had a record both of firm estate management and consolidation of holdings.⁵⁹

The areas of most fertile and highly sought land in the county, Ormond Upper, Clanwilliam, Iffa and Offa East and Middlethird each present their own profile. Iffa and Offa East, alone of these four baronies, had the 5-15-acre category with the highest percentage in comparison with the other categories.

This reflected a stage in the process whereby over 20 years since 1851 the total number of holdings in the barony declined by a third and the number of holdings of less than five acres declined dramatically from 43% of the 1851 total to 25% of the 1871 total. As these lower categories declined in importance, the next categories increased in significance. In 1851 holdings between 15-50 acres accounted for 24% of the total; 20 years later this had increased to 31%.

For the farmers of Tipperary in the three decades after the Famine, there was money to be made in stock-rearing. Whereas tillage prices increased by 13% between 1840 and 1875, butter prices increased by 44% and beef by 63%, while cattle prices more than doubled from 1845.⁶⁰ Nationally, while agricultural output increased by 41% between 1851 and 1875, rents only increased by 20%, thereby leaving a considerable share of this increased prosperity in the pockets of the tenants.⁶¹ On the large and well managed Smith-Barry estate centred on Tipperary and Cashel, rents in the case of tenants at will remained stable during this period.

In the case of short-term lease renewals, generally on the larger holdings, increases were in the order of 12%.⁶² This process whereby livestock became of increasing importance may be seen by taking just one barony (Middlethird) and looking at changes in farming practice between 1854 and 1874.



TABLE 10

Changes in agricultural production 1854-74 in Middlethird⁶³

Wheat and Oats — acres — reduced by 38%
Potatoes — acres — reduced by 38%
Cows — numbers — reduced by 14%
Pigs — numbers — reduced by 39%
Cattle — numbers — increased by 67%
Sheep — numbers — increased by 22%
Meadow and Clover — acres — increased by 41%

Between 1874 and 1879 the connected factor of cow and pig numbers continued to fall; cows by 8% and pigs by 30%⁶⁴ An example of such farms in Middlethird was provided in 1877 when the influential *Irish Farmers Gazette* sent a correspondent to visit neighbouring farms in Synone and Ballysheelan. Admittedly, neither farm was exactly typical; both were tenanted by Englishmen and each was several hundred acres in extent. One of the farms carried only 40 cows, but over 1,000 sheep, and had a third of the land each year under tillage.⁶⁵

Even within a small region of the county there were great differences in the type of agriculture. The barony of Clanwilliam lies to the west of Middlethird and is just 2% larger in area, but with a 23% higher valuation. In contrast with Middlethird, the emphasis in Clanwilliam was on milk production.

TABLE 11

Comparison of agriculture: Clanwilliam & Middlethird (1874)⁶⁶

	Clanwilliam	Middlethird
Wheat and oats	6,600 acres	12,503 acres
Meadow and clover	17,109 acres	11,831 acres
Cattle (under one year)	8,239 (11,491)	12,208 (5,886)
Sheep	20,279	49,807
Pigs	11,365	6,877
Cows	17,435	7,614

This brief over-view of tenants in county Tipperary has necessarily concentrated on the period after the Famine, because comparable information is not available for the earlier period. If the keynote of the post-Famine period was competition for economic advancement on the part of the tenant farmer, then before the Famine in a crowded countryside the struggle was for access to land and for the majority of the population involved tiny plots of land.

There is no shortage of descriptive and subjective evidence for the condition of things in pre-Famine Tipperary, from Arthur Young to the *Devon Commission*. One objective source of evidence is the report on housing conditions in the 1841 census.⁶⁷ This divided housing into four classes, Class IV being the bottom of the housing stock, mud cabins of one room, with Class III slightly better, mud cabins with one to four rooms.



TABLE 12
Housing in county Tipperary 1841.⁶⁸

Percentage breakdown of the four classes by barony					
	Number	Class I	Class II	Class III	Class IV
Clanwilliam	7,724	2.13	12.72	48.57	33.66
Eliogarty	6,764	2.51	24.58	38.73	31.32
Iffa and Offa East	6,066	7.20	32.95	36.71	16.27
Iffa and Offa West	6,996	2.05	17.42	41.28	36.90
Ikerrin	4,989	2.10	24.93	41.05	28.82
Kilnamanagh Lower	2,024	1.03	14.13	44.26	38.93
Kilnamanagh Upper	3,160	.88	16.26	35.72	44.11
Middlethird	7,177	2.61	19.24	40.88	33.32
Ormond Lower	8,491	3.10	19.11	39.55	34.04
Ormond Upper	4,367	1.41	14.44	35.92	46.18
Owney and Arra	5,065	1.10	16.56	46.02	33.84
Slievearagh	5,827	1.40	21.79	41.82	32.55
County		2.50	19.88	41.01	33.23
Percentage building or derelict — 3.38					

The huge population-loss sustained by the county in the decade following this return came for the most part from Classes IV and III. There is no surprise in the fact that the fertile and well-regulated barony of Iffa and Offa East had the best housing record, while Kilnamanagh Upper with its extensive upland contained a very large pauper population attempting to keep a precarious foothold on land and life.⁶⁹

Such was the pressure of population and the inability of landlords to prevent subdivision of their estates that all baronies experienced the weight of the landless and often workless population. Even though Irish agriculture at this period was still predominantly tillage and therefore labour-intensive, for the bulk of the population at the lower end of the scale employment was incidental to access to conacre.⁷⁰

Between 1841 and 1851 the number of holdings between one and five acres decreased by 63%, and between five and 15 acres the percentage decrease was 48. Holdings over 15 acres increased by 84%.⁷¹ It is not possible to establish a precise correlation between the occupants of class IV (and to a lesser extent Class III houses) and those holders of less than five acres. However, this, together with the teeming landless by their decimation caused by starvation and emigration, made possible the prosperous decades enjoyed by those living in the higher-grade houses in 1841.

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To put it at its simplest, not even the national question (and there were long periods when this question was not even posed) so moved men to action in 19th-century Tipperary as the tension between those who owned and those who worked the land. In the decades before the Famine this tension, more often than not manifested in violent action, was complicated by the fact that relations between those who worked the land gave rise to its own set of difficulties.

The economic interests of the man with a leasehold on 30 acres were different from the landless labourer. But depending on circumstances, their economic interests could converge



it, for example, the former was the sole and willing source of conacre for the latter. In other words, generalisation is an ice sheet through which theories have a habit of falling.

One may say with some confidence that in the decades before the Famine Tipperary had an extraordinary reputation for violence — a reputation frequently commented on at the time but never adequately explained. A witness from county Down appearing before the *Devon Commission* in 1843, on being asked what would happen in that county if tenant right was curtailed, could think of no more graphic way to illustrate the appalling consequences, than to reply: “You would have a Tipperary in Down if it was attempted to be carried out”.⁷²

William Thackeray described the “Tipperary fashion” of holding on to farms as “simply putting a (bullet) into the body of any man who would come to take a farm over any one of them”⁷³ The Deputy Inspector-General of the Constabulary in Ireland, in his evidence to the *Devon Commission*, admitted that he was “unable to assign a reason for the prevalence of crime in Tipperary beyond other counties”.⁷⁴

Writing in 1828 and influenced by the impending Emancipation crisis, Richard Lalor Sheil (whose mother and second wife were natives of Tipperary) turned his attention to this same puzzle. Apart from mentioning general factors such as the tradition of violence from the previous century, the folk-memory of ancient confiscation, the inequity of government and the inadequacy of machinery of law and order, he did not greatly illuminate the problem.⁷⁵ Giving evidence to a select committee in 1832, the Crown Solicitor for Munster advanced five factors — tighter controls on land tenure, protest against tithes, lack of employment, the high cost of food and competition with “strangers” for employment.⁷⁶

The popular, if not legendary, view of violent Tipperary is borne out by the facts. It was no coincidence that the beginning of a professional police force was related to disturbances in Tipperary, especially in Middlethird during the second decade of the century. The background to this was the conflict between Caravats and Shanavests, which had begun around 1806.

Rather than the mindless factional feud this was long considered to be it has recently been identified as a conflict between labourers and small farmers, inheritors of the Whiteboy tradition who were aroused by the wartime inflation in land prices (Caravats) and larger farmers, many of whom had United Irish backgrounds, who were most immediately threatened by this upsurge (Shanavests). To cope with this violence, the Chief Secretary Robert Peel, using the Peace Preservation Act of 1814, proclaimed Middlethird in September 1814 and under the first paid magistrate, Richard Willcocks, Cashel had the first experience of “Peelers”.⁷⁷ A new era had begun.

During these decades there was not a constant level of violence; 1814-16, 1821-3, 1831-4 and during the Famine were periods especially disturbed, largely because of special economic factors such as poor harvests or sustained agitations against tithes. Between 1813 and 1816 a particularly virulent campaign was waged in the area of Clonoulty.

Spilling over from this were attacks on landlords and their agents, resulting for example in the death of Captain Long of Longfield. As a recent writer has pointed out, the significant thing about this episode, which resulted in a special commission in Clonmel to try some of those responsible for the agitation, was the fact that so many of them were from “respectable” backgrounds. Campaigns against tithes tended to involve a wide spectrum of rural society, because everyone was caught in that particular tax net.⁷⁸

Looking at this period over-all, the decisive economic factor was the move away from tillage to grass, which began to happen from the second decade of the century. Of course, as we have already seen with reference to Middlethird in the period after the Famine, tillage remained important in some areas. Nevertheless, anything that seemed to threaten either demand for labour or access to conacre aroused negative and sometimes violent reaction.



As William Henry Head, a north Tipperary landlord, explained to the *Devon Commission*, proprietors like him attempted to both “get up” land from small occupiers and “throw” it into larger farms, and at the same time convert the land to grazing. It was Head’s view that small farmers were generally at the bottom of agrarian crime and that “their servant boys are very often the instruments” of these crimes.⁷⁹ A recent writer has looked in detail at changes such as these in north Tipperary and pointed out the different patterns of population-growth in the more desirable land referred to by Head and the less controlled marginal land which, paradoxically because it offered less economically, had more people settled on it.⁸⁰

Much of the agrarian violence resulted from the interaction of two opposing forces. On the one hand, one finds the necessity of a section of the population to maintain its *status quo*, to resist trends which threatened their fragile hold on bare sufficiency; on the other hand, the drive by a more forceful section of the people to improve its lot by, for example, increasing its holding or improving its farming practice. For all the protests by the landlord class about revolutionary violence, the perpetrators of this violence were a conservative lot.

The engine that drove these powerful forces was population pressure. Earlier in this article reference was made to the Despard estate. In just one townland of this, the population between 1841 and 1851 was reduced from 109 to 20, the point being that the former level of population, in the context of farming practices and landlord attitude, imposed explosive pressures on that population.⁸¹

A man who gets hold of fifty or sixty acres in the course of twenty or thirty years subdivides it into five or six farms and those are again subdivided; according as their families grow up they must settle them in some way and that is the only way they have for doing so.⁸²

This was the view of one of the stipendary magistrates for the county in 1839, who went on to comment that eviction put people from the rank of farmer to that of labourer and that these people depended on access to “quarter ground” or conacre. Their wives, he explained, sometimes went out around the countryside during the day begging potatoes from farmer to farmer, which they sometimes sold at the market.

By the 1840s the largest category of holding was a viable five to 15 acres (31%); but the category immediately below that accounted for 24% and immediately above it 22%. When individual baronies are examined some variation in these figures appear. Nevertheless the balance between these categories had much to do with the intensity of the struggle for land in the county. Competition always had, as a possible outcome, either betterment or disaster and, with the stakes so high, no quarter was given.

As one witness told the *Devon Commission*, there was such “vast competition for land” that there was a quick turnover of tenants, leading inevitably to agitation.⁸³ Looking at the level of violence in the mid-1840s, one writer has pointed out a clear correlation between areas of high intensity agitation and areas where the 5-15-acres category of holding was dominant.⁸⁴

Apart from those who had land, however little, there was the vast army of landless whom all contemporary visitors to the country noted with dismay. For example, Thomas Reid writing in 1822 described his arrival in Clonmel and seeing “vast numbers of fellow creatures, more than half-naked, who, in many places crowded the road, and consist almost exclusively of women and children; the proportion of the latter appeared enormous”.

Then, on approaching Carrick-on-Suir, “some of the most miserable objects I have ever beheld came around the coach; one unhappy woman had a child in her arms, which she said, had died of want. The child was certainly dead; but whether its death had been occasioned by famine I could not ascertain”.

In the autumn of 1821 the potato crop had failed; what happened in the late 1840s was, after all,



the "Great" Famine. In Ballyporeen it was more of the same. "The groups of half-naked people, or all descriptions of age and sex, formed an assemblage of the most extraordinary appearance".⁸⁵

The important point about the violence arising out of this condition of things in Tipperary was that it was the mechanism whereby a code of law or social and economic regulation, alternative to that of state, attempted on a localised basis to maintain what were perceived as customary rights. Tipperary was a county rich in agricultural resources. In parts commercial agriculture flourished, but the social and economic forces at work were unable to adjust to the weight of demographic change in an equitable way.

Lord Donoughmore saw the matter quite simply. "The principle of the peasantry of Tipperary is that when once in the possession of land, they have a right to continue on it".⁸⁶ The incomprehension on the part of the class represented by Donoughmore was earlier commented on by the Countess of Glengall. "The gentry are so used to seeing (distress) that it does not shock them; they see people naked . . . and they are not aware that it is not the usual and proper way for them to exist".⁸⁷ In the absence of consensus, kinship and a self-generating tradition of violence animated and sustained the struggle for both access to and possession of land.

An example of the way in which this combination of violent sanction and kinship solidarity operated may be seen from what were perhaps the most famous landlord murders of the period, those of Austin Cooper and William Wayland in 1838.⁸⁸ One of Wayland's tenants had been evicted, and the aggrieved tenant subsequently met with two men in a pub while at a funeral. One of the two men was his cousin. The grievance in question was discussed, and the two men said "they would see about having Wayland injured".

These two were joined by two others and the fateful attack was made, producing one of the resounding statements of the century from Thomas Drummond about the duties as well as the rights of property. During the subsequent trial it was obvious that the conspirators were part of a Whiteboy network.

The attacks on landlords, of course, secured the greatest publicity and had local magistrates protesting to Dublin Castle about the breakdown of law and order. In the case of landlords the most usual reason for attack was eviction or its threat, though not every tenant with such a grievance contrived the murder of his landlord. Landlords were not the softest targets; presumably in some cases, notions of ingrained deference could not be overcome to make the attempt.

This latter point was very much related to the social position of the landlord, who could be anyone from a struggling middleman to a peer of the realm. Examples of attacks on landlords during the disturbed second decade of the century are George Wayland of Dundrum who was wounded in 1813, Long of Longfield and Isaac Fawcett of Clonoulty who were murdered in 1814, Baker of Lismacue who was murdered and Edmund Scully who was wounded, both in 1815.⁸⁹

Apart from direct trouble with tenants, landlords who busied themselves too much as magistrates, such as Baker, or who resisted Whiteboy demands, such as Fawcett, were at risk. Richard Chadwick, who lived near Holycross, was shot in 1827, and in a report to Dublin Castle it was noted:

Mr Chadwick lost his life by the measures he adopted in the collection of rents. He is said to have set fire to a cabin, certainly his conduct was very severe.⁹⁰

The fact that Chadwick promoted the building of a police barracks in the area did nothing to promote his own interests. The assassin of Chadwick was tried and hanged, and when the friends of the executed man could not get access to the man who had given evidence against



him at the trial, they attacked his three brothers, killing one of them.

Daniel Byrne was a catholic middleman who had let part of his land to offset financial difficulties. He later tried to recover this land and was murdered in 1837. Apart from this action, he refused to comply with accepted practice and hand over the potato-crop to the outgoing tenant.⁹¹

Robert Hall demonstrated the paradox of good and bad landlordism. He was shot dead in 1841. Some years earlier he had purchased an estate in Lower Ormond and continued to apply the practices of good business by which he had made his money in Dublin. He promoted improved agricultural practices; but such an improving landlord or “good” landlord in an economic sense was perceived by tenants as a “bad” landlord.

“Often their best intentions are suspected; the slightest attempt on their part to interfere with the possession of land is resisted, no matter what the object may be”.⁹² To the tenants a “good” landlord was one who left them alone, and this perception was more likely to operate in the case of new landlords like Hall.

Among the perpetrators of attacks like these something like the Sicilian code of *omerta* or silence operated, and the police were only successful in bringing the culprits to trial and conviction when they managed through fear and favour to break this code. In spite of the fact that Tipperary was more heavily policed than any county in Ireland, the low rate of convictions was a constant source of official consternation.

In 1842, for example, Tipperary county had 928 police. Cork was the next highest with a still very high 622 police. The average number per county was 269. By 1870 the figure for Tipperary had increased to 1,222 — the highest figure for any county in either Ireland or England.

Between 1813 and 1816 at the Tipperary county assizes the average conviction rate was just over 16%.⁹³ In 27 cases of murder in Tipperary between 1837 and 1847 the assassins in 17 cases were never brought to trial, and in the cases where convictions were secured either the attack followed a clearly established dispute or some party to the conspiracy “broke rank”.⁹⁴ Most of the violence over land stopped short of the ultimate sanction of murder, and was directed other than at landlords. In the opinion of one Tipperary magistrate, “farmers one to another and their cottier tenants are the greatest tyrants in existence”.⁹⁵

During the 1840s official returns became more comprehensive, and from then onwards violence generally in the county becomes more amenable to analysis. In a return detailing assaults for the first five months of 1846, farmers were by far the most numerically significant target where the motive was occupation of land -- 81 cases out of a total of 92. Equally, when all motives for assault are taken into account, including employment of labourers and servants, searches for arms, collection of rents and so on, farmers accounted for 63 per cent of all assaults.⁹⁶

During this period, the surest way to have oneself certainly threatened, probably attacked and possibly killed was to fall into that category of so-called “stranger”. This was as much an economic as a geographic term. A person was likely to be deemed a “stranger” if he dared to have unfairly (as defined by the locality) gained access to either land or position.

In a return of outrages for the county for 1845, the largest category was that of violent warning to quit place or job. For example, in March of that year four men entered the house of William Taylor of Killeen in Lower Ormond, and having ordered him to discharge his manservant, handed him a threatening notice and on leaving fired a shot. The party subsequently went to the servant’s house, assaulted him and ordered him to leave the neighbourhood within a fortnight.⁹⁷

Nor did the mere passage of time make a stranger more acceptable. In 1825 a new tenant



arrived on the Bayly estate near Nenagh, and in spite of repeated threats, the family remained. However, in 1842 a son of the tenant was shot dead, and this brought about the surrender of the farm. Such was the determination of the claim of the original tenant family to the land that prospective tenants were frightened off.⁹⁸

Apart from the dramatic and well publicised landlord assassinations, undoubtedly the most infamous episode of the period was the ‘burning of the Sheas’, which seemed to confirm hibernophobe notions about the innate savagery of the Irish. Patrick Shea, described in a report to Dublin Castle as “a very wealthy farmer”, evicted a sub-tenant from his land on the slopes of Slievenamon.⁹⁹ On the night of 19 November 1821 the Shea house was attacked by a band of Whiteboys, including kin of the evicted family. The house was burned and the 16 occupants killed.

There is an ongoing debate about the relative importance of issues such as employment, wages, conacre and so on, as causes of agrarian violence. What is not in doubt is that occupation of land was the key issue. The consensus of evidence on the matter presented to the *Devon Commission* was that “the possession of land, however small its extent, had become the only security for a supply of food”, and that any threat to this led to a violent reaction.¹⁰⁰

Hardly was the ink dry on the deliberations of the *Devon Commission* when both of these, possession of land and the supply of food, came under threat as never before with the rotting of the potato crop in the fields. One writer looking at the pattern of crime in Tipperary between 1831 and 1860 saw a distinct change in the type of crime during the Famine period — a move away from crimes against the person and activities generally indicative of social protest, and a marked increase in crimes against property motivated by the need for physical survival.¹⁰¹

TABLE 13
COMMITTALS TO JAIL FOR TRIAL — TIPPERARY

Year	Class 1 — violent offences against the person	
	Class 3 — non-violent offences against property	
	Class 1	Class 3
1845	336	303
1846	291	364
1847	274	950
1848	338	1312
1849	269	1884
1850	197	1691
1851	141	1349

As may be seen from this Table, Class 3 crimes increased more than six-fold between 1845 and their peak in 1849; nationally, the increase was a little over four-fold. Examples of these Class 3 crimes are the attacks in April 1850 on a laden bread-cart in Clonmel by a party of “ragged men and boys”, and that same month an attack on one of the boats belonging to the Grubb milling concern, which also occurred near Clonmel and resulted in the theft of 81 sacks of flour.¹⁰²

The response of landlords to the crisis varied. Some estates went into the Famine years already burdened by substantial arrears of rent, while other properties such as that of the Clutterbuck family had this problem compounded by the level of existing debt. Since 1838 legal control of the property had been taken over by a lawyer representing the interests of a major creditor. This was the only alternative to selling the property.¹⁰³

In September 1845 the arrears on a rental of just under £1500 were £62. By September of the following year arrears had risen to over £700, and by September 1849 the figure was over £600.



During this period there was no reduction in rent, and for many landlords, existing debts, falling rentals and the burden of poor relief meant that they hardly had the latitude or, be it said, the inclination to reduce rents.¹⁰⁴

However, some landlords responded more generously. Major Beamish, who had an estate near Borrisoleigh in 1847, granted an abatement of 25 per cent, together with other advantages. Another landlord, Captain Langley of Brittas Castle, wiped out a half-year's rent.¹⁰⁵ Nevertheless, Tipperary was the county with the highest level of evictions during the Famine. The response of the agent of the Portarlington estate near Roscrea appears to have been typical; 30 houses were demolished, throwing some 300 people on to the roadside.¹⁰⁶

On the Glengall estate, the "destitute poor" from 171 houses in a number of townlands were evicted.¹⁰⁷ It is possible that the huge level of evictions in Tipperary was caused not simply by non-payment of rent, but that with the crushing of spirit of the agrarian secret societies resulting from the Famine, landlords seized their opportunity to clear their estates.¹⁰⁸

TABLE 14
Evictions Tipperary (Estimated 1846-8; reported 1849-53)¹⁰⁹

Year	Families	Persons	Year	Families	Persons
1846	—	1,352	1850	2,157	11,574
1847	—	3,535	1851	1,030	5,548
1848	—	4,917	1852	677	3,375
1849	2,317	13,368	1853	359	1,827

With regard to the point about eviction for reasons of estate clearance, as distinct from non-payment of rent, the situation in Tipperary between 1846 and 1848 was that only some 45% of evictions were for reasons of non-payment of rent.

It is hardly surprising that such a level of human misery has left its mark on the folk memory, and to a large extent obscured the fact that, in the years following the early 1850s, evictions were remarkably few. A central point about eviction is that it was far more often threatened than carried out, although this is not to minimise the ever-present weight of such a threat. *Knocknagow's* dictum, after all, was tenants "were conceived and born under a notice-to-quit".

Between 1849 and 1852, when the bulk of the clearances took place, 6,181 families were evicted. Between 1853 and 1880, 1,676 families were evicted in the county.¹¹⁰ Some of the more substantial landlords when clearing their estates promoted passage of their tenants to the United States or Canada.

In some cases zealous landlords or their agents had seen this as an answer even before the Famine. Captain Thomas Bolton was a major influence on the Derby estate, which stretched across the Tipperary-Limerick border. When he arrived on the estate in the mid-1830s he removed some 290 men, women and children, so called "pauperised tenants", from an area of about 80 not very fertile acres on the estate. He hired a ship to take them to Canada and gave them money, to be paid on their arrival in Quebec.¹¹¹

In 1853 Dr. Michael Burke, a parish priest in Clonmel, became involved in a public controversy with the Earl of Donoughmore over the Earl's evictions and promotion of the United States as a land of opportunity. Some 500 people were evicted and the parish priest was specially displeased at what he claimed was Donoughmore's parting gift to his tenants, protestant bibles.¹¹² This same landlord was also making an effort to get his tenants who had cottier tenants to get rid of the latter under threat that if they did not, they themselves would be "put out".¹¹³



The usual pattern was that agrarian outrage followed eviction, though in one notable case, that of the Doon part of the Derby estate in the late 1850s, the landlord threatened eviction following a major agrarian outrage.¹¹⁴ In one study of “disturbed” Tipperary, the findings are as expected. The level of committals to jail for trial between 1854 and 1860, a period of low eviction, are just 26% of the total of committals between 1849 and 1853, a period of massive eviction.¹¹⁵

An interesting example of the way in which British perception of the anthropoid Tipperaryman had changed by 1860 was a comment in *The Times* on the occasion of a visit by the South Tipperary militia to the Crystal Palace. ‘Here was Tipperary, not Tipperary of old, drinking, quarrelling, bloodletting; but Tipperary paid, trusted and disciplined’.¹¹⁶

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The period from the mid-1850s to the agricultural depression of the late 1870s was the best of times in 19th century Ireland. This is not to say that there were no conflicts between landlords and their tenants. From the tenant point of view, anxiety lay with what his landlord could do, rather than with what he usually did.

Put starkly, the landlord attitude at its most vigorous was aptly expressed by a well-known county Cork landlord, William Bence Jones. “A firm resolute hand, which gives scheming no chance and will not listen to a whine”.¹¹⁷ The tenant attitude at its most absolute was expressed by the wife of an evicted tenant in 1877; “My family reigned there for the past 400 years. I demanded the land for my children, for who had a better right to it”.¹¹⁸

However, the reality was that during these prosperous years the two sides managed more or less to accommodate themselves to each other. The point about the remarkable episode of Scully’s Ballycohey evictions in 1868 is that it was extraordinary and so judged at the time.¹¹⁹ Reference has earlier been made to the low level of evictions during this period. In 1868, for example, only 36 families were evicted in county Tipperary.

During this period the agency for greatest change in the Irish countryside was the Landed Estate Court, through which new landlords were introduced. “In the exercise of his right as landlord of the place he seems to have come into collision with some of the tenants on the property”.¹²⁰ In this fashion a Tipperary newspaper began its account of the murder of Gustave Thiebault, whose brother had purchased the Rockwell estate for £17,500 and for whom he managed this and other local property.

This family, originally French but then based in Scotland, had become wealthy through trade and decided (like a number of others) that Irish estates would be a good investment. Thiebault had evicted some tenants for arrears of rent and one of these, Thomas Halloran (one of three brothers apprehended) was charged with Thiebault’s murder, tried and acquitted.

Another example of violence arising from changes of ownership was the murder of Michael Maguire, also in 1862.¹²¹ The townland of Raheen was part of the large Hartford estate in Slievearagh, which was sold in 1855. This part was subsequently resold to John Hanrahan of Cork, who used a Clonmel-based agent. In February 1862 the tenant of the 22-acre farm was evicted for non-payment of rent and the farm let to Maguire. This, of course, aroused resentment; Maguire was murdered.

It may have seemed that in 1862 the old Tipperary of violence and conspiracy had returned. Thus it certainly seemed to John Cardan of Barnane (“Woodcock” himself) – not the soundest of judges. In June of that year he penned a letter to *The Times*. “There can be no doubt that an organised conspiracy exists to interfere with the exercise of the rights of property”.¹²²

There was, of course, no such conspiracy. What there was, however, in the early years of the



1860s was a temporary setback to the general economic upswing of the period. For a few years in succession the weather was unfavourable; agriculture faltered; prices fell.¹²³

Whatever about tenants being killed, landlords or their agents suffering the same fate was a different matter and aroused a different response on the part of the establishment, — and, be it said, in some cases on the part of tenants. In July 1862 John Waller Braddell, who was agent to a number of estates, was shot dead as he was sitting in a hotel in Tipperary town collecting rents.¹²⁴

This action, which was not the result of conspiracy, gave rise to two interesting reactions, characteristic of the ambivalent attitude towards such deeds. On the one hand, 92 tenants on the Cole-Bowen estate in North Tipperary (for which Braddell was agent) wrote to the press expressing their abhorrence of the murder.¹²⁵ On the other hand, the popular reaction was manifested in a very widespread and still current ballad “The Pursuit of Farmer Michael Hayes” in which the author has his hero do a tour of euphonious Irish place-names, leading the police a merry dance before his escape to America.

They broke their brogues a thousand pairs this great reward for to obtain
Still their search was all in vain for farmer Michael Hayes
They searched Tipperary o'er and o'er the cornfields near Galtymore
They then went into Wexford town but did not long delay.

Increasingly throughout this whole period, while nationalist attention was still focussed on the perceived iniquities of individual landlords, what was being called into question more and more was landlordism itself. One of the most able propagandists against landlordism was the Mallow-born William O'Brien who was to achieve prominence as journalist, M.P., writer and agrarian leader. Over Christmas 1877 he investigated conditions on the estate of Nathaniel Buckley on the southern slopes of the Galtee Mountains. This was published in the *Freeman's Journal* and later as a pamphlet; as in the 1868 case of Scully and Ballycohey, it drew attention to the excesses of landlordism.

The whole area in question, in the parish of Templetenny in Iffa and Offa West, was an example of the process whereby in the period of population growth before the Famine much marginal land was colonised by families in search of survival. This was all part of the estate of the Earls of Kingston, and rents were very low. The property was sold in the Encumbered Estates Court in the 1850s and purchased by a group of English speculators calling themselves the Irish Land Company.

Matters on the estate were left unchanged until in 1873 Buckley purchased the property, nearly 21,000 acres with over 500 tenants. Buckley was a successful cotton manufacturer, from Rycroft in the north of England, a non-conformist in religion and a Liberal in politics.¹²⁶ The negative local view of Buckley's operation was that “he bought the estate to traffic in it as he would in any other commodity”, and that the tenants “live in wretched hovels and have rags for garments and turnips and Indian meal for food”.¹²⁷

By August 1873 the estate had been revalued and the rental increased from £4,200 to £5,500. Tenants were offered 31-year leases if they accepted the new rents, and permission to sell their interest if they did not wish to accept the new rent. Many of the tenants kicked against these new rents and an unco-ordinated agitation began, with one tenant John Ryan emerging as the most opposed to the new order -- and making an unsuccessful attempt to kill the agent in 1876.

Before this action the agent had offered to buy out Ryan's interest for £200 and remission of arrears, an offer that was refused. In spite of this agitation, by the time William O'Brien wrote about the estate only three evictions had taken place, including Ryan's. What drew national attention to the estate was a libel action in 1877 brought by the agent against the Mitchelstown



Fenian John Sarsfield Casey, who had written to the nationalist press about the actions of agent and conditions on the estate.¹²⁸

O'Brien in his account gives examples of tenure on the estate. In one case the rent was £5.62½ for 105 acres of very marginal land; this had been raised to £17.50. The tenant in question carried seven cows, twelve sheep, six heifers and two sows and had accumulated enough to provide a dowry of £80 for his daughter and to pay £38 for the tenant interest of part of his holding.¹²⁹

O'Brien unintentionally makes it clear that, such was the gap between the pressure of its tenants on the resources of the land and the possibility of providing an adequate standard of living, that there could be no such thing as a fair rent. In the example cited above the fact that the rent was tripled, as it were overnight, made excellent propaganda for the anti-landlord lobby.

As if the wretched tenants did not have enough problems, following an attempt on the life of the agent 15 townlands were levied for just over £100 to meet the cost of the additional police to protect the agent's life.¹³⁰ By 1879, when there was a serious economic downturn, only about 16% of the rental was in arrears on the estate, and that year mountain tenants were allowed a 25% abatement and lowland tenants 15%. It was Buckley's boast too that in November 1879 he bought eight tons of potatoes for sale to the tenants, below cost and on six months' credit.¹³¹



The baronies of county Tipperary.



Following Nathaniel Buckley's death the property was inherited by his brother Abel, who in 1885 had been elected Liberal M.P. for a north of England constituency. Much of the estate was sold to its tenants around the turn of the century even before the Wyndham Act. Relations on the property had so improved that in 1897, on the coming of age of Abel Buckley's son, well over 1,000 tenants, former tenants and their families were entertained at Galtee Castle, the baronial-style mansion begun by Nathaniel and completed by his brother in the early 1890s.¹³²

It was perhaps unfair, and certainly unfortunate, for the whole concept of landlordism that an untypical situation like that on the Buckley estate played into the hands of nationalist propagandists like O'Brien. In the longer term this case was remembered when the tenant prosperity from the 1850s to the early 1870s was forgotten.

During the decades following the Famine tenants had talked about and occasionally agitated for what they called "Tenant Right". It was not always clear what was meant by this, but generally it was the sale of an outgoing to an incoming tenant of his "goodwill". It does not appear to have been synonymous with the 3 Fs, but rather related more specifically to one of them, free sale.

Free sale of what? After all, the tenant did not own his farm. What therefore was he selling? The *Devon Commission* found that the practice of selling the goodwill of a farm was widespread; that generally it was recognised by Ulster landlords but not elsewhere in the country; that landlords had to make the best of the situation and attempted to exercise some control over incoming tenants; that the landlord derived one considerable advantage from the practice in that they recovered arrears of rent because this was deducted from the purchase-money by the incoming tenant, and that the practice had an adverse effect on tenant investment in his farm in that his capital was diminished.¹³³

With regard to Tipperary this general picture was largely confirmed. For example, one farmer explained that tenants with a few acres, when emigrating or in debt, sell their interest, but that farmers with 20 or 30 acres held on to their farms. Regarding the question of landlord attitude — "They are very seldom consulted; they would not be satisfied generally,"¹³⁴ Another Tipperary witness saw the sale of "goodwill" as a form of protection-money paid to the outgoing tenant.¹³⁵

By the 1860s especially there was no shortage of comment on the concept of tenant right. According to one commentator, the amount given for tenant right depended on the character of the landlord. If his reputation was good, more was paid; the lower the rent the higher the goodwill. The condition of the farm with reference to the level of investment on it, and finally the size of the farm, with higher prices being paid for smaller farms as there was more competition for such farms — these were factors too. Other factors mentioned by this writer included the explanation of the huge prices paid for goodwill; because of the level of prosperity, many farmers had surplus capital for investment.¹³⁶

One of the Poor Law Inspectors reporting in 1870 to the government saw tenant right as the payment of goodwill by an incoming to an outgoing tenant, with or without the permission of the landlord, with the payment "sometimes" including compensation for improvements made by the outgoing tenant. Also in parts of Tipperary payment was made largely for peaceable possession. He went on to quote the agent of the Marquis of Ormonde, that sums ranging from £20 to over £2,000 had been paid for the goodwill of a farm.¹³⁷

The man who was agent to the Earl of Portarlington since 1862, speaking in 1880, saw tenant right and the sale of goodwill as the same thing; it had "crept" in, but was now generally accepted.¹³⁸ Thomas Sanders was for many years agent to a number of Tipperary estates, including that of the Massy-Dawson family who had land in both north and south Tipperary. In this latter estate the practice was that tenant sales were not recognised as a right, "but where



not allowed. compensation is allowed to the tenants going out". What was never quite clear was whether compensation was for disturbance or improvements.¹³⁹

In some cases very considerable sums were paid for tenant right. In 1874, for example, a farm of 19.25 acres (Irish) with a rent of £44.60 p.a., a valuation of £37.85 and 16 acres left on the lease in Emly was sold by auction for £1,210, or about £63 an Irish acre. Looked at another way, this amounts to 27 years' purchase of the rent.

The details of this farm came to public notice for an interesting reason. The tenant was demanding that rent should be in line with Griffith's Valuation, a common demand of the time. However, the reply of the landlord was to question how the rent could be considered too high in the light of the huge price paid for the tenant right of the farm.¹⁴⁰

So, what then was tenant right? William O'Connor Morris, a noted Irish barrister and county court judge, who had been asked by Delane of *The Times* to write a series of articles on the Irish land question in 1869, made when he came to write his memoirs a very perceptive comment, describing tenant right in the context of the incoming tenant eating into the landlord's freehold and taking a share in it.¹⁴¹ Peter Maclagan M.P. writing in 1869 saw tenant right in terms of tenants paying two rents for their farms — one to the landlord and the other in the form of the interest on the goodwill money which they had borrowed.¹⁴²

Therefore the essential point about tenant right was that it was only meaningful in the context of rents being substantially below what they should have been had market forces been the sole criterion. But in general landlords in the decades following the Famine were restrained in their rent demands through a mixture of inertia, incompetence and fear. The reason why so many tenants were willing to pay such large sums for goodwill was that they were in effect purchasing the value of the difference between the actual rent and the market value rent of the holding.¹⁴³

The other two Fs, fixity of tenure and fair rent followed in the wake of free sale. Generally, for tenants fair rent was related to Griffith's Valuation, which had never been intended as a pricing mechanism for letting land and, as has been pointed out, landlords did not keep their rents apace with agricultural prices. Also, while tenants until the early 1880s suffered very little eviction, what mattered to them was the fact that landlords had the power to evict if they chose.

What is notable in the decades following the Famine and up to the Land League is the extent to which the various tenant movements received very little tenant support. The Tenant League of the 1850s was only organised in about 25 parishes, mainly in the south of the county. The Tenant League of Isaac Butt in the late 1860s was only organised in one parish, Tipperary town, and only there because of the personality of one of the curates, Dr. Michael O'Neill, who in spite of his best efforts could not prevail on the Smith-Barry tenants to refrain from delivering various addresses of welcome and gratitude to both landlord and agent.¹⁴⁴

Anyone travelling in Ireland in 1869 must have been struck with the attitude of expectation which pervaded all classes connected with land.¹⁴⁵

This was the view of yet another of the experts who turned their attention to Ireland during these years, in this case the former president of the Royal Agricultural Society of England. The expectation in question was with regard to legislation which would address some of the long-standing problems of Irish land.

One of these problems arose from the fact that in Ireland, unlike the rest of the United Kingdom, improvements on farms were not financed by landlords but by tenants who desired some protection in law for their investment. This had been identified for remedy even before the Famine by the *Devon Commission*; but nothing had been done. In 1870 the situation in Tipperary displayed "acts of injustice", with tenants having "no property in their capital or labour"¹⁴⁶ Another cause of grievances occurred with the sale of estates in the Landed Estates



Court to new landlords. "What portion of the proceeds of the sales justly belonged to the tenants will probably never be known".¹⁴⁷

The Landlord and Tenant (Ireland) Act of 1870 was Gladstone's attempt to give tenants credit for their improvements, to recognise legally tenant right and to promote a measure of tenant land purchase. In all three it failed. In the words of the report of the *Bessborough Commission*, which investigated the act a decade after its passing, it contained in itself the seeds of failure as a permanent settlement. In essence, the act offered tenants compensation for improvements when what they wanted was the right to continue in occupancy at a fair rent.¹⁴⁸

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The combination of a succession of bad harvests and increasing external competition, together with a worldwide agricultural depression, removed tenant discontent from the realm of the individual grievance and brought it to the forefront of the political agenda. In the report on the agricultural statistics of Ireland for 1879 special attention was called to the fact that the results of agriculture in Ireland for that year "were of an exceptionally unfavourable character"¹⁴⁹

Tillage prices fared worst, but between 1876 and 1879 butter prices fell by 27% and store cattle prices by at least 12%.¹⁵⁰ Rents, which before were payable and allowed a surplus for a reasonable standard of living, now became "rackrents".

An important, but very difficult to measure, aspect of tenants' attitude to this reversal was their determination to hold on somehow to the gains made in the previous decades. As one tenant explained the matter to an agent:

Thirty years ago I was quite content to work in a way my family don't work now. My daughters must have a side-car to go to chapel. If I don't give my sons pocket money they will go to Australia. They will emigrate and leave me and the fact is I cannot live and keep my family at home if I don't get some reduction in rent.¹⁵¹

To this demand for rent reduction, many landlords responded generously — at first. The reaction of Stephen Moore, a prominent Tipperary landlord and M.P., was that owners would probably prefer dealing with each holding on its merits. He went on to invoke the very spirit that the Land League was about to shatter, namely the "spirit of justice and affection, the hereditary growth of many generations". Interestingly, Moore also drew a clear distinction between "old" landlords like himself and "newer" ones who had L.E.C. titles to land. They "may well be liberal".¹⁵²

An example of how a landlord reacted to the pressures of these years is the case of Charles Henry Lloyd of Lisheen Castle, Templemore. In 1881 he was 60 years of age; he had inherited the estate in 1861. The property was about 1,500 acres, of which some 1,400 were let to 43 tenants. The rental of £950 was 18.75% above Griffith's Valuation. Rents were paid in 1879. The following year he resisted demands for reduction but eventually settled for Griffith's Valuation.

In 1881 the tenants made further demands which were refused, no rents were paid and a process of intimidation by both sides began. Lloyd restricted the tenant's customary rights and began eviction proceedings; in turn the tenants boycotted their landlord. Proprietors like Lloyd did not have much room for manoeuvre as the fixed charges on his estate were 66% of his rental. These charges consisted of £234 head rent, £246 on mortgages, interest and annuities and £144 on tithe rentcharge and tax.¹⁵³

Landlords like Lloyd found themselves in a changed world, no longer face to face with individual tenants but in collision with tenant solidarity through the Land League. Before the



Land League Tipperary had two tenant organisations centred on Thurles and Nenagh. However, these were basically talking shops to which landlords did not bother to listen, and in any case were of interest only to larger tenant farmers. Neither was capable of reacting to the economic crisis and were absorbed into the Land League.¹⁵⁴

In Tipperary county the League was established from mid-1880. Even though the downward trend in agricultural prices was evident from the late 1870s, it took several years before tenants were hurt enough to react.

Nationally, this movement or reaction may be traced by looking at agrarian outrage. In 1875 there were 136 such outrages, in 1879 863, in 1880 2,585; in the peak year of 1881 the figure was 4,439.¹⁵⁵ In Tipperary there were 106 agrarian outrages in 1880, but 65% of these were in November-December, when the county began to “heat up”.¹⁵⁶ The following year agrarian outrages tripled, and they tripled again a year later.¹⁵⁷

Once established in the county, the spread of the Land League was rapid; by the end of 1880 the county had 59 branches. The League was, of course, anti-landlordism rather than being a movement focussed on the economic crisis, and to this end nothing served to concentrate the energy of tenants like eviction. Oddly enough, there were fewer evictions in Tipperary in 1881 than in the previous year when the rate was already low. However in 1882 the level of eviction increased seven-fold with 90% of those re-admitted being caretakers, not tenants.¹⁵⁸

The estate on which most attention was centred in the county, and which gave a fillip to the League, was that of Henry Beasley near Fethard. This Kilburry estate had just over 400 acres, and the tenant at the centre of the storm was Henry Meagher, whose father had held the farm from the previous owner, the Earl of Rosse. When Rosse sold the property it was revalued and the rent increased.

The Meagher family was well off. It was said that the fortune of Henry Meagher’s wife was £1,400 in cash. A number of years’ arrears had accumulated by 1880, when in June of that year Kilburry became the scene of huge Land League demonstrations as the eviction process got under way. Such demonstrations of popular feeling and League organisation were crucial to the spread of that body.

Let landlords prate of Right Divine won by the gun and sword,
To hold as slaves obedient to their every beck and word.
We tell them that their ill got power is coming to decay
To storm their crumbling citadel Kilburry shows the way.¹⁵⁹

Such stirring stuff and such a cause were what the League needed. The pot was kept boiling by the assault charges which followed.¹⁶⁰ Eventually the landlord and the Meaghers reached agreement, and the family was readmitted, only to default and again be evicted. For a time Beasley farmed the land himself; he was unable to get a new tenant because of intimidation.

For a time in the mid-1880s the farm was taken over by the Land Corporation, the whole property being eventually sold in the Court of Chancery for £3,500 in 1898.¹⁶¹ At about the same time as the property was being sold, Henry Meagher died in October 1896. His family had lived for years in a League hut and, hardly surprisingly, his wife was bitter in the extreme. “. . . not in Ireland (was) such treachery done to any evicted tenant as to us”.¹⁶² That year they had received £15 in grants from the Parliamentary Party.¹⁶³

What was fair rent? Many tenants used Griffith’s Valuation as a measure of what was fair, even though this valuation related to agricultural prices as they had been around mid-century. On the Creagh estate, a small property in Golden, the tenants demanded a 30% reduction in rent to bring it into line with Griffith’s Valuation.¹⁶⁴ According to Sir James Caird, one of the period’s best known experts on land usage, the proper letting value of land should be some 12% over Griffith’s Valuation.¹⁶⁵



Where, as in the case of the Creagh tenants, compromise with the landlord was not possible, the Land Corporation was one answer to the question of fair rent. This organisation had been formed in 1882 by the extraordinary Carlow landlord Arthur MacMurrough Kavanagh. Its purpose was to take over and work evicted farms as a method of defeating what was seen as tenant or League intimidation.

The Land Corporation was more active in Tipperary than elsewhere. In most cases during the 1880s the properties managed by this body were quite small. In total, Tipperary accounted for about a quarter of the land managed by the Corporation in Ireland.¹⁶⁶ Some examples include the Beasley and Creagh estates previously mentioned. There were also 550 acres of the Dunally estate, 250 acres of the White estate from which tenants had been evicted at New Birmingham, some 300 acres of the Hawarden estate in Dundrum and an unspecified acreage near Cappawhite from which Thomas Dowling had evicted tenants in September 1881.¹⁶⁷

What was a fair rent? One answer to this was provided by the Land Law (Ireland) Act of 1881, Gladstone's second attempt to solve the riddle. In the short term the act pleased no one. One Tipperary newspaper editorialised that "(The act) is nothing more than . . . a most miserable instalment of justice . . . a small fragment of a big promise . . .".¹⁶⁸ A Tipperary landlord, on the other hand, thought the act demoralised tenants; after all, did he not see them every day in Thurles drinking?¹⁶⁹

Of most immediate benefit to tenants was the creation of the Land Commission which would, if requested, fix fair rents. On 20 October 1881, the day the Land Commission began business, landlords can hardly have been encouraged when one of its judges, O'Hagan, in his opening address explained that in his view a "fair rent" was one which allowed the tenant to "live and thrive" — in other words, that after paying rent, enough was left to the tenant to allow a decent standard of living.¹⁷⁰ The initial response of tenants and their leaders was cautious. For example, a priest in Moyne, speaking to his flock after mass in February 1882, advised them to make amicable agreements with their landlords, outside of the land courts if possible.¹⁷¹

TABLE 15
Initial response of Tipperary to Land Commission.¹⁷²

	No. of Cases	Former Rent	Judicial Rent
Judicial rents to 22 Aug. 1882	508	£18,337.20	£15,058.55
Agreements landlords and tenants	375	£8,731.00	£6,924.00

The response by Tipperary, at least initially, to the machinery for fixing fair rents which the Land Commission established was hesitant; but what mattered was not what politicians might say, but the level of rent reduction forthcoming. In the case of judicial rents above, the reduction was 17.8% and for agreed rents 20.69%. In spite of such reductions Tipperary tenants continued for some years to be slow about using the land courts.

In the second year of the Land Commission Tipperary had the third lowest number of judicial agreements in Munster.¹⁷³ By the following year the county's relative position had not changed, 459 cases as against (for example) Clare's 1,378 cases.¹⁷⁴ On the other hand, by the third year of the Commission's operation the number of fair rent agreements between landlords and tenants lodged with the Commission was more encouraging. Given the county's history, it was hardly surprising that there should be such reservation about any government-inspired mechanism.



TABLE 16

Percentage of land in each Munster county subject to judicial rents fixed by all methods 1881-91 with percentage reductions made in former rent.¹⁷⁵

County	Percentage of land subject to J.R.	Percentage Reduction
Clare	39	24
Cork	40	21.8
Kerry	38	23.7
Limerick	40	22.4
Tipperary	33	20.5
Waterford	38	21.2

The provision in the 1881 Act, whereby tenants could buy their holdings with three-quarters of the purchase price advanced to them by the Commission, was not a success. The main reason for this was that the tenant gained no immediate advantage over and above the 15 years' judicial rent also available under the act. During these years, as tenant purchase came more and more to the forefront, one thing was clear; tenants might like to own their farms, but not at any price.

For all the nationalist propaganda about the holy grail of tenant proprietorship, given the cheaper but lesser option of continued guaranteed tenancy, tenants on the whole took it. Only 731 tenants in the country availed of the purchase provision of the act. Among the first in Tipperary were six tenants on the Stoney estate in north Tipperary, to whom £2,325 were advanced.¹⁷⁶

Landlords remained negative about the process whereby judicial rents were fixed. Of the sub-commissioners who went about the country investigating tenancies it was thought that they were too influenced by local opinion and that generally their decisions were subjective and inconsistent. In effect that they "swept away the margin by which landlords lived".¹⁷⁷

Speaking to a Landowners Convention in Dublin in April 1897, Richard Bagwell of Marlfield was scathing about the work of these sub-commissioners. "They send their judgements about on ½d. postcards".¹⁷⁸ In spite of such reservations, and allowing the limitations of the process in that leaseholders were excluded from its operation until 1887, within ten years one-third of the land in the country was held under judicial rents and rents had been reduced by 20½%.

Nevertheless a second phase of land agitation began in the mid-1880s, the Plan of Campaign. The economy, which had seemed to pick up in the early 1880s, went into an even more severe depression by the middle of the decade, and even those tenants with judicial rents found it hard to meet their obligations.

In 1886 William Rochfort, who was agent to the estate of Lady Margaret Charteris in Cahir, explained that by that date about one-third of the tenants had judicial rents and that 83% of all tenants on the estate had paid their 1886 rent. However, he admitted that these payments had been made with difficulty because of low agricultural prices and the continued wet weather. Judicial rents, he explained, were satisfactory for solvent tenants, but many tenants had not been solvent when rents had been fixed.¹⁷⁹

Speaking generally, by this period tenant attitude had hardened. Their leaders certainly were no longer talking in terms of accommodation with landlordism. In the words of William O'Brien "we are firing the last volley over the grave of landlordism in Ireland".¹⁸⁰ In a situation where agricultural income fell by 21% between 1881 and 1886 (as against a 19% decline between 1876 and 1881), an attitude of tenant militancy was hardly surprising.¹⁸¹

The renewed agrarian campaign faced formidable difficulties, however. A determined Tory



government had one of the most resolute Chief Secretaries the country had seen, Arthur Balfour. Furthermore, the campaign did not have the support of the nationalist establishment, and it eventually fell victim to party divisions.

Nationally the Plan of Campaign was put into operation on about 200 estates, about 37% of which were in Munster. On most of these estates disputes were settled without hitting national headlines. In the case of one of the twelve estates which became involved in Tipperary, just a decade later it was being discussed whether or not the estate had ever been a “Plan” estate.¹⁸² This seems to say something about the lack of impact on the part of the Plan in some areas.

The most famous of these twelve estates was that of A.H. Smith-Barry, whose Tipperary property became a *cause celebre* between 1889 and 1891. Strictly speaking, this episode was not an exercise of the Plan but a sympathetic reaction to it.¹⁸³

On perhaps half of the Tipperary Plan estates, the tenants might be said to have won. For example, on the Quinn estate in Ballindoney (in Iffa and Offa West) the tenants demanded a 20% abatement in December 1886; this was granted a few months later.¹⁸⁴

An estate where matters were less satisfactory for tenants was the 5,000-acres property of David Clarke of Borriskane. The tenants demanded a 25% abatement and the dispute was still unsettled at the time of the O’Shea divorce case and the crisis in the Parliamentary Party, which deflected nationalist attention away from the so-called “wounded soldiers” of the land war. In 1891 Clarke waived half of the four years’ rent outstanding, as part of a settlement.

By the early 1890s, in the wake of the agitations of the previous decade, some 200 tenants from about 100 estates were out of possession of their farms. One of the most significant of these estates was that of Mrs. Margaret O’Brien in Mullinahone, from which nine tenants were evicted in 1890.¹⁸⁵

The greatest tenant weapon during both the Land League and the Plan of Campaign was boycotting, and it is this aspect of that decade of confrontation that is still most vividly remembered. One of the clearest expositions of the technique was penned by a Tipperary landlord Richard Bagwell, who was one of the few landlord intellectuals.

“(Boycotting) means that a peaceable subject of the Queen is denied food and drink and that he is ruined in his business; that his cattle are unsaleable at fairs; that the smith will not shoe his horse, nor the carpenter mend his cart; that his old friends pass him by on the other side, making the sign of the cross; that his children are hooted at the village school; that he sits apart like an outcast in his usual place of public worship.”¹⁸⁶

At the time of the Land League agitation Bagwell had become involved in a public controversy with A.M. Sullivan about the nature of the crisis, Bagwell’s argument being that Britain was not giving the system in Ireland a chance.¹⁸⁷ From Bagwell’s point of view such a forlorn cry was understandable; but the truth was that landlordism as a system was being abandoned by both Liberals and Tories in the face of relentless nationalist pressure. The method of that abandonment was tenant purchase.

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Since the Ashbourne Act of 1885 it had been possible for tenants to borrow the full purchase-price of their holding from the government. By August 1886, just one year after the Act came into operation and just two months before the publication of the Plan of Campaign, the response from Tipperary was disappointing. A mere 70 loans from 17 estates had been applied for, involving just under 6,000 acres.¹⁸⁸

This was hardly surprising given the state of the economy, which meant that farmers were more interested in having their judicial rents revised. As an official report stated: “Among the



general body of tenants, especially those of the smaller class, there is great apathy in regard to the advantages of becoming owners".¹⁸⁹

However, ten years on, by 1895, the process of purchase was as follows.

TABLE 17
Land Purchase under 1885 Act; Munster 1885-95.¹⁹⁰

County	Number of loans	Number of Estates	Percentage of County Affected
Clare	178	33	.92
Cork	1,549	206	5.4
Kerry	1,345	88	6.3
Limerick	584	84	4.4
Tipperary	1,243	117	6.1
Waterford	891	79	15.00

In spite of being amended in 1891, the 1885 Act was so hedged about with technicalities that it was not very attractive to tenants. A further amendment in 1896 was not much of an improvement. In the words of Richard Bagwell in a letter to *The Times*, "the lawyers will have the best of it".¹⁹¹ Of greater interest to tenants at this period was the level of rent they were committed to paying. The *Morley Select Committee on Land Acts*, reporting in 1894, stated:

"The evidence given . . . as to the course of prices and the cost of production proves that the rents fixed by the courts between 1881-85 have been since 1886 and are at the present time materially excessive".

What was a fair rent? As ever this question was subject to debate, an important aspect of which was the relationship of tenant improvements to rent levels.¹⁹²

Before the long saga of landlord-tenant relations came to a close with the passing of the Wyndham Act in 1903, there was one final national spasm of agrarian agitation, that of the United Irish League founded by William O'Brien in Mayo in 1898. Initially the purpose of this organisation was to promote land redistribution in the west of Ireland.

It was a sign of the redundant status of landlords that for the first time the target of the U.I.L. was not landlordism but so-called "ranchers", prosperous farmers and shopkeepers who rented large farms on the eleven months system and thereby prevented lesser folk from gaining access to land. An embarrassing complication was the fact that many of these ranchers were prominent nationalists in their own localities; also, some of this land was untenanted because of earlier evictions. The development of the U.I.L. became caught up with the struggle for power within the still divided Parliamentary Party.¹⁹³

In Tipperary there was U.I.L. agitation in the Templemore area for a few years after 1902. At the centre of this was the Thompson family, who held about 1,000 acres from the Carden estate at Barnane. Some 200 acres were held on the eleven months system, and the remainder from year to year.

Speaking at a U.I.L. meeting in Templemore in July 1902, John Dillon told his audience that "if they succeed in forcing the grazing lands around Templemore to be divided among the people, the rest of Ireland would follow suit in the same direction".¹⁹⁴ The agitation went on for several years, until in 1909 the Barnane lands were sold and redistributed locally.

In spite of the Wyndham Act (and maybe in some cases because of it, as some nationalist leaders were none too keen to see it succeed) the movement of agrarian radicalism "heated up" around 1906 with the appearance of "cattle drives", whereby stock was driven off land held by ranchers. Along with this went the usual intimidation, mainly boycotting. This had the temporary effect of restricting the letting of some land.



In Tipperary the north riding was chiefly affected in that 244 acres were unlet in 1907, and just over 2,500 acres the following year.¹⁹⁵ By January 1909 there were 31 cases of boycotting in the county, involving 156 persons.¹⁹⁶ Even though Tipperary was one of the counties in which ranchers were particularly notable, the strong farmer interest was too entrenched for this kind of radicalism, which many saw as the politics of envy, to have too much impact.

Tension was to remain between two opposing ideas about access to land. On the one hand, prosperous believers in a free market in land, on the other, those whose financial resources were outpaced by their desire for land and who used the weight of popular opinion to enforce their desires. In the spring of 1912 there was a popular agitation in Drom in north Tipperary demanding that a local estate, "Roe grass lands", be sold to the Land Commission and divided. The Roe family were intimidated and received police protection.

When the property was sold by public auction at Thurles, it was bought by a "returned Yank" for £4,000, who was prepared to accept the inevitable public odium.¹⁹⁷ With the revival of Home Rule in the second decade of the century, however, attention moved on to political matters. By then it was apparent that land purchase under the 1903 Act was what interested most farmers.

The Irish Land Act became law on 14 August 1903. Speaking at a U.I.L. meeting in Clonmel five weeks later, William Redmond asked the pertinent question: "How much should tenants pay and how much should landlords get?" Redmond's answer to his own question was as expected. Landlords, he said, should get nothing if strict justice was to be done. After all, had not tenants bought out their land again and again by rack rent?¹⁹⁸

In spite of opposition by nationalist politicians, the act was a good deal for landlords, especially the bonus of 12% if they sold their entire estate. In the months following the act there was a spate of tenant meetings, usually conducted by the parish priest. The central point in the deal so far as tenants were concerned was that their annual payments would be less than existing rent.

One of the earliest such meetings was in late September, when the Bansha tenants of Viscount Gough met to discuss their attitude to the new legislation and to prepare plans for sounding-out their landlord.¹⁹⁹ A month later a reply was received from Gough, who was in Germany, stating that he had not decided what to do but would let them know through his agent William Rochfort.²⁰⁰ In early January the tenants met to discuss the terms offered by Rochfort.

The offer to the Gough tenants was as follows: for those with first-term judicial rents or non-judicial rents, a price which would give them a rent reduction of 25%; for second-term judicial rents a reduction of 15%. On the question of rent arrears, payment of a half-year's rent would discharge all obligations. Finally the landlord reserved sporting rights. This offer was rejected unanimously by the tenants, who by majority agreement offered 18½ years' purchase by non-judicial tenants, 20 years' by first-term tenants and 23 years' purchase by those presently paying second-term judicial rents.

The tenants rejected a proposal to make a lower offer, and also rejected the reservation of sporting rights, especially as the landlord was not resident.²⁰¹ This kind of tenant meeting was repeated all over the county and country, but some landlords were resolute about not selling, many for reasons similar to those given by Smith-Barry to his Cashel tenants. In the first place, he said, exaggerated expectations by tenants could lead to losses by landlords. He also had reservations about some of the technicalities of the act.²⁰²

In the long run landlords who held out against the 1903 Act did themselves a disservice. There was no turning back the clock, and subsequent terms were less favourable towards landlords. After five years of the act's operation, nearly £16,500,000 had been advanced in Munster alone, this being the purchase-money of in excess of 36,000 holdings or over 2,000 estates.



TABLE 18

Advances under 1903 Act, Tipperary: 1 November 1903 — 31 March 1908.²⁰³

Tipperary	No. of estates	No. of Holdings	Rental £	Price £	% Reduction on rent	No. years Purchase of rent
N.R.	196	3,415	63,097	1,388,690	28.5	22
S.R.	224	3,989	97,820	2,107,993	30.1	21.5

By World War I thousands of Tipperary's tenant farmers had inherited, or more exactly purchased, the earth. For that class of prosperous tenant farmer who had reaped the benefits of the economic boom of the 1850s through to the mid 1870s, the depression of the late 1870s and mid-1880s removed any notion that security without ownership was a viable option. This notion was buttressed by three allied factors; the abandonment by the British of landlordism as an integral part of an Irish policy; the assault by nationalists on landlordism as the *bête noire* and the realisation that proprietorship would be cheaper than tenancy.

Kickham's novel, published at a time when there was a high level of rural prosperity, showed a people mindful of the transience of such prosperity and insecure, not just with reference to their tenure but insecure about who they are. Certainly there is no prescience in *Knocknagow* that within a generation the rural landscape would be transformed and landlordism would become redundant. As it turned out, many landlords were not unhappy with their "redundancy money", especially those who sold out early. One landlord, writing in 1919, expressed the matter as follows:

It was a great wrench to have to sell my interest in Scart at eighteen and a half years purchase. But it turned out a good thing in the end. I invested the money in Toronto Shares which pay interest regularly.²⁰⁴

FOOTNOTES

1. See R.V. Comerford, *Charles J. Kickham*, (Dublin, 1979), pp. 148-51, 197-203. Kickham's orthodox Fenian view of landlordism was shared by his fellow Tipperaryman, John O'Leary.
2. C.J. Kickham, *Knocknagow*, (Dublin, 1978 ed.), p.222; speaker, Hugh Kearney.
3. *Ibid.*, p.294; narrator.
4. *Ibid.*, p.479; Hugh Kearney.
5. *Ibid.*, p.601; Hugh Kearney.
6. *Ibid.*, p.289; Beresford Pender.
7. *Ibid.*, p.290; Isaac Pender.
8. *Ibid.*, p.260; Billy Heffernan.
9. Memories of older school history textbooks support this point.
10. School history textbooks represent the subject at its most influential. For a modern example see Mark Tierney. *Ireland Since 1870* (Dublin, 1988), pp.21-47, 69-84.
11. This writer hopes to examine the situation of agricultural labourers in the county in a future issue.
12. For Longford see, K.T. Hoppen, *Elections, Politics and Society in Ireland 1832-1885*, (Oxford, 1984), p. 152.
13. *Return of owners of land of one acre and upwards in the several counties, counties of cities, and counties of towns in Ireland, H.C. 1876 (C1492), lxxx, pp 158-72*. For published works based largely on this return see, John Bateman, *The Great Landowners of Great Britain and Ireland*, (London, 1879) and U.H.H. de Burgh, *The Landowners of Ireland*, (Dublin, 1878). For an interpretation of the de Burgh material see, T. Jones Hughes, *Landholding and settlement in County Tipperary in the nineteenth century* in W. Nolan (ed.), *Tipperary: History and Society*, (Dublin, 1985), pp 339-46.
14. D.G. Marnane, *Land and Violence - a history of West Tipperary from 1660*, (Tipperary, 1985), p.91.
15. B.M. Walker (ed.), *Parliamentary Election Results in Ireland 1801-1922*, (Dublin, 1978), p.314.
16. *1876 Return of proprietors*. In the few instances where the parliamentary return, Bateman and de Burgh disagree, the first has been used.
17. *Ibid.*
18. F.M.L. Thompson, *English landed society in the nineteenth century* (London, 1963), p.27. Griffith's Valuation is, of course, a vital source but its information is difficult to collate.
19. *Return showing the number of estates in the several poor law unions of Ireland etc.*, H.C. 1849 (507-11), xvi, 1019, appendix H, p.51.
20. See *Sixth Report of the Deputy Keeper of the Public Records in Ireland* (1874), pp 73-87.
21. Jane Austen, *Persuasion* (published 1818), ch. 1.



22. D. Spring, *The English Landed Estate in the nineteenth century: its administration* (Baltimore, 1963), p.49.
23. For example, a parish priest regarding Lord Clonmell: 'There is not a man on his estate but would bless him because he gives them the means to live'. *Bessborough Commission*, 1881, xviii, p.960. W. O'Connor Morris, *Letters on the Land Question of Ireland* (London, 1870), singled out people like Lords Derby, Lismore, Ormonde and Bagwell for praise because of their careful management of their property. This may not have been the attitude of their tenants.
24. *1876 Return of proprietors*. The Duke of Devonshire with his three acres has been excluded.
25. Compared, for example, with Waterford where two landlords (the Duke of Devonshire and the Marquis of Waterford) held between them 15% of the county, or Down where one proprietor the Marquis of Downshire held 12% of that county.
26. *O'Brien rental, Kingston estate, 2nd division*, 9'1, P.R.O.
27. *Report of Her Majesty's Commissioners appointed to inquire into the Incumbered Estates Court etc.* (1938), H.C. 1854-5, xix, 527.
28. See *O'Brien rentals*, 9'22 and 72'30 and *Dunsandle papers*, M2893, P.R.O.
29. *O'Brien rentals*, 24/38, 55/48, P.R.O. *Cahir Estate Company*, 976 - 3/2/3, P.R.O.
30. See *Scully papers*, MS 27488 and 27494, N.I.I. *Registry of Deeds* 682/121/469267 and 694'333'476621.
31. See D. Dickson, Middlemen, in T. Bartlett and D.W. Hayton (eds.), *Penal Era and Golden Age: Essays in Irish History 1690-1800*, (Belfast, 1977), pp.162-85.
32. *Bessborough Commission*, 1881, xviii, p.133', evidence of John Ryan.
33. *Devon Commission*, 1845, xxi, p.888, evidence of Earl of Glengall.
34. *Complete Peerage*, VII, (London, 1929), pp.297-303.
35. *Return from the registrar's office of the court of chancery in Ireland etc.*, H.C. 1847-48 (226) lvii, 213.
36. *Registry of Deeds*, 1854, 16'122.
37. *Langley papers*, case for counsel to advise, 1916, M5631:7, P.R.O.
38. A. Trollope, *The Eustace Diamonds*, (published 1873), ch. 10.
39. Rental W. Despard, Killaghy, 1845, M5643'1, P.R.O.; Landed Estates Court conveyance to John Kickham 1860. MS 18758, N.I.I.
40. Kingston brief, deposition of Thomas Disney, 1834, MS 9213, N.I.I.
41. See P.G. Lane, The Encumbered Estates Court Ireland, 1848-9 in *Economic and Social Review*, 3, no. 3, 1972, pp.413-53; also for a more popular view A.M. Sullivan, *New Ireland*, (many eds.), ch. 12.
42. Sullivan, *op. cit.*
43. Marnane, *op. cit.* p.91.
44. Based on writer's calculations from Slieveardagh E.E.C. and L.F.C. rentals and Land Commission card index, N.I.I.
45. *Report from the select committee on Tenure and Improvement of Land (Ireland) Act etc.* H.C. 1865 (402), xi, 341. (Maguire Committee) evidence of Mountiford Longfield, judge of L.E.C., p.23.
46. *Bessborough Commission*, 1881, xviii, p.1277. A specific example of this was the sale of the large Derby estate in 1871; see *Cashel Gazette*, 15.7.1871.
47. See W.E. Vaughan, An assessment of the economic performance of Irish landlords, 1851-81 in F.S.I., Lyons and R.A.J. Hawkins (eds.), *Ireland under the Union: Varieties of tension; Essays in honour of T.W. Moody*, (Oxford, 1980), pp.173-99; also the same writer's *Landlords and Tenants in Ireland 1848-1904*, (The Economic and Social History Society of Ireland, 1984).
48. *Bessborough Commission*, 1881, xviii, p.961.
49. In the context of the many official investigations into Irish land and its problems, it is worth noting the comment of a well known land agent. 'Royal commissions are most valuable for the purpose of shelving pregnant topics. The only good derived from these official inquiries is that the witnesses get their expenses and the Government printers have a lucrative contract'. S.M. Hussey, *The reminiscences of an Irish land agent*, (London, 1904), pp.271-2.
50. For the best exposition of this period, what the author calls the 'golden age of Irish agriculture', see W.E. Vaughan, *A Study of Landlord and Tenant Relations in Ireland between the Famine and the Land War, 1850-78*, (T.C.D. Ph.D. thesis 1974).
51. *Reports from poor law inspectors in Ireland as to the existing relations landlord and tenant in respect of improvements on farms etc.*, (C31), H.C. 1870, xiv, 37; also *Report from poor law inspectors on the wages of agricultural labourers in Ireland*, (C.35), H.C. 1870, xiv, 1.
52. Latter report by Richard Bourke, p. 21.
53. W.E. Vaughan and A.J. Fitzpatrick (eds.), *Irish Historical Statistics; population 1821-1971*, (Dublin, 1978).
54. See T. Jones Hughes, Landholding and settlement in County Tipperary in the nineteenth century in Nolan (ed.), *Tipperary: History and Society*, especially pp 346-52.
55. G. Campbell, *The Irish Land*, (London, 1869).
56. *Ibid*, pp.42-3.
57. *Returns of agricultural produce in 1851*. (1589), H.C. 1852-3, xciii, 1; *The agricultural statistics of Ireland for 1871*, (C 762), H.C. 1873, lxix, 375; *The agricultural statistics of Ireland for 1891*, (C 6777), H.C. 1892, lxxxviii, 285. The correct wording for each category is more than one and less than five, etc.
58. *Agricultural statistics for 1871*.
59. See, for example, evidence of John Stewart, Hawarden's agent to Devon Commission, pp.825-36.
60. R.D. Crotty, *Irish Agricultural Production: its Volume and Structure*, (Cork, 1966), p.356.
61. Vaughan, *Economic Performance of Irish Landlords*.
62. *Smith-Barry rentals* in writer's possession.
63. *Returns of agricultural produce in Ireland in 1854*, (2017), H.C. 1856, liii, 1, and *The agricultural statistics of Ireland for 1874*, (C1380), H.C. 1876, lxxxviii, 131.



64. *Agricultural statistics for 1879*, (C2534), H.C. 1880, lxxvi, 815.
65. Reprinted in *Cashel Gazette*, 8.12.1877.
66. *Agricultural statistics for 1874*, (C 1380), H.C. 1876, lxxviii, 131.
67. *Census for 1841, 1843*, xxvi, pp226-35.
68. The percentages for each of the four classes of houses relate only to extant housing.
69. See W.J. Smyth, *Land Values, Landownership and Population Patterns in County Tipperary for 1641-60 and 1841-50*; Some comparisons in L.M. Cullen and F. Furet (eds.), *Ireland and France 17th-20th Centuries: Towards a Comparative Study of Rural History*, (Paris, 1980), p.77.
70. For the six parishes in question in Iffa and Offa East in 1834, tillage represented 55% and pasture 45% of the area. See R.C. Simington, *Tithe Applotment Books of 1834: Agricultural Returns, Produce and Prices in Dept. of Agriculture Journal*, XXXVIII, 2, 1941, p. 241. For a view of labourers in 1816, see R. Willcocks to W. Gregory, 17.4.1816 in Lady A. Gregory (ed.), *Mr. Gregory's Letter-box, 1813-30*, (London, 1898), pp.98-103. 'There is an immense population in this part of the country (Middlethird) . . . the tenants would give any price for land sooner than be without it . . . The habitation is a small . . . and in general a filthy cabin which very often contains a cow or a pig in the same apartment with some of the family'.
71. *Digest of Evidence, Devon Commission I*, (Dublin 1847), p. 395 and *Returns of agricultural produce in 1851*, (1589), H.C. 1852-3, xciii, I.
72. *Devon Digest*, I, p.300.
73. W.M. Thackeray, *The Irish Sketch Book 1842*, (1985 ed.), p.48.
74. *Devon Digest*, I, p. 331
75. R. Lalor Sheil, *Sketches Legal and Political*, I, (London, 1855) pp.317-28.
76. *Report from the select committee appointed to examine into the state of the Disturbed Counties in Ireland*, H.C. 1831-2 (677), xvi, I, p.11.
77. S.H. Palmer, *Police and Protest in England and Ireland 1780-1850*, (Cambridge, 1988), pp.203-10, and G. Broeker, *Rural Disorder and Police Reform in Ireland 1812-36*, (London, 1970), pp.71-93; P.E.W. Roberts, *Caravats and Shanavests: Whiteboyism and Faction Fighting in East Munster, 1802-11*, in S. Clark and J.S. Donnelly, Jr. (eds.), *Irish Peasants: Violence and Political Unrest 1780-1914*, (Manchester, 1983), pp.64-101.
78. J.S. Donnelly, Jr., 'The Social Composition of Agrarian Rebellions in early nineteenth century Ireland: the case of the Carders and Caravats, 1813-16 in P.J. Corish (ed.), *Radicals, Rebels and Establishments*, (Belfast, 1985), pp.160-66.
79. *Devon Digest*, I, pp.346-7.
80. B.S. Elliott, *Irish Migrants in the Canadas - a New Approach*, (Belfast, 1988), pp. 42-51.
81. *Pobal Ailbe, 1841-1971*.
82. *Report by the Lord's Select Committee appointed to inquire into the State of Ireland since the year 1835, in respect of Crime and Outrage*, H.L. 1839 (486), xi, ii, p.749, evidence of Joseph Tabeteau, stipendary magistrate for Tipperary.
83. *Devon Commission*, 1845, xxi, p.212, evidence of T. Prendergast, Clonmel.
84. M. Beames, *Peasants and Power*, (Harvester Press, 1983), pp.49-50.
85. T. Reid, *Travels in Ireland in the year 1822*, (London, 1823), pp.256-65.
86. *State of Ireland 1839 report*, p. 955.
87. *Report from the Select Committee appointed to inquire into the condition of the Labouring Poor etc.* 1823 (561), vi, 331, p.181.
88. Marnane, *Op. Cit.* pp.53-4.
89. Donnelly, *Social Composition of Agrarian Rebellions*, pp.160-62; for Baker, Marnane, *op. cit.*, pp.44-5.
90. Lalor-Sheil, *Sketches Legal and Political* pp.287-316; S.O.C. 1827, 2834/47, S.P.O.
91. *State of Ireland select committee 1839*, evidence of Joseph Tabeteau, pp.765-6.
92. A Magistrate of the County, *The Present State of Tipperary as regards agrarian outrages etc.*, (Dublin 1842), p.5; T.C. Foster, *Letters on the Condition of the People of Ireland*, (London, 1846), p.334.
93. Palmer, *Police and Protest*, pp.562-3.
94. M.R. Beames, *Rural Conflict in Pre-Famine Ireland: Peasant Assassinations in Tipperary, 1837-47* in C.H.E. Philpin (ed.), *Nationalism and Popular Protest in Ireland*, (Cambridge, 1987), pp.264-83.
95. *State of Ireland select committee 1839*, evidence of Joseph Tabeteau, p.762.
96. *Return of all aggravated assaults etc. since 31.12.1845*, H.C. 1846 (369), xxxv, pp.43-9.
97. *Abstracts of the Police Reports of some of the principal outrages in the county of Tipperary in the year 1845*, H.C. 1846 (710), xxxv., p.10.
98. *Present State of Tipperary*, pp.2-5.
99. Lalor-Sheil, *Sketches*, pp.253-74; S.O.C. 1821, 2297 11, S.P.O.
100. *Devon Digest*, I, p. 321.
101. J.W. Hurst, *Disturbed Tipperary: 1831-60* in *Eire-Ireland*, IX, 3, 1974, pp.44-59; Palmer, *Police and Protest*, pp.476-7.
102. *Outrage Papers*, 1850, 27/522 and 27 575, S.P.O.
103. Power of attorney, L. Clutterbuck to R. Hemphill, 1838, M 5454/52, P.R.O.
104. Rentals, Clutterbuck estate, M 5454, 14-22, P.R.O.
105. *Tipperary Vindicator*, 15.12.1847.
106. *The Tablet*, 27.7.1850.
107. *Return of all notices served on Relieving Officers of Poor Law districts by land owners and other etc.*, H.C. 1849 (517), xlix, 279.
108. See M. Daly, *The Famine in Ireland*, (Dublin Historical Association, 1986) p.111.



109. *Returns from the courts of queen's bench, common pleas, and exchequer in Ireland, of the number of eiections brought in those courts respectively for the last three years etc.*, H.C. 1849 (315), xlix, 235; *Return by provinces and counties (compiled from returns made to the inspector general, R.I.C.), of cases of evictions which have come to the knowledge of the constabulary in each of the years from 1849 to 1880 inclusive*, H.C. 1881 (185), lxxvii, 725. The number of persons evicted 1846-8 has been estimated on the basis of a 25% readmittance level, which was the average 1849-53; for 1846-8 this is probably a conservative figure.
110. For each of these figures, those re-admitted have been taken into account.
111. *Devon Commission, 1845*, evidence of Capt. Thomas Bolton, pp.276-7.
112. *Tipperary Free Press*, 21.5.1853.
113. Thomas Franklin to Donoughmore. 14.1.1854, *Donoughmore Papers*, H 14 1 115, T.C.D.
114. See *Letters of the Tipperary Man to the Earl of Derby*, (Liverpool, 1861), letter 1, 26.10.1859.
115. Hurst, *Disturbed Tipperary*, p. 57.
116. *The Times*, 2.9.1860 quoted in Major C.A. Ryan *Records of the Tipperary Artillery*, (Clonmel, n.d.), p.85.
117. W. Bence-Jones, *The Life's Work in Ireland of a landlord who tried to do his duty*, (London, 1880), p.110.
118. W. O'Brien, *Christmas on the Galtees*, (Central Tenants Defence Association, 1878), pp.43-4. The wife in question was John Ryan's; see below.
119. For Ballycohey, see Marnane, *op. cit.*, pp.96-9. Bence-Jones, himself regarded as a very tough landlord, referred to "Mr. Scully's monstrous proceedings", *op. cit.*, p.54.
120. *Nenagh Guardian*, 30.4.1862, 5.5.1862.
121. *Clonmel Chronicle*, 7.5.1862.
122. *The Times*, 30.6.1862.
123. See J.S. Donnelly Jr., *The Land and the People of Nineteenth Century Cork*, (London, 1975), p. 146.
124. Braddell was collecting rents for Col. Hare, whose property was in the Doon area.
125. *Nenagh Guardian*, 13.8.1862.
126. *Clonmel Chronicle*, 6.1.1909.
127. *Bessborough Commission*, evidence of Rev. David Burdon P.P. Mitchelstown, p.968.
128. *Cork Examiner*, 13.4.1876 and *Freeman's Journal*, 26.4.1876. The libel case failed. See also Donnelly, *Land and People*, pp.197-9.
129. O'Brien, *Christmas on the Galtees*, pp.15-16.
130. *Memorial on behalf of the lands of Barnahoun etc.*, H.C. 1877 (216), lxxix, 491.
131. *Bessborough Commission*, letter from Nathaniel Buckley, p.1448.
132. *Clonmel Chronicle*, 18.8.1897.
133. *Devon Digest*, 1, pp.290-91.
134. *Ibid.*, p.344, evidence of Edmund Byrne, brother of Daniel Byrne, murdered in 1839.
135. *Ibid.*, p.310, evidence of John Kennedy.
136. Peter Maclagan M.P., *Land Culture and Land Tenure in Ireland; the results of observations during a recent tour in Ireland*, (London, 1869), pp.12-15.
137. *Reports from the poor law inspectors in Ireland and to existing relations between landlord and tenant etc.* (C 31), H.C. 1870, xiv, 37, report of W.J. Hamilton, p.73.
138. *Bessborough Commission*, p.136, evidence of Alexander Kirkpatrick.
139. *Ibid.*, vol. xix, p.879, evidence of Thomas Sanders.
140. *Cashel Gazette*, 6.11.1880.
141. W. O'Connor Morris, *Memories and Thoughts of a Life*, (London, 1895), p.226.
142. Maclagan, *op. cit.*, p.14.
143. See Vaughan, *Landlords and Tenants*, p.20.
144. O'Shea, *Priest, Politics and Society*, p.61. Marnane, *op. cit.*, pp.100-101.
145. H.S. Thompson, *Ireland in 1839 and 1869*, (London, 1870), pp.51-2.
146. *Reports from Poor Law Inspectors, 1870*, pp.69-70.
147. *Ibid.*, pp.51-52.
148. *Bessborough Commission*, report p.7. Various aspects of the 1870 act were also investigated and criticized by Lord Chelmsford's select committee and Shaw Lefevre's select committee 1872 and 1877 respectively. See also B.L. Solow. *The Land Question and the Irish Economy, 1870-1903*, (Harvard, 1971) chapters 2 and 3.
149. *Agricultural statistics of Ireland for the year 1879*, (C 2534), H.C. 1880, lxxvi, 815.
150. Crotty, *Irish Agricultural Production*, p. 356.
151. *Cowper Commission, 1887*, xxvi, evidence of Toler R. Garvey, p.117.
152. *Cashel Gazette*, 30.8.1879.
153. *Cairns Select Committee, 2nd report.*, H.L. 1882, xi (379), pp.213-17.
154. O'Shea, *op. cit.* p.72.
155. C. Townshend, *Political Violence in Ireland: Government and Resistance since 1848*, (Oxford, 1983), p.151.
156. *Return of agrarian outrages*, H.C. 1881, lxxvii.
157. *Outrages*, H.C. 1882, lv, H.C. 1883, lvi.
158. *Returns of evictions, 4 quarters of 1881*, H.C. 1882, lv.; 1883, LVI.
159. *Tipperary People*, 28.1.1881.
160. *Tipperary Free Press*, 8.6.1880, 17.12.1880.
161. *Sale of Kilburry estate of Henry Beasley*, Chancery Court 1896, M 5396, P.R.O.



162. M. Meagher to J. Dillon, Dec. 1896, *Dillon Papers*, 6808/70/36, T.C.D.
163. For a popular sentimental view of the episode see, J. Maher (ed.), *Romantic Slievenamon*, (Mullinahone, 1954), pp.182-5; for Beasley's point of view, see *Cowper Commission*, (C.4969 - 1), 1887, xxvi, pp.754-6.
164. *Tipperary People*, 1.7.1881.
165. *Cowper Commission*, 1887, xxvi, p.747.
166. *Ibid.*, evidence of MacMurrrough Kavanagh, pp.751-6.
167. For White evictions, see *Tipperary Leader*, 19.12.1884, and for Dowling see *Tipperary People*, 23.12.1881.
168. *T.P.* 21.11.1881.
169. *Cairns Select Committee*, 1882, xi, evidence of C.H. Lloyd, p.217.
170. E. Cant-Wall, *Ireland under the Land Act: letters contributed to the Standard newspaper*, (London, 1882), p.73.
171. *Tipperary*, 1.2.1882.
172. *1st Report Irish Land Commission* (C 3413), H.C. 1882, xx, pp.10-12.
173. *2nd Report I.L.C* (C 3897), H.C. 1884, 1xiv, pp.9-10.
174. *3rd Report I.L.C* (C 4231), H.C. 1884-5, 1xv, pp.9-10.
175. *10th Report I.L.C* (C 6510), H.C. 1890-1, xxv, appendix xlvii.
176. *Cairns Select Committee*, 1882, xi, p.447.
177. *Ibid*, 4th report, 1883, xiii, p.ix.
178. *Clonmel Chronicle*, 5.5.1897.
179. *Cowper Commission*, 1887, xxvi, evidence of W. Rochfort, p. 917.
180. *Freeman's Journal*, 10.1.1887.
181. Solow, *Land Question*, p.179.
182. *Clonmel Chronicle*, 23.9.1896.
183. See, D.G. Marnane, Fr. David Humphreys and New Tipperary in W. Nolan (ed.), *Tipperary: History and Society*, (Dublin, 1895), pp.367-78.
184. For the Plan of Campaign generally see L.M. Geary, *The Plan of Campaign 1886-91*, (Cork, 1986); for the debt-ridden state of the Quinn estate, see *McCraith v Quinn*, Bill of Complaint 1872, M 5650, P.R.O.
185. *Evicted Tenants Commission*, (C 6935), H.C. 1893-4, xxxi, appendix G.
186. Quoted in Geary, *op. cit.*, p.37.
187. *Tipperary Free Press*, 26.10.1880.
188. *Cowper Commission*, 1887, xxvi, p.59.
189. *Ibid*, p. 9.
190. *Report of the I.L.C 1894-5*, (C 7803), 1895, xxv, appendix 1xxxii
191. Quoted in *Clonmel Chronicle*, 30.5.1896.
192. *Morley Select Committee*, (310) 1894, xiii, pp v-1xiii.
193. See D.S. Jones, *The Cleavage between Graziers and Peasants in the Land Struggle, 1890-1901* in Clark and Donnelly, *Irish Peasants*, pp.374-417, and P. Bew, *Conflict and Conciliation in Ireland 1890-1910*, (Oxford, 1987).
194. Bew, *op. cit.*, pp.79-83.
195. *Ibid*, p.135.
196. *Returns showing boycotting etc.* (57) 1909, 1xxiii.
197. *Clonmel Chronicle*, 23.3.1912, and 27.4.1912.
198. *Clonmel Chronicle*, 23.9.1903.
199. *Clonmel Chronicle*, 30.9.1903.
200. *Clonmel Chronicle*, 31.10.1903.
201. *Clonmel Chronicle*, 13.1.1904.
202. *Clonmel Chronicle*, 2.12.1903.
203. *Report of the Estates Commissioners 1903-8*, (Cd. 4277), H.C., 1908, xxiii.
204. Autobiographical notes of C.F. Hutton, MS 19,308, N.L.I. The Scart referred to was just over the Tipperary border in county Limerick.

