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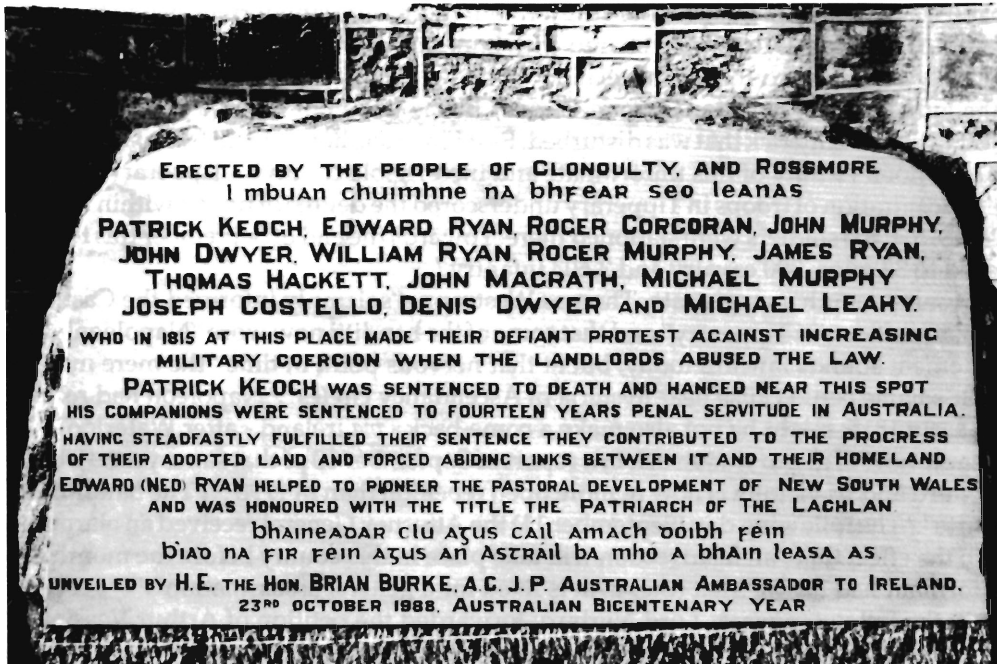
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Ballagh Revisited: the 1815 "Protest"

by Max Barrett, C.S.S.R.

In 1988, in the townland of Ballagh in the parish of Clonoulty, Co. Tipperary, a monument was raised to honour the memory of fourteen men. The inscription is reproduced below.



The story of the 1815 "defiant protest" has already been told.¹ But this incident and the legal proceedings which ensued merit recall, because in a sense the Establishment itself was on trial in that case. To understand this localised outbreak of 7 September 1815, it is necessary to look first at Ireland at the beginning of the 19th century; then at Tipperary in the same period; and finally at the parish of Clonoulty in 1814-15.

Ireland 1800 - 1815

One might have thought that, after the rebellion of 1798 had been put down so bloodily, Ireland would have greeted the 19th century on a rather subdued note. Such was not the case. Robert Emmet led yet another unsuccessful uprising in 1803. The general unrest of the times was attested to by the tightness of measures whereby Government sought to maintain its control.

In the period of 1800-1815, *habeas corpus* was almost continuously suspended; the Insurrection Act of 1796 was re-imposed in 1802-3, 1807-9 and 1814. There was martial law from 1803 to 1805. There were about fourteen different Coercion Acts during this decade-and-a-half. New enactments gave landlords drastic powers of confiscation and oppression.²

The year 1815 brought Ireland a hardship that was quite independent of the people's struggle

against the Establishment. The final defeat of Napoleon was accompanied by a collapse of the agricultural markets, a collapse so serious that at least one historian has designated 1815, rather than the famine year of 1846, as the watershed in 19th century Irish social and economic history.³ "Better for the Irish farmer if Bonaparte never lived or never died".

Tipperary 1800-1815

The extent of Tipperary's part in the 1789 Rising is a matter for speculation. It has been suggested that Thomas Judkin Fitzgerald and his flogging rampages at that time may have accounted for the comparative inactivity in this part of Munster.⁴ But there were simmerings below the surface, and Tipperary of the early 19th century shared with Limerick the reputation of being among "the most consistently disturbed counties" in Ireland.⁵

In the judgement of Solicitor General Charles Bushe (given in February 1811) it was only the eastern portion of Limerick that was disturbed. East Limerick, however, owed "its unfortunate state to the infectious vicinity of this unfortunate and incorrigible county" - Tipperary!⁶

The concentration of troops in Tipperary underscored the degree of unrest within its borders. On July 24, 1815, 1,200 soldiers were stationed there. Towards the end of September this force had been increased to 32 guns, 300 cavalry and 3,603 infantry.⁷

In that same month a magistrate, Thomas Westropp, "solemnly informed the Castle that there were French officers in Tipperary" and that some of the banditti now wore "Napoleonic" uniforms. The statement sounds fanciful today; but at that nervous point in time "the mere mention of the Emperor's name could cause near hysteria in Ascendancy circles".⁸ Napoleon had returned from Elba in early 1815; might he not also make a come-back - *via* Ireland - after Waterloo?

The same note of alarm was struck in a report of September 10 of that same year. "The district of Middlethird and its vicinity is now in more open rebellion than in 1798 . . . The banditti still expect Bonaparte".⁹ The following day (September 11) the Attorney General received an alarmist communique to the effect that "an insurrection will take place in this county before the month is passed". The informant had heard "that (the) 29th is fixed for a general assassination".¹⁰

Within the following week, Lord Norbury forwarded the petition of Arthur Vesey for "strong measures" in Tipperary. In his covering note Norbury agreed that unrest was spreading from Tipperary to the Queen's County.¹¹ From the security of Castle Waller (to the west of Co. Tipperary) Richard Waller added his contribution: "The people are in a state of smothered rebellion . . . Their determined purpose is neither more or less than a massacre of all Protestants . . . They are better armed than his Majesty's troops".¹²

All the above correspondence belonged to the month of September 1815, the month of the Ballagh incident, the incident which brought much simmering to the boil.

The 1815 depression in agricultural markets referred to above affected rural Tipperary in a very immediate way. This sudden depression also had the effect of forging closer links between those who worked the land, rich and poor alike.

The issue of tithes - a matter of odium across the entire socio-economic spectrum - erupted anew in 1815.¹³ In this tense situation landlords were known on occasion to give discreet encouragement to their tenants' resentment and resistance.¹⁴ In these altered circumstances clan rivalries also were shelved. Thus it happened that, as Galen Broeker has observed, "a relatively small secret society could conceivably double its strength when the need arose. This is what happened in 1815 in Tipperary, when the Ryans and Dwyers forgot their differences and joined their efforts with those of the 'Whiteboys' against the tithe proctors".¹⁵

Within troublesome Tipperary, the parish with the reputation for being the most lawless district of all was Clonoulty.¹⁶



Lawless Clonoulty - 1815

Clonoulty had the questionable distinction of having within its confines the highest number of murders in Tipperary during 1813-15. It is relevant to refer here to three specific incidents, because of the suspects named in connection with these acts of violence.

In July 1814 Captain Richard Long of Longfield was shot dead. A Keogh was cited as being involved.¹⁷ In August 1814 Isaac Fawcett Jr. was mortally wounded, in reprisal for thwarting a raid on his father's house. Lahy and Keogh, sons of wealthy farmers of Laffana, were named in this context.¹⁸ In November 1814 a process server named Ryan died as a result of an "unmerciful beating". Two Murphys were brought to trial but acquitted, "by proving a fabricated alibi" according to chief magistrate Willcocks.¹⁹

These suspects were immediately related to, or identical with, persons arrested as a result of the 7 September activity in Ballagh. In no case were the authorities able to bring any of the offenders to justice before 1816.²⁰

In an effort to cope with these and many similar situations, the Peace Preservation Force (the first of the *peelers*, as they would come to be called) was introduced into Tipperary, under special stipendiary magistrate Captain Edward Wilson. Wilson and Richard Willcocks, chief magistrate of the Barony of Middlethird, sent a steady stream of letters - now called the State of the Country (S.O.C.) papers — to Dublin Castle. Thanks to these reports we have a reasonably detailed picture of the period under review.

Because of the high incidence of violence in Clonoulty parish it was decided to lodge soldiers in the district. A dispensary in the townland of Ballagh was requisitioned as a barracks to accommodate the militia. Ballagh, much reduced in size since the mid-19th century, was a well-populated village in 1815, bustling and volatile. September 9 was the day fixed for the soldiers to move in.

7 September 1815

The local Whiteboys decided that the military would not take over the dispensary. About 100 of them gathered during the night of September 7. Wielding axes, saws and sledges, the bulk of them attacked the building; a few stood apart at a distance on sentry duty. The leader, rightly or wrongly identified later as Patrick Keogh, kept walking backwards and forwards between the sentries and the demolition squad.

On the opposite side of the road about thirty paces away stood Michael Dwyer's hotel, which was also a general store and family residence. Dwyer watched the proceedings through an aperture in the ill-fitting double-doors which were the main entrance to his establishment.

At one stage a detachment of the work-force approached his residence and peremptorily demanded candles, part of Dwyer's stock-in-trade. Not wanting them to know he had been watching, Dwyer retired quietly to his room. The men called a second time: "You rascal, give us lights". Michael handed out candles through the aperture in the door.

Whether or not the candles enabled the wreckers to work more efficiently, the infirmary soon came tumbling down. At this point the leader lined up his men on the crossroads, ordered them to form a double column and to fire a volley. Two of the shots struck the sign outside Dwyer's hotel.

There were more details: a false alarm that the police were coming; an intermission after the levelling of the main building, during which men went to another Ballagh hotel for refreshments before dismantling the remainder of the building; the plight of a dispossessed and near-naked woman who had resided in part of the barracks complex.²¹



Two warning notes were left by the levelled sites.²² One was concisely worded:

This is to Give Notice to the Subscribers of the Dispensary that we will not allow those vagabond Peelers near this neighbourhood as we were informed that they were to assist the proctors of this parish. So no more at present will I.

Signed at my Office. Capt. Right.

The other note was addressed to "you William Dwyer to beware of your self And to give up your thide [tithe] to the terrible Mr. Armstrong of Clonoulty" or else "have your coffin prepared for yourself..." The Reverend Robert Carew Armstrong was the Church of Ireland pastor of Clonoulty; William Dwyer was his collector of tithes.

These notices made abundantly clear the line of thinking of the Whiteboys. Their hostility was directed at the tithes. Their destruction of the dispensary was in order to hinder the militia's function, which was to safeguard and enforce the operation of tithe exaction.²³

Told simply and factually, it would seem that the Ballagh affair was just one more act of violence in a violent era. It might even be said that the demolition of a dispensary was a relatively minor act of violence. After all, no one had been killed.

But Ballagh was significant for at least two reasons. First, it provoked a man to do an almost suicidal thing in the Ireland of that time - to turn crown witness. His information led to arrests, trial and a successful prosecution. This in turn had the effect of re-establishing the Government's authority, which had been partly undermined in Tipperary.

Secondly, the September 7 incident in Ballagh led to the transportation of thirteen Clonoulty men to Australia where, as the Ballagh monument has it, those men "contributed to the progress of their adopted country". But this is anticipating future developments. There is need to remain with 1815 and to probe into the moves and motives of two Clonoulty parishioners, William Dwyer and his brother Michael.

William Dwyer: Proctor

William Dwyer, proctor in the employ of Rev. Carew Armstrong, was described as "severe in the extreme" in the execution of his function as assessor and collector of rents and tithes. While it is hard to understand, and much less warm to, one who was relentless towards neighbours and fellow religionists, it is possible to admire the spirit of the man. William had received several written warnings to quit his proctor role.

On Sunday September 3 he was confronted with yet another death threat. This one was pinned to the door of the Clonoulty chapel. Defiantly, Dwyer tore it up on the spot, declaring that if those responsible wanted to push the quarrel against him, they would come off second-best. Dwyer considered himself "a man of faction" in the district.²⁴

The faction behind Dwyer was the power of the Establishment. Opposing factions had banded together under the umbrella of the Scully clan. In 1815 the Scullys were in collusion with the Murphys, and the Murphys were heavily involved in Whiteboyism.²⁵ Now, however, the Dwyers and the Ryans had temporarily shelved their long-standing differences and they, together with the Keoghs, were ranged against the Establishment.

William Dwyer over-estimated the effectiveness of the protection afforded him by his faction. On September 10, within three days of the Ballagh incident, he was murdered outside his Clonoulty home. Within three months his brother Michael turned informer.



Michael Dwyer: Innkeeper - Informer

What manner of man was this Michael? The character references to him — in the trial brought on as a consequence of his information — are uniformly unflattering. It must be borne in mind, of course, that these references came from hostile witnesses and that perjury — then as now — was not altogether unknown.

On the night of September 7 Michael was not addressed by name but by the description “rascal”. He was evidently not Ballagh’s best-loved son! During the levelling of the infirmary, Dwyer was said to have been “shaking like an aspen leaf”; yet, overall, he does not give the impression of cowardliness. One witness quoted Dwyer’s wife as saying that “her husband was going to the devil, taking people and ordering them to be taken up . . . Michael was doing quere [sic] things . . .”

Michael’s own nephew, Malachy English, gave damning testimony against his uncle. Here it is necessary to bear in mind that, while many of the witnesses appeared to make only vague contact with the truth, English gave the impression of being the least credible of all.

In his endeavour to persuade Malachy to swear evidence in support of his own, Michael was alleged to have said that the Murphys “are the hearts of the parish, and when we get them in first, then we can settle those of our own condition”. This suggests that there was smouldering resentment in Michael and that he had scores to settle. Malachy added that Michael’s own sister was in dread of him.

Was Dwyer goaded into turning informer by the September 10 atrocity against his brother William, or was he following a long-range plan to destroy enemies? Perhaps the latter. He did not act impetuously. He bided his time before giving his sworn testimonies to the Crown. He had allowed his son to swear allegiance to the Whiteboys’ organisation, presumably lodging young Dwyer there as a mole.²⁶

Michael was a complex character and may not have understood his own motives. In two sworn statements given on November 23 and 24, he named a total of 25 different persons in connection with the Ballagh levelling and/or with the murder of his brother. Of these, 13 were eventually brought to trial. A fourteenth, Joseph Costelloe, was arrested later and included among the defendants.²⁷

The Trial: January 1816

Court proceedings against the fourteen accused were held at Clonmel. *The Limerick Evening Post* of Monday, 15 January 1816, reported: “The Special Commission opened this day and this town has been never remembered to be so crowded with the surrounding gentry, and groups of country people, the relations and friends of the numerous prisoners in confinement. At about 12 o’clock, Lord Norbury and Baron George appeared on the Bench . . .”

Lord Norbury, infamous hanging judge, gravely reminded the prospective jurymen why they had been empanelled as a grand jury: “As the law of the land stands, no man can be brought to trial without a Grand Jury”. In other words, some of the prisoners facing trial could also be facing execution.

The fourteen Clonoulty prisoners were arraigned on nine charges, the most serious of which was “for throwing down the house of the Governors of the County Infirmary which was taken for a Barrack”. In the initial round-up of prisoners the charges laid were (a) the lawlessness at Ballagh and (b) conspiracy to murder. Somewhere along the line this latter charge was dropped. The prosecution believed that its evidence concerning the Ballagh violence was conclusive, so this was the issue it pressed. The prosecution was not as confident of its case concerning the murder; rather than risk an acquittal, it let that issue lapse.²⁸



The Court had obviously intended to try the 14 accused together. However, "all having refused to join in their challenges, we selected Keogh who acted as captain".²⁹

The defence produced an array of witnesses, including two who had been brought to Clonmel from relatively distant Limerick and Freshford. But of all the testimony sworn in court that day, it would seem only one witness was heard — Michael Dwyer.

Whether he was an eye-witness, as he claimed, seems highly doubtful. It would appear that Dwyer spoke out of his general awareness of the Clonoulty situation, rather than from what or whom he actually saw on the night of 7 September.

But his evidence carried the day. Patrick Keogh was found guilty and on January 26 was hanged opposite the ruins of Ballagh dispensary. With his last words he protested his innocence.³⁰

In the *Limerick Evening Post* of 27 January 1816 the names of Patrick's 13 companions were listed, along with the charges against them. This was followed by the statement: "Mr. Campbell, on their part, pleaded *Guilty* for the prisoners who may now be considered under sentence of death".

After Keogh's sentence, much had gone on in the minds of the remaining prisoners and their counsel. Keogh had been found guilty and the death penalty had been imposed. The evidence against his companions were equally strong — or weak. All rested on Dwyer's testimony, and he had named each one of them. Would it not therefore be better to plead guilty, in the hope of a less severe sentence?

But there was much more to the behind-the-scenes story than that. In a report to the Attorney General on the night of Thursday, January 18 (1816), Solicitor General Charles Bushe gave his detailed account of Keogh's trial, and then added: "We had intended this day to proceed with the other principals the Murphys . . ." (The Murphys! Officialdom was fixated on this "most powerful faction".) ". . . but being Thanksgiving Day, the hours for court were too few and we had fixed tomorrow for it."

Now the dramatic touch.

"This evening, after the Court adjourned, two friends of the Murphys whom he knows to be very respectable men came to Willcocks to know upon what terms they might expect mercy if they, i.e., all the other 14 [sic] prisoners were to plead *Guilty* with a stipulation that in case we should not act upon the proposal it would not be made known".

The local officials — Moore, Wilcocks and Bushe — said they would have to refer the matter to Government. They were inclined to think that mercy (in the form of transportation for life) would be forthcoming.

"Our own opinion" (Bushe went on to say in his report) "is strongly in favour of the proposition, considering the difficulty of the trial, the extensiveness of their Connections amongst the Jurors which would make it impossible if they refuse to join in challenges . . . the impolicy of leaving any untried for the Assizes; the implication which an accidental acquittal might throw upon the Verdict already obtained; The substantial triumph which justice would have in the plea of *Guilty* and the advantage of ascertaining the banishment from the County of so many mischievous Ruffians, after whose discomfiture their party might be considered as destroyed". Bushe continued: "It is however possible that we overlook other views of the subject and we request orders of Government".

In a kind of postscript, Bushe added: "I have read this letter to Sgt. Moore & Wilcocks . . . He [Willcocks] tells me that he is sure . . . those Persons should at once break off the Treaty if he were to mention Transportation for life . . . I have therefore desired him to say Transportation generally & we are sure that Transportation for 14 years or even 7 would be good terms & ought to be acted upon under the circumstances of the case." Sentences of transportation at that time were as stated here: either for life, or fourteen years, or seven.

In yet another postscript, initialled by Willcocks and by Moore, a possible misunderstanding is



dealt with. "You will *not* understand that this proposition is intended to include the prisoner Keogh, who must be executed at the spot as an indispensable example".³¹

This report was presumably despatched the night it was written: Thursday, 18 January. Bushe's next letter to the Attorney General was penned on Monday, January 22. In it he wrote: "On getting your letter yesterday . . ."

In that letter of the previous day it would appear that the Attorney General had (a) approved the general lines of the agreement that was being negotiated; (b) vested certain discretionary powers in Bushe; (c) expressed the wish that two or three of the Murphys might yet be convicted — which, in the context, would seem to mean executed.

It might now be easier to follow Solicitor General Bushe's reply.³²

3 o'clock Clonmel January 22d 1816

Dear Attorney . . . The remaining Criminals in the Dispensary Case 13 in number were brought up & having movd by their Council for liberty to withdraw their plea of not Guilty and plead Guilty, this latter plea was recorded upon my Consent & Baron George (Lord Norbury being confined in the Gout) passed sentence on them observing that in his opinion they were well advised & that he had no Doubt their submission wou'd have its due Effect in another Quarter . . .

I reserve for another opportunity for our meeting giving you my Reasons for exercising the discretion reposed [?] in me in the Dispensary Case. On getting your letter yesterday Moore being in Limerick I consulted Pennefather & Gilmartin & Baron George & they all agreed with what appears now the prevailing & unanimous sentiment of the well assisted [?] in this Country, that the example of such an Class submitting in a body to the Law & acknowledging the Justice of the Prosecution, more than counterbalances the difference between executing a few of them (for executing all of them could not have been thought of) & transporting them, especially when the risk of another trial in which the wealth & Connexions of some of the parties might have had their Influence with Juries & with Witnesses, might have rendered the present Conviction questionable in the Event of defeat, & in the case of Success could not have so substantially accredited it as the voluntary Confession of the Justice of the Sentence which makes it impossible for the most factious to dispute the fairness of the Prosecution. It is considered also that nothing is so likely to break up the Confederacy as to exhibit the principal Disturbers of that District betraying their Cause to the Law & that such an Event destroys the Confidence between the Conspirators more than a Conviction which they resist to a Verdict which they dispute.

I hope the Government may approve of the determination which I have adopted after the most anxious Considerations that I ever gave to any subject."

Again a postscript:

"As to what you mention in your letter of its being desirable if possible to convict two or 3 of the Murphys . . . let me observe that the only difficulty would have been with those two or three Murphys & that we should have tried them with Keogh but that the Pannel would have been exhausted by their challenges that they would have chosen the Jury — As to leaving anything for the Assizes which could be tried here, it would be madness . . ."

In these lines it seems Bushe came close to saying to his superior: "You and your armchair strategy . . .!"

In the January 27 (1816) issue of the *Limerick Evening Post* the *not guilty* to *guilty* aspect of this case was summarised as follows:

From the candid submission made by these 13 unfortunate persons (some of whom are very genteel and interesting young men, and sons of respectable people) there can be little doubt



but that the kind and known mercy of Government will be extended to them, if an improved state of public conduct in the county Tipperary should warrant the Executive in sheathing the sword of justice; but nothing short of a return to order in this county can warrant a reasonable hope of mercy to these unfortunate men.³³

Thus the 13 prisoners had their hanging sentences commuted to 14-year sentences of transportation to Australia. The workings of justice (to use the term rather loosely) were vindicated; the shoring-up of the Establishment position was effected by means of a successful prosecution. Now, at last, peace. On 22 January 1816 Captain Wilson reported: "I am very happy to state that every part of those Baronies continue in a perfect state of tranquility."³⁴

The ensuing tranquillity was unevenly spread. Almost the very day that Wilson wrote his January 22 report an eviction was being carried out in Clonoulty.³⁵ There were still the hated tithes, and the tithe issue would flare up again in neighbouring Rathcannon. There still remained the basic deprivation without which there could not be peace. There remained the need to hear and heed the assessment of Henry Grattan: "The Irish Protestant can never be free till the Irish Catholic has ceased to be a slave, Norseman or Norman, Englishman or Irish middleman; any violation of rights sets up a situation which — in scriptural phrase — cries to heaven for justice".³⁶

Ironically, the thirteen transported men would be among the first to know freedom. In time they established small colonies of Clonoulty, in which they were their own masters.

FOOTNOTES

1. Max Barrett: *King of Galong Castle, The Story of Ned Ryan, 1786-1871* (published by Redemptorists, Galong, NSW, 1978), Chapter 1 (hereinafter referred to as *King of Galong Castle*). For contemporary newspaper reports of the Ballagh incident, see *Limerick Evening Post*, 20 January 1816, p.2; *Cork Morning Intelligencer*, 23 January 1816, p.4; *Cork Advertiser*, 23 January 1816, p.1.
2. *King of Galong Castle*, p.11.
3. R. F. Foster: *Modern Ireland 1600-1972* (Allen Lane: Penguin Press, 1988), p.318.
4. Michael McCarthy: *A Tipperary Parish; a History of Knockavilla-Donaskeigh* (published by Siobhan Moran, Co. Cork, 1986), p.91. See also Diarmuid O'Keeffe: 1798 in South Tipperary, *Tipperary Historical Journal* 1990.
5. Galen Broeker: *Rural Disorder and Police Reform in Ireland 1812-1836* (London, 1970), p.11 (hereinafter referred to as *Rural Disorder*).
6. See Donal McCartney: *The Dawn of Democracy* (Dublin, 1987), p.75.
7. *Rural Disorder*, p.86.
8. *Rural Disorder*, pp. 9-10.
9. State of County Papers, National Archives, Dublin 1722/4 (hereinafter referred to as SOC).
10. SOC, 1722/5.
11. SOC, 1722/10.
12. SOC, 1722/14.
13. For a treatment of the factors uniting the 1815 Tipperary farming community, see James S. Donnelly, Jr: 'The Social Composition of Agrarian Rebellions' in *Radicals, Rebels and Establishment* (Ed. P. J. Corish), *Historical Studies*, Vol. XV, pp. 160-169.
14. Edward Brynn: *Crown and Castle: British Rule in Ireland 1800-1830* (Dublin, 1978), p.137.
15. *Rural Disorder*, pp. 8-9. It would be naive to imagine that the Ryan-Dwyer differences were completely settled. On 15 October 1815 Chief Magistrate Willcocks informed Robert Peel that the two family factions had resumed their "noisy" feud. (H.O. 100/185). For tithe proctors, see Appendix to this paper.
16. Clonoulty was so described by Captain Edward Wilson: SOC, 1722/102.
17. SOC, 1559/67 and SOC, 1559/70.
18. SOC, 1559/43-46.



19. SOC, 1721/32.
20. James S. Donnelly Jr., op. cit. pp. 162-3.
21. H.O. 100/187. See also newspaper reports in (1).
22. SOC, 1722/3.
23. *Tithe*: a tax on the renewal annual produce of the land. See Appendix.
24. *Limerick Evening Post*, 23 September 1815, p.4.
25. James A. O'Donoghue, "The Scullys of Kilfeacle - Catholic Middlemen of the 1770s", *Tipperary Historical Journal*, 1989.
26. SOC, 1722/85.
27. SOC, 1771/7.
28. See Edward Wilson's assessment that Michael Dwyer's sworn statement "relative to the murder of his Brother is not so complete" (as the information sworn concerning Ballagh): H.O. 100/187.
29. SOC, 1771/25.
30. SOC, 1771/30.
31. SOC, 1771/25.
32. SOC, 1771/28. However turgidly, Solicitor General Charles Bushe manages to convey his meaning. But, as a letter writer, he was obviously not in the Pascal class.
33. A book published in 1817 gives a dispassionate account of the Ballagh affair: "The New Annual Register or General Repository of History, Politics & Literature for the Year 1816", printed in London for William Stockdale, 1817: Chapter XI.
34. SOC, 1771/42
35. Mick Ryan and John Ryan, both of Clonoulty, signed over their land to Michael Mara and Laurence Hewit on 26 January 1816. The original of this eviction paper is in the possession of Mrs. Kitty Barry, Clogher, Clonoulty.
36. Quoted in *The Student's History of Ireland* by Stephen Gwynn (Talbot Press, 1925), p.221.

APPENDIX

The Tithe in Ireland

The tithes issue in Ireland had a long and bloodied history. This brief survey of the question has a deliberate early 19th-century bias.

The tithe was a church tax dating back to feudal times. After the Reformation the established Church of Ireland assumed the right to collect this revenue.¹ So here immediately we have an obvious cause for friction. All those in Ireland who came under the heading of dissenting religionists were understandably resentful about having to pay dues to a church other than their own. The dissenters were the Catholics, who made up the bulk of the population, and also the significant number of Presbyterians in the north.

In 1735 the rich landlords lobbied successfully to exempt pasture land from tithe jurisdiction. The result was that the burden of tithe payment shifted to the shoulders of the pastureless poor.

The clergy's agents in assessing the value of crops and in collecting tithes were the proctors. Like the Roman tax-collectors of old, the proctors sometimes negotiated with their employers for one amount and then proceeded to exact a higher sum from those who worked the land.

Where tithes were paid in kind and converted into money, the tithe was discounted at varying rates.² This "from kind to currency" phase was a grey area that could all too easily be exploited by the proctor.

The Whiteboys sought to impose their own assessment of the tithe. In Clonoulty in 1815 their demand was: no more than two shillings an acre.³ This demand was brusquely rejected, and the September violence followed as a consequence.⁴



In counties neighbouring on Tipperary (Waterford, Clare, Kilkenny, Queen's County) there was relatively little agitation over the tithes issue during 1813-16. Why the contrast with the upheaval in Tipperary? The explanation would seem to lie in the unified social conditions then prevailing in Tipperary. "In its social structure, Tipperary was not a county of extremes;" the tithe was the grievance "most likely to cut across the lines of social class below the landed élite."⁵

From landowner to full farmer to tenant to cottier, there was a cohesiveness peculiar to rural Tipperary. All these sectors formed an alliance in the cause of tithe reduction. And in their shared needling situation the landlords were known on occasion to give discreet encouragement to their tenants's resentment and resistance.⁶

While the tithe was the central issue in the Ballagh violence of 1815, it was not the basic injustice in Ireland. The basic deprivation was that a people had been deprived of their own land. In this perspective the tithe was an aggravating additional imposition. However, in the temper of the times it would have been unrealistic to mount a demand for the restoration of property. But it was possible — especially when the classes below the élite made common cause — to protest against the tithe.

The "tithe war" continued into the 1830s. There was murder, with consequent hangings, on Clonoulty's doorstep at Rathcannon in 1827.⁷ The Tithe Rent-Charge Act of 1838, "despite its limitations, ended the tithe war and the tithe question as such."⁸

FOOTNOTES (to Appendix)

1. Edward Brynn: *Crown and Castle: British Rule in Ireland 1800-1830* (Dublin, 1978), p.136-7.
2. Brynn: op. cit., pp. 136-7
3. *Limerick Evening Post*, 23 September 1815, p.4. See also PRO, H.O. 100/185.
4. *Limerick Evening Post*, loc. cit.
5. James S. Donnelly Jr.: "The Social Composition of Agrarian Rebellions" in *Radicals, Rebels and Establishments* (Ed. P. J. Corish), Historical Studies, Vol. XV, pp. 160-1.
6. Brynn, op. cit., p.137.
7. See *Sketches of the Irish Bar*, 1828.
8. Donal McCartney: *The Dawning of Democracy* (Dublin, 1987), p.145.

