



**TIPPERARY HISTORICAL JOURNAL
1992**

© County Tipperary Historical Society

**www.tipperarylibraries.ie/thh
society@tipperarylibraries.ie**

ISSN 0791-0655

William Scully and Ballycohey: A fresh look

By Gerard Moran

— 1 —

Few subjects evoke the same level of emotion for Irish people as does the land question. Memories of the massive clearances of the 1850s and of the Land War of the 1880s have been carried by Irish people at home and abroad down through the years, and indicate the manner in which the land question has dominated the political and social history of Ireland. Flashpoints such as that at Callan, co. Kilkenny in October 1849 and the Irishtown demonstration in April 1879 are well-known for their contribution to the development of the tenants' struggle.

In contrast historians have neglected other equally important flashpoints such as the Ballycohey incident in August 1868. The Ballycohey property was part of the Earl of Portarlington's estate until 1855, when it was sold to pay off bad debts. At that time it had 32 tenants, 10 with holdings of over 20 acres. It was purchased by Charles Grey, JP of Ballykisteen, the Earl of Derby's agent, for £13,500.¹ Grey increased the rental to £678, which was 16% above the Griffiths valuation.

When William Scully of Ballinlough bought the estate in 1866 for £14,000 there were 24 tenants, half of these with holdings of over 20 acres. Richard Quinn had the largest with 51 acres.² The tenants held yearly tenancies, paying their rents in May and November.

William Scully's purchase of the property alarmed the tenants. His past actions had struck terror into many of his tenants in Tipperary and Kilkenny. It had been suggested that Scully's negative attitude towards his tenants was probably shaped by his discovery of the body of his eldest brother James in 1842, the victim of an agrarian crime, for which nobody was ever convicted.³

In 1849 William was charged, but not convicted, with having shot the sons of one of his tenants, Bergin of Ballinlough. Scully had done everything possible to intimidate Bergin into giving up his holding in order to build his new residence there.⁴ In 1865 he was convicted at the Kilkenny summer assizes with having assaulted a pregnant woman, Bridget Teehan of Gurtnagap, whose husband he wished to evict. Scully was sentenced to 12 months' hard labour, but never served his sentence.⁵

In June 1862 he received a threatening letter stating that he would be shot if he did not stop his campaign against his tenants.⁶ These incidents suggest that the Ballycohey tenants' apprehension towards the new proprietor was justified. They petitioned Grey to ask him not to sell the property to Scully.⁷

William's Scully's family background was such that one would have expected him to have the support of all Irish Catholics and nationalists. He was the fourth son of Denys Scully of Kilfeakle, who had been active in the repeal movement in the 1830s. His brother Vincent had been an Independent Irish Party MP for Cork county from 1852 to 1857 and 1859 to 1865. Throughout the 1850s and 1860s William bought or inherited property in Ireland and the United States, and by 1860 his estimated wealth was about £115,000.⁸

Scully differed from the rest of his family in that he converted to the Church of Ireland. This was the result of his relationship with the local parish priest, who had reprimanded him for his harsh treatment of his tenants. Scully reacted by attending the local Church of Ireland service the



following Sunday although he was hardly convinced by Protestant doctrine. During the Ballycohey affair some groups went out of their way to portray Scully as a Protestant so as to create the impression that Protestants were bad landlords.⁹ This only exacerbated an already delicate situation at a time when the disestablishment of the Church of Ireland was the dominant issue during the 1868 general election campaign.

The first indication of the problems on the Ballycohey property occurred in June 1868, when Scully announced that all his tenants were to sign new leases containing several sections, and they would have to pay their rents quarterly instead of twice a year. While most Irish tenants would have been overjoyed to secure leases for their holdings, they would have balked at Scully's terms. Many of the provisions were not contentious, such as the prohibition on subletting, the division or the burning of the lands. The most polemical, however, stated that notices to quit could be served on the tenants 21 days before the eviction took place and they had no claims to the crops in the ground.¹⁰

Only four tenants appeared at Dobbins Hotel in Tipperary to pay Scully his rents; the rest sent deputies. No tenant refused to pay his rent and many were prepared to offer an increased rent, rather than sign the new leases. While prepared to make sacrifices to hold on to their farms, they were not prepared to do so at any cost. The tenants realised the consequences of their refusal to sign the leases and expected Scully to retaliate. This was evident from the way they neglected their farm work at the busiest time of the year.¹¹

Scully's first assault on the Ballycohey tenants occurred on Tuesday 11 August when, accompanied by four policemen and a driver, he attempted to serve the notices of quit. The party was soon surrounded by 40 local men and hooted and jeered. Only the intercession of two of his tenants, Philip Dwyer and Green, allowed Scully to depart unhindered.¹²

The next attempt to serve the notices came three days later when Scully, accompanied by a party of eight men, including six constabulary, arrived in Ballycohey. Again his appearance resulted in a large body of local people surrounding the party and threatening and hooting at them. While Scully went to four houses, he was unable to serve the notices because they were unoccupied.

By now the crowd was so large that the party feared for their safety, and Scully agreed with Constable Cleary that they should retire from the area. Scully led the party through the fields, which was not the most direct route back to Limerick Junction, and for some unexplained reason led them to the house of Philip Dwyer, presumably to serve a notice of quit on him.

As Scully and three of his party approached the front door, up to 17 shots were fired at them from a nearby barn. Two were killed, Constable Morrow and the landlord's steward, Darby Gorman; three others, including Scully, were wounded. The assassins escaped through a back door in the barn.¹³

The deaths shocked the country. The 1860s had generally been a harmonious period in landlord-tenant relations, largely because revolutionary nationalism had replaced agrarianism as the single most important issue in Ireland. Thus the Ballycohey affair caused a degree of concern, not only because of the killings themselves but because the land question appeared to be restored as the most important issue.

At first opinion differed as to the significance of the event. Some newspapers which espoused the landlord position, such as *The Times*, saw the crime as evidence of the lawless nature of Irish society, never considering that Scully's actions could have precipitated the deaths. It maintained that Scully was only carrying out his lawful duties; if the tenants had grievances, murder was not the way to redress them.¹⁴

Scully himself adopted the same attitude as can be seen in his only public letter on the issue:

"Time and space prevent me from saying more than contradicting . . . and asserting that my



dealings and conduct have been not only entirely legal, but equitable and just . . . The rule is the code of civil law and equity of the land, and not Captain Rock's law. If I had transgressed that rule, it was easy to get justice from the constitutional courts."¹⁵ This only played into the hands of the advocates of tenant-right, who asserted that no law existed to protect tenant farmers.

The London *Examiner* adopted a more pragmatic approach, highlighting the inordinate power of the landlords as the source of the problem. The *Examiner* maintained that Scully's behaviour was worse than that of the slave owners in the Carolinas or in Georgia:

"Mr. William Scully has made it plain to every farmer in Ireland that he can never again lie down in peace or in safety, until a fundamental change is made in the laws, regarding land."¹⁶

Even the *Irish Times*, generally regarded as supportive of the landlords, said that any tenant who would have accepted Scully's terms would have "placed himself in a position worse than that of the Southern States have been delivered", for he was turning the tenants into serfs.¹⁷

In the past, events such as those at Ballycohey tended to have a devastating effect on English public opinion. They demonstrated to English readers that the Irish were a barbarous race who could not be civilised. This attitude was predictable, given their over-all feelings towards Ireland after the Fenian events in Manchester and Clerkenwell a year earlier. However, Ballycohey was different, and English views changed after the newspapers showed that Scully was the architect of his own difficulties. While Scully was legally entitled to evict his tenants, it was widely regarded as a breach of natural justice.

While the national and local press highlighted Scully's past treatment of his tenants, his fellow landlords did little to hide their dislike of him. The coroner's jury at the inquest into the deaths of Morrow and Gorman severely criticised his conduct against his tenants and called for the enactment of legislation which would help the peace and welfare of the country.¹⁸ Fifteen of his fellow magistrates in Tipperary passed a resolution condemning his tyrannical actions.¹⁹

There had been two other incidents between the Famine and the land war of 1879-'82 where landlords were severely reprimanded by their peers for their actions against their tenants. These were against the Church of Ireland Bishop of Tuam, Thomas Plunket, in Partry in 1860, and against John George Adair in Derryveagh in 1861. In both instances the landlords had evicted tenants for issues other than the non-payment of rent.²⁰ The landlords were prepared to criticise figures such as Adair and Scully publicly, because their actions brought the landlords as a body into disrepute.

While such criticism was unusual, they were not condemning the laws which gave them such power.²¹ They were worried because the English press was beginning to blame the land laws for the Irish problem and were calling for an urgent change in agrarian legislation. The London *Examiner* summed up this feeling:

"Mr. William Scully had made it plain to every tenant farmer in Ireland that he can never again lie down in peace and safety until a fundamental change is made in the law regarding land."²²

Scully was also condemned by his own family, including his brother Vincent, who had laboured for over 20 years to get legal recognition for tenant right. Vincent Scully had led the criticisms against the landlords in the House of Commons in June 1861 after the Derryveagh evictions. He had researched the background to Derryveagh to show that John George Adair was not a fit person to be a commissioner for the peace for Donegal.²³

Two of William's nephews, Rodolph and Carberry, publicly stated that the tenants on the Scully properties in Tipperary had always paid their rents on time and had never caused trouble. In indicting their uncle's actions, Rodolph wrote:

"It is a hard case that a family of two generations in Tipperary, and holding properties in several baronies of the county, should be maligned by the conduct of one individual."²⁴



While the events in Ballycohey are straightforward, a number of other broader issues have to be examined, the most significant being that of landlord-tenant relations. While no evictions were carried out at Ballycohey, the incident must rank as serious as those at Partry in 1860 and Derryveagh in 1861, when the landlord displayed his absolute power in his dealings with his tenants. These cases showed the way in which the landlord wanted the estate rules changed. This was the fundamental reason for the violence that erupted on all three estates, and conforms with M. R. Beames's argument that violence on estates in pre-famine Ireland was exacerbated by new rules which militated against the tenants.²⁵

The problems evident on the three estates show that, once a landlord secured a decree to evict his tenants, nothing could be done to stop him. All the forces of the State were placed at his disposal down to the police that protected him as he left the tenants on the roadside. The Partry, Derryveagh and Ballycohey affairs demonstrated also that the authorities and the police were unhappy with this role which had them protecting landlords who exploited the land laws to the full. Before the Ballycohey incident nothing like it had occurred since the evictions in Partry and Derryveagh, and Ballycohey reinforced the idea that the underlying tensions of the agrarian problem had not disappeared.

The Ballycohey affair is also unusual in that the threatened evictions took place during a period of relative prosperity. Most of the evictions that occurred between the Famine and the land war of 1879-82 were for the non-payment of rent and usually occurred during periods of falling agricultural prices and poor harvests, as in the 1860s.²⁶

Scully's actions, however, took place against a background of favourable landlord-tenant relations in Tipperary; only 36 families had been evicted in the county for the year.²⁷ It also overshadowed the philanthropic gestures of other Tipperary landowners, such as Sir Charles Moore MP, who helped his Bansha tenants in August after heavy rains and floods had destroyed their crops. Besides assisting them, Moore also allowed them a rent reduction.²⁸ Such acts were forgotten and all landlords were now tarred with the same brush as Scully.

Scully was unlucky in that the threatened evictions occurred at a time of notable peace and tranquility in Irish agrarian affairs. If the notices had been served when there had been widespread clearances, as in the early 1850s, or if he had served them one at a time, it is probable that little notice would have been taken of them. Instead, the public were given a practical demonstration of the insecurity which the Irish tenant farmer endured.

While evictions were rare in post-famine Ireland, accounting for only one in every 1,000 holdings in most years, the Ballycohey affair indicted the manner in which the landlords could use the law to enforce their rules.²⁹ The authorities maintained that Scully's actions were exceptional rather than the norm for Irish landlords. The affair nevertheless showed that, as the law stood, landlords could use their power for their own reasons. It posed the question; were the land laws for the exclusive benefit of the landlords or for society in general?

Scully was, of course, within his rights as a landowner in carrying out these actions; he had broken no laws. The law itself was now on trial. When Scully's peers condemned his actions, they were not attacking the law, but rather Scully as an individual because he was alerting public attention to the power that landlords possessed.

If Scully wished to evict his tenants, he had only to follow the normal course of issuing them with six months' notice to quit and then acting on it. Instead, he wanted to display his arbitrary power as a landlord and involve the constabulary, emphasising his control over his tenants. Shortly after the Ballycohey affair the case of Patrick Jennings became known. Jennings was a tenant on the Anderson estate in Cong, co. Mayo, who never owed rent and who had expended large sums of



money improving his holding. The landowner, Mrs. Anderson, offered no reason for ejecting him.³⁰ Only for the Scully affair, it is unlikely that this case would ever have come to light.

The Ballycohey incident also highlights the need for an re-examination of evictions themselves when discussing landlord-tenant relations. While W. E. Vaughan and Barbara Solow have asserted that the familiar picture of post-famine tenants being thrown out of the holdings and left destitute on the side of the road is not entirely true, it fails to take into consideration the mental terror which events like those in Ballycohey put on tenants.³¹ While few landlords took the law to the extremes that Scully did, they nevertheless possessed the power and could use it if they so wished. This meant that tenants had to ensure that they did not antagonise their landlord.

The Ballycohey tenants remained in constant dread of the bailiffs and were suspicious of all strangers in the area. They feared that Scully wanted to get revenge in the same way that Plunket had done in Partry and Adair in Derryveagh. Three weeks after the murders he considered evicting three of the tenants because they had played a major role in the events of 14 August.³² No evidence was provided to substantiate these claims, indicating that Scully was more interested in seeking revenge against his tenants than in finding out who the true culprits were. He wanted to act as judge and jury.

Scully received even less sympathy for this approach. Even the authorities felt that Scully was wrong, and that if he persevered in his actions they would have to warn him that he was the architect of his own difficulties. They had pursued a similar line with John George Adair during the Derryveagh affair in 1861.³³

Scully's new approach resulted in the downgrading of the Ballycohey incident and the rise in prominence of the land laws. In the past most agrarian outrages highlighted the crimes against persons rather than the inadequacies of the land laws. Now, however, land laws were now on trial rather than the society which allowed such crimes to occur.

Scully's actions re-activated the movement for agrarian reform. The threatened evictions awoke all sections of society from their slumber and inertia towards the land question. The local farmers clubs had become a dormant force in the 1860s because the national questions was receiving total exposure. Organisations like the Tipperary Farmers Club had had little success in the 1860s. However, the Ballycohey affair demonstrated to them the precarious existence which all farmers endured — not alone the small destitute tenants of Partry and Derryveagh. They also held their farms at the whim and discretion of their landlord; with the law completely on his side, he could evict them at will.

Scully's activities were condemned at the September meeting of the Tipperary Farmers Club. He was described as a person who displayed little concern for his tenants.³⁴ Thus the Ballycohey incident and the 1870 Land Act were to revitalise the local farmers' clubs and rid them of their former complacency. Questions were raised about the fundamental laws governing landlord-tenant relations, as was evident when the issue was debated in parliament in March 1869.³⁵ But for the Ballycohey affair, the laws governing landlord-tenant relations would not have come under immediate attention.

Isaac Butt, who became leader of the home rule movement in May 1870, realised the political and agrarian consequence of Ballycohey and based much of the lecture at Limerick on the issue and it formed the basis of a pamphlet, *The Handbook of the Land: Selections from Mr. Butt's Tracts on the Land Question*.³⁶ Inevitably tenant-right advocates used Scully as a bench-mark for landlord wrongdoing. Whenever landlords exploited their power to serve ejectment notices or to terrorise their tenants they were described as using "Scully tactics" or "Scully's leases".³⁷ Many contemporaries in the 1870s referred to Ballycohey in great detail as an indication of landlord power over their own tenants.³⁸



The Ballycohey incident also highlighted the problem of agrarian crime within Irish society. Such crimes were not, of course, new in 19th-century Tipperary. Before the Famine the county was notorious for its lawlessness; but this problem had never been noted on the Ballycohey property.³⁹ Undoubtedly the attack on the Scully party was premeditated, for the assassins lay in wait until Scully's group approached. It is probable that the assailants used the Dwyer house because they realised there would be nobody present.

All of the families had congregated to harangue the party in what appeared to be a co-ordinated rally against the landlord. It was also well known that all of the tenants would be absent from their homes, so that Scully would be unable to serve them with their notices to quit. The Dwyer farm was used for the attack because it was the best location for carrying it out and for making a good escape. The guns used had probably been secured for insurrectionary purposes by local Fenians in 1867.

— 3 —

From the outset the constabulary had no leads as to who the assassins were. While arrests were made, they appear to have been carried out to placate the local gentry and the Dublin authorities. While the Lord Lieutenant offered a £500 reward, the constabulary never made any progress in identifying the assassins. The police felt the Dwyer family were deeply involved with the killings and at the very least were present when the crime was committed. Most of the family was arrested, including three of the daughters, but all were released because of the lack of evidence.⁴⁰

The fact that no one was brought to trial indicates the continuing difficulties which the authorities encountered when trying to capture the perpetrators of agrarian crime in Ireland. The killers in Partry, Derryveagh and of Lord Leitrim and his steward in 1878, as well as in Ballycohey, were never apprehended. This all suggests a certain level of complicity by the indigenous population to such crimes. As head constable Egan commented about the Ballycohey tenantry: "nearly all of them were in on the plot".

While the police had no difficulties recruiting informers from within the Fenian movement, a similar approach did not yield results within a community who felt they had been unjustly treated. It seems unlikely that the population did not know who the assassins were, as the crime was committed in broad daylight and at a time when nearly all of them were at the scene. One can only deduce that the local population agreed with the attack on Scully, or they were intimidated into withholding information from the authorities. Even a neighbouring landowner, Lord Derby, wrote to his tenants in March 1869, stating that he felt that some of them knew the identity of the Ballycohey assassins and calling on them to co-operate with the police. He threatened to evict any tenant who withheld information from the constabulary.⁴¹ This also failed to achieve results.

There was a general sympathy with the perpetrators of agrarian crime in Ballycohey and in other parts of Tipperary. Detective Egan, who investigated Ballycohey and other killings in the county, said: "The slayer of an obnoxious landlord or intending tenant would be looked upon as a public benefactor there. The act itself would be considered as giving an example to the 'landlords and land seeking' tenants of the country".⁴² This attitude made the detection of crime virtually impossible. When a beggar arrived in Ballycohey the tenants feared he was a detective and he was hunted from the area. The only point that the authorities were certain of was that no organised society existed in Ballycohey. The crime was an immediate response by the local community to their distinctive conditions.

The constabulary endured further pressure in that the Ballycohey affair occurred immediately after the Fenian rising of 1867 and in a region where the Fenian presence was strong. As nobody was charged with the crime, an added strain was placed on a constabulary who already had enough to



contend with. Having to deal with an exclusive landlord-tenant relations issue placed them in an invidious and “no-win” situation.

The Ballycohey events showed up the difficulties which the constabulary encountered when dealing with landlord-tenant affairs. The Irish constabulary differed from their English counterparts in that they performed a number of additional functions, such as the collection of the yearly agricultural statistics, eviction returns, seasonal migration and emigration returns, the wages of agricultural labourers and the collection of papers for the poor law guardian elections.⁴³

One of their most contentious functions, however, was their presence at evictions. Their duty was not to enforce the law of landlord and tenant, but to protect the subsheriff and his officers when they were carrying out their duties.⁴⁴ The local population often misinterpreted the constabulary’s presence at the eviction scene as an indication of their support for the landlord’s tactics. This was difficult for a force three-quarters of whose members were Catholics and recruited from that very section of society who were being evicted. While the authorities were unhappy with their role at an eviction scene, they were totally enraged when landlords abused them when carrying out evictions.

Scully used a small police escort on 14 August to serve the preliminary ejection notices, although he had requested the protection to inspect his Ballycohey property. The constable in charge, Cleary, warned Scully against carrying out evictions because of the size of the crowd and the small numbers of constabulary present.⁴⁵ Scully thus used the police for the purposes opposite to what they had been asked for. The constabulary did not object to this work; at no time did they inform Scully that they were not allowed to help in carrying out the ejection notices. While the police were legally obliged to provide protection, they would have preferred if they were not involved.

The Government’s attitudes to the landlords’ eviction activities indicate that landlords did not have the authorities’ total support. The Partry, Derryveagh and Ballycohey incidents show that while landlords received the necessary legal assistance to remove their tenants the authorities were prepared to be critical when they felt that an injustice had been done. Society in general was becoming more critical of the landlords’ absolute powers.

The Government’s negative attitude towards Scully was exacerbated by his later decision to ask the police to support him in his lawful business of serving notices to quit on three tenants, who (he declared) were inciting the people to violence. While the Lord Lieutenant, Lord Abercorn, did not provide this protection there was little he could do.⁴⁶ While the law was prepared to punish the perpetrators of crime, it also acknowledged that the activities of landlords like Scully precipitated such outrages.

The authorities also introduced into Ballycohey their familiar tactics to curtail agrarian violence — the placing of additional constabulary in the region. On 17 August eight extra policemen were sent to the district as an additional cost of £7-10-6 for a three-month period.⁴⁷ Detective Egan maintained that the only way to combat agrarian crime in Tipperary was to tax the farmers at the scene of the outrage, “for a Tipperary man can’t bear to touch his pocket and sooner than permit it would give a hint”.⁴⁸

The placing of additional police in such areas always caused controversy because often the culprits came from outside the proclaimed district and innocent people had to pay the police tax. Compared with other areas, the Ballycohey tenants got off lightly; the extra police were soon withdrawn at the insistence of the local magistrates. The outstanding sum was never collected because the property had then been sold and it was not deemed necessary to enforce payment.⁴⁹

The police were stationed in Ballycohey because of the general state of lawlessness throughout the county, not because of a sudden upsurge in agrarian crime in the townland. The authorities worked under the assumption that, because it had occurred in the past, it could well happen again



in the future. No cognisance was taken of the fact that the landlord had created the problem — and that he still remained.

A suspicion existed that the murder was associated with Fenianism, because a returned American emigrant had appeared in the locality who talked a lot about Fenianism.⁵⁰ It suited the authorities to portray such outrages as the work of a secret agrarian society or the Fenians. It cemented the general view among the English public and within certain influential Irish sections that Ireland was a barbarous and unlawful country. While this approach was successful in the past, the incidents at Ballycohey, Partry and Derryveagh were the result of individual aggression towards a landlord and not a concerted campaign against landlordism in general.⁵¹

Some landlords, led by the Marquis of Clanrickard, blamed the stipendary magistrate, De Gernon, for sending an inadequate police force to protect Scully. They refused to acknowledge that Scully had not informed the police what his intentions were. Clanrickard argued that if a greater force had been sent the people would have been deterred from carrying out an unlawful act.⁵² De Gernon had to accept total responsibility and was transferred from the area.⁵³

Another aspect of the problem was evident in the general rise in lawlessness in Tipperary over the next few months. The success in resisting the evictions in Ballycohey spread to other areas, and the tenants on the Richard property at Glanbryan succeeded to stopping the landlord from serving notices to quit. A number of landlords were attacked or killed: George Cole Baker of Ballydavid, Bansha was murdered on 31 December 1868, apparently because he had secured ejectment notices at the Cashel quarter sessions. Nine agrarian murders were committed over the next twelve months, indictating the manner in which the land question was regaining its former dominant position, now that militant nationalism was on the decline.⁵⁴

The landlords attributed the rise in crime to the withdrawal of the additional police from Ballycohey and the authorities' failure to bring the assassins to justice.⁵⁵ It gave credence to the landlords' claim that Ireland was a dangerous place. After Ballycohey all other agrarian crimes were magnified to highlight the lawlessness and disturbed state of Ireland. This was not difficult to achieve, as most English people felt that the Irish were a ruthless people after the Fenian activities in England.

The rise of agrarianism in Tipperary forced the Archbishop of Cashel, Patrick Leahy, to issue a pastoral letter in May 1869, condemning the rise in crime.⁵⁶ While crime levels increased in this period, it would be unfair to state that society in general was violent. Often the crimes were exaggerated, or rumours became fact, and accidental incidents were reported to the police who classified them in their statistics, giving the impression of a high level of crime.⁵⁷ An agrarian murder sent shock waves through the landed community and their nervousness made them report incidents which were of no significance. Irish landlords were not at risk from the assassin's bullet in the period between 1851 and 1879.

A further feature which would have been expected to give the Ballycohey affair some prominence was that it occurred during the general election campaign. Gladstone placed the Irish land question at the top of the political agenda for the election, and argued that the Ballycohey affair proved the necessity for agrarian reform. However, the election failed to highlight the cause of the Irish tenant farmer to the extent that one might have expected, and nowhere was this more evident than in Tipperary.

The only Tipperary candidate to advocate the tenant cause was Peter E. Gill, a newspaper editor and an advanced nationalist. One elector wrote:

"Promise you vote to no candidate who will not vote for Tenant-Right — Not Scully's Tenant-Right! You will have a true and faithful man, to stand to your grievances and shake that tramel that



so long bound this down-trodden country, and after the cause of our scaffolds adorned with the blood of enraged peasantry and the curses of widows and orphans."⁵⁸

Gill's address to the Tipperary electors concentrated on tenant-right, and he stated that security of tenure was the single most important issue he believed in. Many of his speeches in the county, as at Kilcommon, dealt at great length with the Ballycohey affair.⁵⁹ The Ballycohey events helped Gill to build up a serious challenge to the existing political representatives, who confined their efforts to the disestablishment of the Church of Ireland.

The group who expressed least support for the tenants were the clergy. A check on the Tipperary priests and those in other constituencies shows that they did not criticise Scully during the election campaign. They were wholly concerned with church disestablishment, and did not want to be distracted by any other subject.⁶⁰

A further factor which militated against Gill's attempts to make the land laws a major election issue was the decision by the outgoing MP, Sir Charles Moore, to purchase the Ballycohey estate from Scully for £14,000. A neighbouring farmer, John Dwyer of Barronstown, first wrote to Moore and told him that the tenants would pay their rents on time and even pay an increased rent if required. This prompted Moore to buy the land; he now secured the approval of the Archbishop of Cashel and the tenants themselves.⁶¹ The tenants openly canvassed for Moore at Gill's expense, issuing a statement extolling Moore's virtues and how he had rescued them from serfdom and oppression. They even offered to cover all of his election expenses.⁶²

Thus they were calling on their fellow-tenants in Tipperary to support Moore. They were looking at their own private situation and not the legal position of the tenants, which gave them little protection against their landlord. This was a short-term solution, and it would have been more beneficial if they had qualified their support for Moore by also calling for a change in the land laws which would protect the tenants. Moore's purchase of the estate diminished the importance of the land question as the dominant election issue, not only in Tipperary but also throughout the country. As the eviction threat receded an immediate solution was not deemed necessary.

Consequently many of the speakers at the election meetings, like Rev. J. Scanlan, P.P., Toomevara, were unapologetic in their assertions that the land question would have to play a secondary role in the election.⁶³ The Ballycohey property finally passed into Moore's hands in October 1868, but only after he had agreed to pay the November rents in addition to the purchase price. Only then were the additional constabulary recalled to Dublin.⁶⁴

— 4 —

Ballycohey had a greater influence on British rather than Irish politicians, and influenced Gladstone's attitude to Irish land laws. During the 1868 election campaign he spoke out against the events in Tipperary; at a Liverpool demonstration he said he understood the active and burning hatred which the Irish tenants had.⁶⁵ In his opening speech on the Irish Land Bill in February 1870 he referred to Scully's actions, stating that the general evil which the tenant farmer faced was insecurity of tenure, and "there have been painful cases of this kind at no very distant date".⁶⁶

Gladstone's actions and the memory of Ballycohey threw Irish nationalist politicians a life-line for which they had been desperately searching throughout the previous decade. The land question was the single most important social issue which could attract the attention of nearly all Irish people, whether rural or urban. Ballycohey, like the Irishtown meeting of April 1879, united the flagging fortunes of constitutional nationalism. As early as 1869 Isaac Butt and George Henry Moore highlighted the injustices behind the land laws as exemplified by the Ballycohey incident, and the need for adequate protection for the Irish tenant farmers.⁶⁷



Ballycohey thus demonstrated that the agrarian question had been totally subservient to the national question in the 1860s, primarily because of the rising standards of living brought about by the agricultural prosperity of the 1860s.⁶⁸ The Ballycohey episode was important not because of the attempted evictions themselves, but because it called into the question the power of landlordism itself. Had Scully had his way, he would have evicted the tenants. It was their spirited resistance, combined with public opinion moving against Scully, and the negative attitude of his peers, which forced him not to carry out the evictions.

The events in Ballycohey showed up the injustices of the Irish land laws in the same way that the Manchester Martyrs affair highlighted the problems of fenianism. It was yet another example to English public opinion of the problems that existed in Ireland.

The Ballycohey affair had more far-reaching implications for Irish landlord-tenant relations than has been heretofore realised. It re-awakened an awareness about Irish agrarian law that had been dormant since the 1850s. Its significance needs to be examined in the broader context of Ireland and not confined to the local or even the county level. Ballycohey was as important in its own way as the Irishtown meeting in county Mayo in 1879.

It put another nail in the coffin of Irish landlordism.

FOOTNOTES

1. *Tipperary Free Press*, 18 Aug. 1862, p.2; *Nation*, 12 Sept. 1868, p.70; Denis G. Marnane, "Land and violence in nineteenth century Tipperary" in *Tipperary Historical Journal* (1988), p.58; Marnane, *Land and violence: a history of west Tipperary from 1660* (Tipperary, 1985), p.90; National Archives, *Landed estate court*, 33/6, lot 34, Ballycohey.
2. Valuation Office (Dublin), *Valuation Records*, Co. Tipperary, S.R., barony of Clanwilliam, e.d., Shronell, 1868-1926; entry 1866.
3. See M. R. Beames, "Rural conflict in pre-famine Ireland: Peasant assassinations in Tipperary, 1837-1847" in C.H.E. Philpin, (ed.), *Nationalism and popular unrest in Ireland* (Cambridge, 1987), pp.267-9.
4. Marnane, *Land and violence*, p.96; T. P. O'Connor, *The Parnell Movement* (London, 1886), p.208.
5. *Nation*, 22 Aug. 1868, p.7; 29 Aug. 1868, p.11; O'Connor, *op.cit.*, p.208.
6. National Archives, *Chief Secretary's Office, Registered Papers*, (C.S.O., R.P.) 1862/14945, Police records dated 9 June 1862.
7. *Tipperary Advocate*, 22 Aug. 1868, p.4; See also David Fitzpatrick, "The galling yoke of oppression": Images of Tipperary and Australia, 1853-68", letter of John Ryan (Ballycohey) to Thomas Ryan, dated 12 Nov. 1866, in *Tipperary Historical Journal* (1991), p.104.
8. Marnane, *Land and violence in west Tipperary*, p.97; A.M. Sullivan, *New Ireland*, ii, (London, 1877), pp.353-4.
9. See *Nation*, 12 Sept 1868, p.62.
10. For a copy of the lease, see *Dublin Daily Express*, 19 Aug. 1868, p.3; *Nation*, 22 Aug. 1868, p.2.
11. *Freeman's Journal*, 24 Aug. 1868, p.4.
12. *Ibid.*, 18 Aug. 1868, p.3; *Dublin Daily Express*, 17 Aug. 1868; p.3; *Irishman*, 22 Aug. 1868, p.118.
13. *Nation*, 22 Aug. 1868, p.5; *Irishman*, 22 Aug. 1868, p.118; *Freeman's Journal*, 18 Aug. 1868, p.3; See also A. M. Sullivan, *op. cit.*, ii, pp.350-371; Marnane, *Land and violence: history of west Tipperary*, pp.96-99.
14. *London Times*, 18 Aug. 1868; it gradually changed its mind on Scully when it became known about his leases, and in time described him as a rash and high-handed man!
15. *Dublin Daily Express*, 5 Sept. 1868, p.3; *Tipperary Advocate*, 12 Sept. 1868, p.3.
16. Quoted in *Tipperary Advocate*, 29 Aug. 1868, p.3; see also *Tipperary Free Press*, 25 Aug. 1868, p.2.
17. *Irish Times*, 19 Aug. 1868, p.2.
18. *London Times*, 18 Aug. 1868, p.4; *Dublin Daily Express*, 17 Aug. 1868, p.2; *Nation* 22 Aug. 1868, p.2.
19. *Dublin Daily Express*, 31 Aug. 1868, p.2; *Tipperary Free Press*, 28 Aug. 1868, p.2; Sullivan, *op.cit.*, ii p.365.



20. See Gerard P. Moran, *The Mayo evictions of 1860: Fr. Patrick Lavelle and the 'war' in Partry* (Westport, 1986), pp.96-7; W. E. Vaughan, *Sin, sheep and scotsmen: John George Adair and the Derryveagh evictions, 1861* (Belfast, 1983), p.36.
21. The best example of this was the Duke of Manchester's letter; see *Freeman's Journal*, 9 Sept. 1868, p.3; *Tipperary Advocate*, 12 Sept. 1868, p.3.
22. Quoted in *Nation*, 29 Aug. 1868, p.23; See also the *Saturday Review*, *Liverpool Albion* and *The Spectator*, which are quoted in the same paper.
23. *Irish Times*, 14 Sept. 1868, p.3; *Tipperary Free Press*, 15 Sept. 1868; for Vincent Scully's criticism see *London Times*, 20 Aug. 1868, p.10.
24. *Tipperary Advocate*, 10 Oct. 1868, p.3; *Tipperary Free Press*, 13 Oct. 1868, p.4; Vaughan, op.cit., pp.264-81.
25. Beames, op.cit., pp.264-81.
26. On this point see Vaughan, *Adair and Derryveagh evictions*, p.28; on the problem of agricultural distress in the early 1860s see James S. Donnelly, "The Irish Agricultural Depression of 1859-64", in *Irish Economic and Social History*, iii, (1976), pp.33-54.
27. *Tipperary Advocate*, 19 Sept. 1868, p.2; Marnane, *Land and violence in nineteenth-century Tipperary*, p.73.
28. *Tipperary Free Press*, 4 Sept. 1868, p.2.
29. W. E. Vaughan, "Landlords and tenants in Ireland, 1848-1904", in *Studies in Irish economic and social history*, 2, (Dundalk, 1984), p.21.
30. See *Nation*, 5 Sept. 1868, p.36.
31. For Vaughan's arguments on the absence of large-scale evictions see "Ireland, c.1870", in W.E. Vaughan, ed., *A new history of Ireland, v.* (Oxford, 1989), p.748; Barbara Solow, *The land question and the Irish economy, 1870-1903* (Harvard, 1971), pp.51-57.
32. N.L.I., MS 7597, *Thomas Larcom Papers*, Larcom to ?, dated 14 Sept. 1868; *Irishman*, 5 Sept. 1868, pp.152-3; *Nation*, 5 Sept. 1868, p.37.
33. N.L.I. MS 7597, *Larcom Papers*; Report of Thomas Larcom to Lord Mayo, dated 23 Aug. 1868.
34. *Nation*, 19 Sept. 1868, p.69.
35. See Hansard, vol. 194; [18 Mar. 1869], cols. 1618-1652.
36. *Nation*, 12 Sept. 1868, p.55; *Tipperary Advocate*, 5 Sept. 1868, p.2; Isaac Butt, *The Handbook of the Land: Selections from Mr. Butt's Tracts on the Land Question, pt. 1* (Dublin, 1870).
37. See *Tipperary Advocate*, 6 Feb. 1869, p.2; The landlord in question was Hon. Charles Clarke, who served ejectment notices on his Holycross tenants, See also 15 May, 1869, p.3; *Nation* 23 Oct. 1869, p.153.
38. Sullivan, op.cit., ii, pp.350-371; Rev. Patrick Lavelle, *The landlord since the revolution* (Dublin, 1870), pp.
39. The issue of agrarian crime in nineteenth-century Tipperary is well documented in Marnane, *Land and violence in nineteenth century Tipperary*, pp.67-71. Before the famine Tipperary represented a picture of agrarian lawlessness with at least 27 people being killed for land related offences between 1837 and 1847. See Beames, op.cit., pp.264-281; James W. Hurst, "Disturbed Tipperary, 1831-1860", in *Eire-Ireland*, ix, (Autumn, 1971), pp.44-5. For agrarian crime in Tipperary in the 1860s see N.L.I. MS7637, *Larcom Papers*.
40. N.A., C.S.O., R.P., 1869/5522, letter from head constable Egan (Tipperary) to Dublin Castle, dated 27 Feb. 1869; A number of people like Philip Dwyer were arrested on the word of William Scully, who maintained that he saw Dwyer present on 14 August. See *Dublin Daily Express*, 3 Sept. 1868, p.2; 5 Sept. p.3; *Tipperary Free Press*, 1 Sept. 1868, p.2. It was believed that Scully singled out Dwyer because he believed he had organised the resistance to the lease proposals.
41. N.L.I., MS 7597, *Larcom Papers*; *London Times*, 11 Mar. 1869.
42. N.A., C.S.O., R.P., 1869/5522, letter from Egan to Dublin Castle, dated 27 Feb. 1869; See also B.L.I., MS 7637, *Larcom Papers*, Sir Thomas Larcom to Sir Robert Peel, dated 2 May, 1862.
43. Vaughan, "Ireland, c.1870" pp.765-6; N.L.I., MS 7781, *Larcom Papers*.
44. Vaughan, "Landlords and tenants in Ireland, 1848-1904", p.12.
45. N.L.I., MS 7597, *Larcom Papers*; *London Times*, 10 Mar. 1869.
46. *Ibid.*, Larcom to ?, dated 12 Sept. 1868.
47. *Ibid.*



48. N.A., C.S.O., R.P., 1869/5522, Egan to Dublin Castle, dated 27 Feb. 1869.
49. N.L.I., MS7597, *Larcom Papers*.
50. N.A., C.S.O., R.P., 1868'11,577, G.W. Warbarton, Castleconnell, co. Limerick to Sir Thomas Larcom, dated, 26 Aug. 1868.
51. See *ibid.*, C.S.I., R.P., 1869'5522, letter from Egan to Dublin Castle, dated 27 Feb. 1869.
52. *Hansard*, vol. 194, [9 Mar. 1869], cols. 946-7; N.L.I., 7597, *Larcom Papers*; *London Times*, 18 Mar. 1869.
53. See N.L.I., MS 7597, *Larcom Papers*, Letter from De Gernon to Larcom, dated 9 Mar. 1869, & Larcom to de Gernon, undated telegram.
54. *Tipperary Advocate*, 29 Aug. 1868, p.2; 2 Jan. 1869; *Nation*, 2 Jan. 1869, p.312.
55. See N.L.I., MS 7597, *Larcom Papers*, Wilson Patten to Larcom, dated 4 May, 1869.
56. *Nation*, 22 May 1869, p.628; *Tipperary Free Press*, 22 May 1869, p.4.
57. See Vaughan, *Adair and Derryveagh evictions*, pp.29-30, 33-4; On the general questions of crimes in the 1860s on agrarian and ribbon issues, see A.C. Murray; "Agrarian Violence and Nationalism in Nineteenth-Century Ireland: The Myth of Ribbonism", in *Irish Economic and Social History*, xiii, (1986), p.71; Gerard Moran, "Politics and electioneering in county Longford, 1869-1880", in Raymond Gillespie and Gerard Moran, eds. *Longford: Essays in county history* (Dublin, 1991), pp. 182-3.
58. *Dublin Daily Express*, 25 Aug. 1868, p.2; *Tipperary Advocate*, 59 Aug. 1868, p.4; *Irish Times*, 25 Aug. 1868, p.3.
60. For the clergy's role in the 1868 general election, see Emmet Larkin, *The consolidation of the roman catholic church in Ireland, 1860-70* (Chapel Hill, 1983), pp. 590-612; David Thornley, *Isaac Butt and Home Rule*, (Westport, Conn. 1967), pp. 37-45; For a more localised view see Gerard Moran, "The Changing Course of Mayo Politics, 1868-1874", in Raymond Gillespie and Gerard Moran, (eds) "A Various Country": *Essays in Mayo History, 1500-1900*, (Westport, 1987), pp. 138-83; Moran, "Politics and Electioneering in Longford", pp. 174-6; Moran, "Philip Callan: The Rise and Fall of an Irish Nationalist MP, 1868-1886", in *Journal of Co. Louth Archeological Society*, forthcoming 1993.
61. Marnane, *Land and violence*, p.98; *Tipperary Free Press*, 13 Oct. 1868, p.3; *Nation*, 17 Oct. 1868, p.135.
62. *Nation*, 14 Nov. 1868, p.204; *Tipperary Free Press*, 3 Nov. 1868, p.2; 17 Nov. 1868, p.2.
63. *Tipperary Free Press*, 27 Oct. 1868, p.3.
64. *Ibid.*, 20 Oct. 1868, p.3.
65. *Nation*, 24 Oct. 1868, p.150.
66. *Hansard*, 3rd series, cxcix, [15 Feb. 1870], col. 354.
67. See Butt speech to the Limerick Farmers club.
68. On this point see Vaughan, *Adair and Derryveagh*, p.45.

