

Crime in pre-Famine North-West Tipperary

By Daniel Grace

Pre-Famine Tipperary was notorious for its high level of crime. "In no district, shire or county in the kingdom is there more crime perpetrated with impunity than in this far-famed and celebrated county", lamented the *Nenagh Guardian* of 7 August 1841. The newspaper commented some weeks later that "the mention of its [Tipperary's] very name conjures up associations with crimes innumerable and of the darkest dye".¹

In a pamphlet published in 1842, "A Magistrate of the County" claimed "that crimes of every hue have been and are being perpetrated in Tipperary".² The writer went on to assert that "many indeed of these acts of outrage are so heinous in their nature, so marked by cruelty, atrocity and barbarity, as to equal if not exceed in their details those of the most savage nations of the earth, excepting only the absence of cannibalism". Recent historians – notably Hurst, Beames and Marnane – have also drawn attention to the lawlessness of the county during the pre-Famine period.³ Galen Broeker in his study of the growth of a professional police force in Ireland has suggested that the disturbed nature of pre-Famine Tipperary was an influence on the emergence of that body.⁴

This article attempts to examine the extent and nature of crime in one area of county Tipperary in the years preceding the Great Famine. The study is confined to the five-year period 1837-41 and focuses attention on the three baronies of Owney and Arra, Upper Ormond and Lower Ormond – collectively referred to hereafter as north-west Tipperary. The article is based on the police or outrage reports now preserved in the National Archives, Dublin.⁵ Despite the fact that they contain a wealth of detail on both ordinary and agrarian crime, these reports have not previously been utilised to any great extent by historians.

The police reports have certain limitations as a source for studying pre-Famine crime. The most obvious one is that a number of them appear to be missing, which makes quantitative analysis difficult. However, a correlation with reports of crime appearing in the local *Nenagh Guardian* newspaper for the years in question suggests that for north-west Tipperary few are actually missing.

The value of the reports is limited by the fact that they were usually filed within a day of the outrage when the police had as yet carried out only a preliminary investigation of the motive, the identity of the culprits and the extent of injuries suffered by the victim. For instance, some reports were first classified under the heading "assault endangering life", but had to be changed to "homicide" when the victim died some days later.

TABLE 1
Reported outrages in north-west Tipperary, 1837-41

Barony	1837	1838	1839	1840	1841
Ormond Lower	80	74	100	111	144
Ormond Upper	69	46	82	85	150
Owney and Arra	32	29	29	30	54
Total	181	149	211	226	348

Finally, the reports are tedious and time-consuming to work through. The total of 1,115 applicable to the three baronies are dispersed among thousands of individual reports located in the various Tipperary boxes. Each report had to be identified and carefully examined for the relevant details.

Table 1 shows the total number of outrages reported in each of the three baronies during the five-year period 1837-41. While outrages fell during 1838, the general trend showed a marked increase in crime during the five-year period. By 1841 reported outrages were 112 per cent higher than they had been in 1837. Table 2 suggests that Upper Ormond was the most violent of the three baronies. It had 6 per cent of the total Tipperary population but 13 per cent of all reported outrages – over twice the rate of neighbouring Owney and Arra.

TABLE 2
Population and crime in north-west Tipperary, 1837-41

Barony	Pop. in 1841	Pop as % of Tipperary population	No. of outrages in barony 1837-41	Outrages as % of total Tipperary outrages
Ormond Lower	50,001	11.5%	509	15%
Ormond Upper	26,530	6%	432	13%
Owney and Arra	31,202	7%	174	5%

Crimes against Persons

When the police report arrived at Dublin Castle the class of outrage it belonged to was written on it. While there are some minor inconsistencies in the classification, all the outrages fell under one of the 23 categories listed in Table 3. The nature of most of those crimes is self-evident, but a number of them need to be explained in greater detail. Approximately 60 per cent of all reported outrages were directed against the person. These ranged from unlawful killings (homicide) through assaults and house attacks, to such lesser crimes such as administering unlawful oaths and posting threatening notices.

Homicide is the usual word used on the police reports for unlawful killings. The term included both murder and manslaughter; the exact charge against the assailant was determined at a later stage. The crimes of infanticide, child desertion, abduction and rape are discussed below in the section on "Women and Crime". Since the posting of threatening notices was the most common outrage during the period, it merits separate discussion.

Assaults ranged from the aggravated version, where the victim was not entirely blameless, to the most serious case, which was assault endangering life. The purpose of firing at a person was generally to frighten rather than to kill or wound him. For instance, when George O'Leary of Beechwood, Kilruane, was returning from Mass on 10 November 1839 he was met in a field by two armed men who swore him on his prayer book to give up three acres of land previously held by a John Flynn.

The men fired a shot at him, but the police reported that "no harm was done". The threat certainly worked because the local resident magistrate reported that O'Leary was determined to give up the land: "I remonstrated with him as to the bad example he would give by so doing, but he will surrender it in order, as he says, to save his life".⁶

Firing into a dwelling was another outrage intended to frighten rather than to injure, although the occupants were sometimes lucky to escape the flying lead. The house attack

TABLE 3
Classification of outrages in north-west Tipperary, 1837-41

Type of Outrage	Number of Crimes per year					Total
	1837	1838	1839	1840	1841	
1. Homicide	8	7	3	1	4	23
2. Infanticide	0	0	1	2	2	5
3. Assault	29	35	48	18	32	162
4. Rape/Attempted Rape	3	0	3	0	1	7
5. Child Desertion	0	0	0	1	1	2
6. Abduction	0	1	1	2	1	5
7. Firing at Person	5	2	6	2	9	24
8. House Attack	17	13	15	23	36	104
9. Firing into Dwelling	3	3	7	14	23	50
10. Rioting	2	2	2	1	1	8
11. Administering Unlawful Oath	1	3	4	1	8	17
12. Threatening Notice	32	17	32	46	128	255
13. Robbery and Burglary	11	9	20	15	13	68
14. Incendiarism	23	18	19	18	17	95
15. Levelling	3	3	4	5	8	23
16. Injury to Property	7	5	7	12	12	43
17. Fleecing Sheep	10	6	2	1	4	23
18. Maiming Animals	8	6	10	12	15	51
19. Stealing Animals	4	2	1	19	9	35
20. Pound Breaking/Rescue	3	1	0	1	0	5
21. Robbery of Arms	6	13	15	18	12	64
22. Demand of Arms	4	3	4	9	6	26
23. Appearing in Arms	2	0	7	5	6	20
Total	181	149	211	226	348	1115

generally involved a party of men smashing open the door, roughing up the occupant and warning him either to do or desist from doing something.

At 1 a.m. on the morning of 28 January 1839 five men (one armed) broke open the door of William Mitchel's house at Garryard, Terryglass, with stones. They dragged him out of bed and ordered him to quit his employment as malster to Nathaniel Falkiner of Borrisokane.⁷

Rioting – which included the faction fight – was not a common outrage in north-west Tipperary, even though it sometimes resulted in serious injury or death. It was usually associated with fairs and race meetings, which attracted vast crowds and numerous sellers of intoxicating drink. For instance, the police estimated that there were 20,000 people at the races at Lismacrory, Borrisokane, in April 1837.⁸ At the fair at Castle Otway, Templederry, on 18 September 1838 the police reported that "there were thirty-eight tents engaged in selling liquor". During the day they made 14 arrests for drunkenness and attempting to create a riot. Later that evening a labourer named William Brien of Gornagoona was beaten over the head with stones while travelling home from the fair and died from his injuries the following day.⁹

The Threatening Notice

The posting of threatening notices was the most common type of outrage in north-west Tipperary during the five-year period 1837-41. The notice was usually affixed by night on or

near the dwelling of the person being warned. During 1839, for instance, threatening notices were discovered the following morning on the hall doors of the big houses at Camira, Ballymackey, and Carneycastle, Cloghprior.¹⁰

Likewise, Matthew Ryan of Lisnagenlee, Kilmore, found one tied to his cowshed door, while John Slattery of Ballyanny, Knigh, came upon one affixed to his stable.¹¹ It was quite rare for the writers of such missives to send them through the Post Office, probably because it would increase the risk of detection. Only four out of the total of 255 threatening notices mentioned during the period 1837-41 were reported to have been sent through the Post Office.

Sometimes a threatening notice was delivered in more dramatic fashion, accompanied by shots fired through the door. On the night of 9 April 1840 a number of shots were fired into the dwelling house of John Hill of Coole, Aghnameadle. When Hill ventured outside, he found a threatening notice fixed to the door, ordering him to give up the land from which a tenant named Pound had been evicted. Hill was warned in the notice:

*Captain Rock is my name
Do not forget what I am sayin.¹²*

The persons who threatened Robert Smyth of Moatfield, Lorrha, on the night of 13 May 1840 certainly had a keen sense of the dramatic. They cut out the shape of a coffin in a grass field, leaving the letter 'D' at the head and a large stone resembling a tombstone at the foot. However, the device was not quite original, as a similar warning had been issued to Michael Moloney of Greyfort, Borrisokane, during the previous January.¹³

Occasionally the authors of threatening notices resorted to the use of doggerel verse to emphasise their message. John Short of Kilgurtin, Ballymackey – he was warned not to pay his labourers "the paltry wages" of 6d a day – was reminded:¹⁴

*In this place I'm known as Captain Starlight,
Who sleeps by day and walks by night,
Who carries a gun that kills at a far sight.*

Patrick Leahy, the contractor building the new workhouse at Nenagh, was involved in a pay dispute with his labourers during the month of May 1840. He received a few words of advice in a threatening notice posted near the works:¹⁵

*Mr Leahy, it's repaying evil with good,
To forewarn you of the spilling of blood,
Which will be your fate to suffer by and by,
If you don't treat with justice the men you employ.*

While most threatening notices were unsigned, some of the writers liked to reinforce their warnings with fictitious military titles. The most popular names assumed were: *Captain Starlight*, *Captain* (sometimes *General*) *Terry*, *Captain Fearnot* and *Captain Rock*. Other titles adopted included: *Captain Blunderbuss*, *Captain Thunderbolt*, *Captain Steel-ribs*, *Captain Hellfire*, *Captain Regain* and *Captain Bryer*. A threatening notice sent to Patrick Kenna of Ballinamona, Kilkeary, in November 1838 was signed: *Captain Heapeny from the Devil Noes Where*.¹⁶

However, the use of such titles was no mere rhetorical flourish on the part of the authors of threatening notices. They were designed to create the impression that the writer had a large army of followers behind him from whose vengeance the recipient could never hope to escape if he disregarded the warning. Richard Farrell of Druminahane, Uskane, was threatened by

Captain Starlight on 26 July 1837: "I will visit you with a band of unmerciful Alts, who will send your soul to hell".¹⁷

Patrick Kennedy of Ballydigny, Killaneave, was warned in October 1839 that he would "meet with his share of the Terrys" if he sold potatoes to the Quinlans of White Barn, Ballinacclough.¹⁸ A notice posted on the dwelling house of John Fahy of Hacketstown, Kilruane, in June 1839 was signed: "Terry Alt, Captain of the New Troops".¹⁹

Threatening notices varied in tone from the chiding to the blood-curdling. It would appear that a milder form of address was often reserved for members of the landed elite. For instance, George Waller of Wood Park, Cloghprior, was warned by *Captain Terry* in 1837 not to discharge some labourers from his estate. But he was assured that "there is no man more welcome to live in Wood Park than the son of the late George Waller – if he recalls his misconduct".²⁰

Captain Starlight chided a prosperous Catholic landowner, Arthur French of Carneycastle, Cloghprior, in 1839 for making his tenants pay tithes. "He should not be the first that would show the Orange fellows a bad pattern, so we hope he won't do it again", the notice reminded him.²¹

But the warning was usually delivered in starker terms to those lower down the social scale. Sylvester Kennedy of Ballinree, Ballymackey, was ordered by *Captain Starlight* to give up some land "or you will suffer all the tortures that human invention can devise".²² Patrick Toohey of Eminiska, Uskane, was warned that "he would get the death of a trooper's horse".²³ Patrick Carroll of Congor, Ardcroney, was advised to bring his cattle home from the lands of Derrynasling "or their heads would be cut off and your own afterwards".²⁴

Patrick Ryan of Knockfune, Killoscully, worked as herd to Laurence MacNamara on a farm from which a family named Blake had been ejected. Ryan was warned in a threatening notice on the night of 20 October 1837: "If you don't give up your herding, we will visit you when we are to visit Lar and, by God Paddy, we will disjoint some of your bones".²⁵ John Hanny of Knockane, Templederry, was ordered to give up a holding in the village of Toomevara, "and if not, by Jaysus, the grass will grow over your skull".²⁶

Women and Crime

Women were rarely responsible for crime in pre-Famine society. Less than a dozen of the total of 1,115 outrages during the period 1837-41 were committed by women. Infanticide was the most serious crime associated with females, but the figures show that it was quite rare. In three of the five reported cases the infant was drowned, while in a fourth death was due to strangulation. In one case the police described the motive for infanticide as "the parent to cover her shame or to get rid of her offspring".²⁷

Child desertion involved the abandonment of a child where it would be found and (hopefully) cared for by some one else. A female infant about three weeks old was left in the yard of a poor man named Timothy Baldwin at Garrawn, Ballingarry, on 15 August 1840. Tied to the bundle was a piece of paper on which the name "Mary Flemming" was written. A "strange woman" had been seen in the locality some time previously.²⁸

The abandonment of a child was often the result of sheer economic necessity if a case reported in the *Nenagh Guardian*, 13 February 1839, is typical. Mary Cain appeared before the Nenagh magistrates on a charge of abandoning her child in the yard of Rapla House where the putative father worked. The mother firmly refused to take back the child: "I will not take it back; if I do I and it should starve by the roadside. Nobody would let me in with it; my mother turned me out".

REWARD.

I HEREBY OFFER **A REWARD** **OF THIRTY POUNDS**

To any Person who shall, within Six Months from the date hereof, give me such information as may lead to the Apprehension and Conviction of *James Hasket*, who inflicted grievous and bodily injury on *Patrick M'Kogh*, at *Corbally, Parish of Castletown, and County of Tipperary*, on the Evening of the 20th of March last, from the effects of which he has since died.

JOHN LEWIS,
Chief Constable.

[17179 C—6962 G.]

NEWPORT, TIP., 8th May, 1888.

Women were not usually the direct victims of crime, although they suffered vicariously when their husbands, sons or fathers were threatened, beaten or shot at. Rape and abduction were two outrages directed specifically against women, but the figures suggest that both were uncommon. It may well be that pressure was brought on some victims of rape and abduction not to report the outrage or bring charges against the man.

A married woman named Judy Fitzgerald was molested and savagely beaten at Knocknacree on the way home from Cloughjordan fair on the evening of 12 August 1839 by a man named Patrick Kilkenny. The police stated that "their friends have interfered" and that Judy now states that "all is made up and she will not prosecute".²⁹

It also appears that women who brought charges of rape received scant sympathy from the law. For instance, there were three rape cases before the Nenagh assizes of March 1840, but each one was dismissed by the bench as being

"of a husband hunting character".³⁰ Undoubtedly a charge of rape was brought by some women to force the man into marriage. A Darby Foley appeared before the court in Nenagh in April 1839 charged with the rape of Catherine Hogan. But when the case was called Catherine announced that "it was all settled". She informed the bench that "Darby had made an honest woman of her".³¹

Some horrific cases of rape were reported during the pre-Famine period, one in particular involving a young child. At 2 p.m. on 21 January 1841 a 25-year-old labourer named Dennis Finn of Coolbawn found two little girls alone in the cabin of Judy Carroll at Garrybeg in Castletownarra parish. He sent one of them away on some pretext and raped the other, seven-year-old Margaret McGrath. Finn escaped, but was apprehended shortly afterwards and sentenced to two years' hard labour at the March 1841 assizes at Nenagh. It was said at the trial that he "was once in custody as a lunatic".³²

Shortly after midday on 2 May 1837 Elizabeth Sheehan was violated on a lonely part of the road by Patrick Brien, servant boy to Charles Ryan of Knockfune, Killoscully. The victim was described as "a fatherless child of about thirteen years" and as "a mild and artless creature".³³

Margaret Donoghue was returning from the market at Nenagh with her drunken husband on the night of 22 June 1837 when she was set upon and violated by a John Kennedy at Polanorman, Ballinaclough. Mrs Donoghue died the following day from her injuries.³⁴

Abduction involved the carrying away of a girl to force her into marriage. In many cases the motive was pecuniary rather than romantic. Judith Savage of Cranna in Boher parish was abducted in January 1839 "to come by a fortune of £40 it is reported the girl has".³⁵ When Patrick Treacy attempted to abduct Hanora O'Brien of Bonacum, Aghnameadle, on the night of 14 February 1841 the police reported that the object was "to compel the girl to marry him as her father can give her a fortune".³⁶

A party of 18 men abducted Mary Hogan of Ballythomas, Ardcroney, on the night of 1 February 1840 and carried her off to the house of Michael Ryan of Middlewalk, some five miles distant. The girl was detained there until evening, but was then allowed to go unharmed to her aunt who lived nearby. Mary Hogan was described as "an interesting girl of about sixteen years, possessed of a few acres of land in her own right". The intended bridegroom, John MacMahon of Bantiss, was subsequently sentenced to 15 years' transportation at the Nenagh spring assizes.³⁷

However, the girl was sometimes a party to the abduction, as the following examples show. At 1 a.m. on 16 June 1838 a party of men armed with scythes, spades and pitchforks carried off Winfred Hayes, the daughter of a widow from Bealecleave in the parish of Kilvolane. The police were 'suspicious that the young woman herself was party to the abduction'.³⁸ A young woman named Bridget Kennedy was forcibly carried away by a James Dunne and others from a house at Ballintoher, Nenagh, on the evening of 6 February 1840. The police reported "that it is generally believed that the girl was much inclined to go off with Dunne". This was proven to be the case when she returned next day "acknowledging that she voluntarily went off with Dunne".³⁹

Crimes against Property

Approximately 30 per cent of all reported outrages were directed against property. These ranged from robbery and burglary to pound breaking and rescue. Robbery and burglary have been classified together in Table 3 even though technically they are different crimes. But the motive was similar in both cases: the illegal acquisition of property.

This was also the motive in fleecing or plucking the wool from sheep and in stealing animals. The above three types of crime against property accounted for slightly over 11 per cent of all crime reported in north-west Tipperary during the period 1837-41.

Incendiarism, levelling, injury to property and maiming animals were four other crimes directed against property. Incendiarism was the most common of the four, and in 83 per cent of reported cases it involved the attempted or actual burning down of a dwelling-house. Other cases reported included the burning of outhouses, clamps of turf and stacks of hay. Two-thirds of all the dwelling houses were occupied at the time of burning.

All of them were described as "small cabins" or "thatched farmhouses"; there is no report of any attempt to burn down a more substantial dwelling such as a "big house". In some cases the occupants were lucky to escape death or serious injury during the burning. When the dwelling house of Michael Quinlan of Curraghneddy, Killnaneave, "was set on fire by an armed party and totally consumed with every article of furniture and clothes the family had" on the night of 26 October 1838, the occupants had to break open a barred door before making their escape. Quinlan was employed on a farm from which a family of Gleasons had been evicted. A month later the house of Rody Gleeson was burnt down in reprisal.⁴⁰

Levelling generally involved the knocking down of a dwelling-house to prevent it being occupied. The dwelling in question was usually a "a poor cabin". Occasionally an outhouse was levelled and in one case a newly-planted ditch was thrown down. Revenge was the most common motive for this crime and the suspect was often the former tenant who had been ejected from the premises.

For example, "a small newly-built cabin" at Lahid in Kilmore parish was maliciously levelled on the night of 31 March 1839. Some months previously the owner had taken the nine acres on which the cabin was built from Lord Dunalley. The former tenant, who had been ejected for non-payment of rent, was suspected of the outrage.⁴¹ Similarly, 500 yards of a ditch were levelled at Ballynoe, Kilmore, in revenge for the owner "taking an active part in discovering the murderers of his brother, Mick Hanly of Silvermines, in September 1839".⁴²

Levelling was also used as a means of ridding a neighbourhood of an undesirable character. A small cabin belonging to a Bridget McKeon was thrown down at Carney in the parish of Cloghprior on the night of 7 July 1837. The owner was described by the police as "a woman of very bad character, twice in gaol for theft within the year". She was at Nenagh awaiting trial for sheep stealing and the opportunity was taken to prevent her returning to the neighbourhood.⁴³ Three dwellings were levelled at Coolagorna in the parish of Ardcroney on the night of 8 April 1838. They were described by the police as 'small cabins in which lodgings had been let to prostitutes and dances held'.⁴⁴

The crimes classified as injury to property ranged from smashing ploughs and breaking panes of glass to scattering hay about and throwing turf into drains. The motive was usually revenge; this was often the reason too for outrages classed as maiming animals. The police reports show that the main targets of the latter type of outrage were horses, cattle and sheep, together with a lesser number of donkeys, mules and pigs. Stabbing and cutting were the most common means of maiming or killing the animal; shooting it or breaking its legs were less common.

The examples below show that many of those attacks on animals were quite brutal in character. On the night of 28 August 1839 six cows and twelve sheep were houghed on the lands of Patrick Quinlan at Curraghneddy, Kilnaneave, "by cutting the tails off the cows and breaking the legs of the sheep".⁴⁵ Two heifers owned by Michael Gleeson of Garryard, Kilmore, "had their near hind legs severed across the hams and part of their tails cut off" on the night of 17 November 1839.⁴⁶ On 9 July 1840 a horse belonging to Martin Gleeson of Blakefield, Aghnameadle, was maimed "by cutting across the lower tendons of his tongue, which renders him unable to feed".⁴⁷ An ass was killed at Knocknacree, Modreeney, in February 1841 "by a stick into its body".⁴⁸

Darkness, Disguise and Weapons

Despite suggestions that criminals brazenly paraded the Tipperary countryside in broad daylight, the outrage reports show that most crime was committed under the cover of darkness. The police routinely noted the exact time of a crime; if this were not known to them they indicated whether it had been committed during the day or at night. An examination of the outrage reports for the three baronies for the period in question showed that 85 per cent of all crimes took place during the hours of darkness. The figure ranged from 78 per cent in 1838 to 91 per cent in 1841.

The cloak of darkness naturally lessened the danger of the criminal being recognised. But night-time was often the only opportunity many of them had to carry out such deeds since they were working during the day. Also, if they were absent from their places of employment they

would automatically fall under the suspicion of the law. Where certain outrages were concerned – especially the house-attack – the darkened atmosphere had the psychological effect of striking greater terror into the victims.

Daylight crimes, especially the robbery of fire-arms, were often committed on Sundays while the adult members of a household were absent at Mass or divine service. On Sunday 18 October 1840 two men entered the farmhouse of Edward Banks of Ballythomas, Ardcroney, while the family were at Mass at the local chapel and stole his gun. Two children were minding the house at the time, the elder of whom was only ten years old.⁴⁹ Similarly, two guns and a bayonet were stolen from the rectory at Terryglass while Rev. Ralph Stoney was conducting service on Sunday 27 June 1841.⁵⁰

The police reports indicate that it was unusual for the perpetrators of crime to adopt any form of disguise. This is borne out by the fact that disguise is mentioned in only 25 of the total of 1,115 cases reported by the police during the period of the study. Since crime was mainly committed at night the necessity for disguise was usually obviated. It was also a fact that most houses were in darkness from an early hour at night.

When an armed man forced his way into the home of Malachy Ryan of Derrynasling, Ardcroney, at 7 p.m. on 23 February 1840 to steal a gun, Ryan "could not describe the person, having no light at the time".⁵¹ Similarly, John Meara of Carney, Cloghprior, "was unable to give a description, he had no light at the time", of the three attackers who entered his house on the night of 12 April 1840 to warn him to quit herding for William Ryan.⁵² When Michael Carroll of Derry, Dorrha, was confronted by six intruders in April 1838, "he attempted to light a candle, but they prevented him".⁵³

When attackers did take the trouble to disguise themselves, the most common method used was the blackened face. Others hid their features behind masks. The five men who stole arms from John Hodgins of Lisquillibeen, Kilbarron, in December 1839 had their "faces partially disguised by handkerchiefs".⁵⁴ Two of the three men who broke into the house of James Grogan of Curraghmore, Killmastulla, in January 1841 were similarly disguised.⁵⁵

The intruders who demanded arms from a lodge-keeper at Terryglass on the night of 4 May 1838 had "their faces covered with old newspapers".⁵⁶ One of the men who attacked the farmhouse of John Kennedy of Glastrigan, Templederry, in April 1839 was "disguised in woman's apparel and masked". It did not benefit him much because he was recognised by the householder and was afterwards arrested.⁵⁷

It was common for the attackers to order the members of the household on to their knees and to keep their heads down. The five armed men who forced their way into the farmhouse of Patrick Kennedy of Glastrigan, Templederry, on 5 March 1840 "ordered him to go on his hands and knees and all the family to hold down their heads".⁵⁸ John Spillane and his son were "put on their knees and made to keep their faces down to the ground" by the men who entered their dwelling at Garrynamona, Kilmore, on the night of 25 January 1841.⁵⁹

Often the members of the household were too frightened to be able to describe their assailants to the police. Three armed men entered the dwelling house of Peter Slevin at Islandbawn, Nenagh, on the evening of 27 January 1840 demanding arms. Mrs. Slevin and her maid servant were alone in the house and afterwards "could not describe any of the attackers being in such terror".⁶⁰

Usually the assailants were unknown to the victims, having travelled a distance to carry out the crime. The armed men who forced their way into the farmhouse of Rody Cavanagh of Ballyphilip, Kilmore, to compel his servant boy to marry a girl named Mary Kenna were "all apparent strangers".⁶¹

But there is no doubt that fear of retribution persuaded many victims to pretend to the police that they had not recognised their attackers. Michael Durack of Lackamore, Castletownarra, was severely assaulted with sticks and stones at Grallagh on his way home from the fair at Nenagh on the evening of 19 October 1840. Although Durack claimed that he did not know the identity of his attackers, the police strongly suspected he was lying. They believed it was connected to a dispute he was having with his relatives over a few acres of land he had recently purchased from a man named Kennedy.⁶²

It was not always wise to give information to the police if the case of James McCabe of Nenagh was typical. On the evening of Good Friday 1841 McCabe was on his way home from the hills with a bundle of heath when he stopped to rest at Kilriffith. Four men – two with blackened faces and three armed – came over the ditch where he was sitting, apparently on their way to commit a crime. McCabe recognised some of them, so they placed him on his knees and swore him never to reveal their identities.

McCabe, however, informed the police and the four were subsequently arrested. He afterwards claimed that as a result of his action he was “in danger of being assassinated if he were to go to the country for heath, by which he obtained his livelihood for himself and his family, and is now reduced to the greatest necessity”. The local resident magistrate, Richard Leyne, confirmed that McCabe’s fears were “well founded”.⁶³

Approximately 40 per cent of all the police reports of the period of study mention a weapon of some sort being on hand during the execution of the crime. An analysis of the reports shows the comparative popularity of the various types of weapons used:

Fire-arms 54%; Stones 34%; Farm Implements 6%; Sticks 4%; Other 2%.

Motives for Crime

It was common practice for the police to indicate in the outrage report the motive for a crime if this were known to them. In 11 per cent of the total of 1,115 reported crimes they indicated that they did not know the motive or had not yet discovered it. Robbery in one form or another was the motive for 24 per cent of all reported outrages.

A further 6 per cent of outrages resulted from unpremeditated outbursts of violence, often induced by intoxicating drink. Such acts often occurred in or near public houses or on the way home from fairs or funerals. They usually resulted in a charge of assault or homicide against the assailant. On the night of 28 April 1838 John Flannery of Killadangan near Puckaun was returning from a funeral “when a fight ensued between him and his companions about a tobacco pipe”. Flannery was struck on the head with an iron bar by Matthew Costello, which endangered his life.⁶⁴

James Mahony of Ollitrim was killed at Toomevara by a blow of a stone to the head from Daniel Kennedy of Ballycormack in King’s County on the night of 22 July 1837. The police reported that the altercation had “originated casually in a wrestling match on returning from a funeral”.⁶⁵

Disputes resulting from sex and marriage was the motivating factor in approximately 4 per cent of all reported outrages. Those cases involved not only rape, abduction and child desertion, but a number of crimes motivated by disputes over dowries and the refusal of fathers of illegitimate children either to marry the mother or make adequate financial provision for her. For instance, Patrick Woods was attacked in his home at Ballycuddymore in Burgess parish on the night of 4 July 1841 “for not having paid a sum of money which he promised to a woman he seduced”.⁶⁶

One case of homicide resulted from what the police termed "jealousy". James Tierney was returning from Glenahilty to Clash with his wife in June 1839 when he was struck a blow of a stick and killed at Millgrove, Ballymackey. The police reported that Tierney and his wife "had been married a year and a half, but had not lived together and were on their way to his house for that purpose". They suspected "that an improper intimacy existed between the wife and some man in the neighbourhood where she resided".⁶⁷

The suggestion by Beames that disputes over the occupation of land were the single most important motive for agrarian crime is borne out by the evidence of the outrage reports for north-west Tipperary.⁶⁸ Such disputes accounted for 24 per cent of total crime and up to two-thirds of specifically agrarian outrages. Sub-Inspector Patrick Carroll of Nenagh confirmed this view in November 1838: "No doubt outrages in the North Riding have increased during the last six months, the most if not all of which can be traced as in some way connected with the letting of land".⁶⁹

The figures suggest that disputes over such issues as employment, wages, conacre and the price of potatoes were important but not as potent as "disputes over land" as motives for agrarian crime. This would seem to contradict Prof. Joseph Lee's assertion that the main rural conflict was "between labourers and cottiers on one side and farmers on the other".⁷⁰

Beames also suggested that the landed elite were the chief victims of pre-Famine agrarian conflict. However, this is hardly suggested by the admittedly limited evidence from north-west Tipperary. A sample of 473 agrarian outrages of the period, where the status of the victim is either mentioned or positively implied, yielded the following breakdown by class and occupation:

Farmer 61%; Labourer 15%; Overseer/Steward 14%; Landlord/Gentry 10%.

Although the reports show farmers as the most likely victims of agrarian crime, they rarely indicate who the perpetrators of such outrages were. As a result it is impossible to glean if victim and perpetrator came from the same strata of society or not.

FOOTNOTES

1. *Nenagh Guardian*, 18 Aug. 1841.
2. "A Magistrate of the County", *The present state of Tipperary as regards agrarian outrages* (Dublin, 1842).
3. James W. Hurst, "Disturbed Tipperary: 1831-1860", *Eire-Ireland* (Fomhar) 1974, pp. 45-59; M. R. Beames, "Rural conflict in Pre-Famine Ireland: peasant assassinations in Tipperary, 1837-1847", *Past & Present*, 81 (Nov.) 1978, pp. 75-91; Denis G. Marnane, *Land and Violence: A History of West Tipperary from 1660* (1985), pp. 53-56.
4. Galen Broeker, *Rural disorder and police reform in Ireland, 1812-36* (1970).
5. The following system is used to identify the individual outrage reports mentioned in the text: Ty (Tipperary), year (e.g. 1840), No. of Report (e.g. 27/3125). Thus: Ty 1840, 27/3125.
6. Ty 1839, 27/9609.
7. Ty 1839, 27/334.
8. Ty 1837, 27/213.
9. Ty 1838, 27/521.
10. Ty 1839, 27/10098; 27/8926.
11. Ty 1839, 27/1902; 27/2664.
12. Ty 1840, 27/4121.
13. Ty 1840, 27/1009; 27/9583.
14. *Nenagh Guardian*, 15 May 1839.
15. Ty 1840, 27/9818.
16. Ty 1838, 27/675.

17. Ty 1837, 27/441.
18. Ty 1839, 27/8902.
19. Ty 1839, 27/4565.
20. Ty 1837, 27/160.
21. Ty 1839, 27/8926.
22. Ty 1840, 27/18737.
23. Ty 1840, 27/3291.
24. Ty 1840, 27/9113.
25. Ty 1837, 27/619.
26. Ty 1840, 27/20643.
27. Ty 1839, 27/3136.
28. Ty 1840, 27/15095.
29. Ty 1839, 27/7239.
30. *Nenagh Guardian*, 25 March 1840.
31. *Ibid.*, 3 April 1839.
32. Ty 1841, 27/4305; *Nenagh Guardian*, 24 March 1841.
33. Ty 1837, 27/281.
34. Ty 1837, 27/397.
35. Ty 1839, 27/199.
36. Ty 1841, 27/1837.
37. Ty 1840, 27/1829; *Nenagh Guardian*, 15 Feb. and 1 April 1840.
38. Ty 1838, 27/326.
39. Ty 1840, 27/1828; 27/2757.
40. Ty 1838, 27/614; 27/647.
41. Ty 1839, 27/2239.
42. Ty 1840, 27/387.
43. Ty 1837, 27/416.
44. Ty 1838, 27/194.
45. Ty 1839, 27/7438.
46. Ty 1839, 27/9828.
47. Ty 1840, 27/12897.
48. Ty 1841, 27/2237.
49. Ty 1840, 27/17871.
50. Ty 1841, 27/9101.
51. Ty 1840, 27/3159.
52. Ty 1840, 27/6699.
53. Ty 1838, 27/207.
54. Ty 1839, 27/10654.
55. Ty 1841, 27/277.
56. Ty 1838, 27/267.
57. Ty 1839, 27/3072.
58. Ty 1840, 27/3831.
59. Ty 1841, 27/891.
60. Ty 1840, 27/1509.
61. Ty 1840, 27/8485.
62. Ty 1840, 27/17955.
63. Ty 1841, 27/5919; 27/7149.
64. Ty 1838, 27/260.
65. Ty 1837, 27/440.
66. Ty 1841, 27/9783.
67. Ty 1839, 27/4384.
68. See Beames above.
69. Ty 1838, 27/759.
70. Joseph Lee, "The Ribbonmen", in T. D. Williams (ed.), *Secret Societies in Ireland* (1973), pp. 26-35.