

A Forgotten Revolution: the 1883 Labourers Act in County Tipperary (Part Two)

Denis G. Marnane

Introduction

Writing about a tour through Ireland in 1887, George Pellew, an American visitor, described the following near Cahir:¹

By the roadside one day I noticed a little wooden box of a house, like a toy house. It was one of the labourers' cottages built under the recent act. There were two rooms below and a trap door leading to a garret by a ladder. The labourers' wife was in. She had her seven young children with her and said her husband got usually one shilling a day, sometimes as little as four shillings a week and sometimes as much as eight shillings.

The legislation referred to by Pellew was the Labourers (Ireland) Act of 1883 and its amendment in 1885.² A board of guardians, traditionally charged with the administration of the poor law and its workhouse, also operated as a sanitary authority and in this capacity was empowered to respond to a demand from local ratepayers to re-house agricultural labourers, in what was essentially a matter of public health.³ The Local Government Board kept very tight control over boards of guardians which increasingly through the 1880s consisted of elected members supportive of Home Rule and there was a consequent decline in influence on the part of landlords who were ex-officio members.⁴ To no one's surprise (though Henry Robinson a key figure in the Local Government Board, professed ignorance) the provision of labourers' cottages - who got them and where they were sited - became caught up in local nationalist politics.⁵ Also, this 1883 Act was complicated. Nine different procedures were involved, with lots of paperwork, all of which were disincentives on the part of guardians already concerned about costs.⁶

As F.H.A. Aalen pointed out, the Labourers' Acts and their consequences have been little noticed by historians or geographers.⁷ Ireland in the late nineteenth century was part of the United Kingdom and within that family of nations was the most dysfunctional part. There were many grievances, making Ireland the poor relation but in several hugely important areas Ireland had a kind of favoured nation status. One was education, with the introduction of state-funded primary education decades before the rest of the U.K. Another was rural housing, with the acts under discussion allowing substantial housing programmes supported by public finance, something not done elsewhere in the U.K. until much later. Such a revolutionary programme was part of a larger property revolution, the shift in ownership from landlord to tenant and a need by both nationalists and unionists to appease the demands of rural labourers.

What the American George Pellew did not comment on was the fact that finding such cottages in 1887 very much depended where he was in the county and indeed the country.

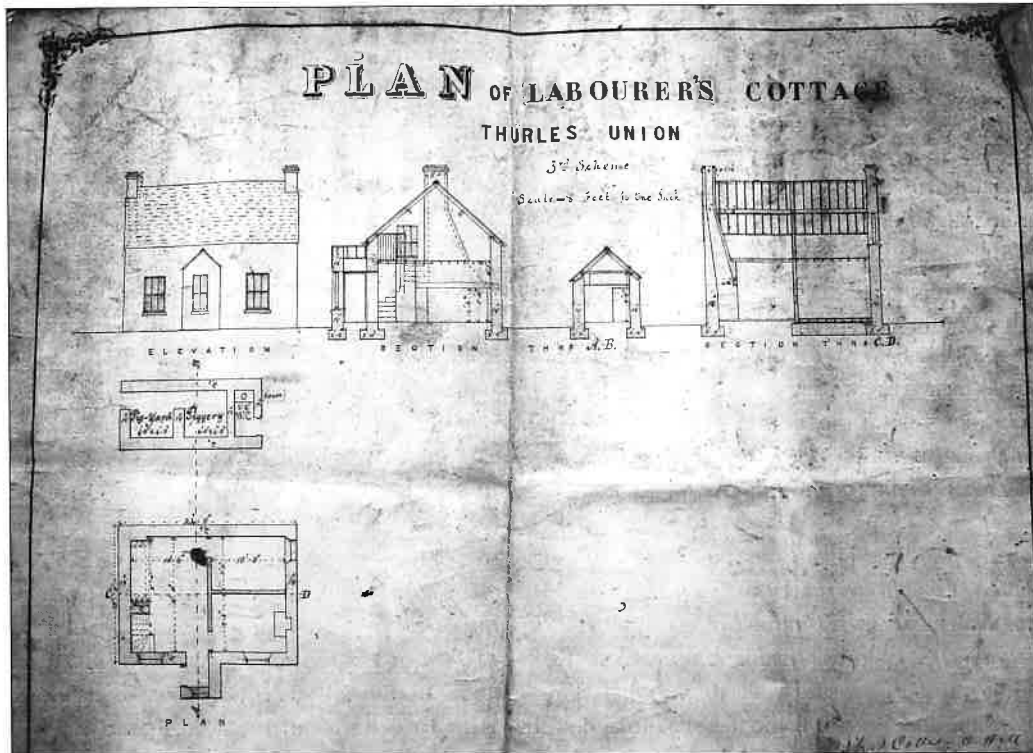
Uptake was very variable from authority to authority. Outside of Munster, not much happened and within Tipperary, some sanitary bodies adopted a wait-and-see policy. In March 1893, R.C. Richards an agent for the *Devonshire Commission*, a royal commission established to investigate the plight of labourers, arrived in Roscrea and attended a board of guardians meeting. The meeting was badly attended and he found 'a considerable indifference to the subject of (his) inquiry', motivated mainly by fear of increased calls on the rates. A public meeting was ignored by farmers. On the subject of housing for labourers, the 1883 Act might as well not have been passed. In Roscrea itself, the situation was dire, with in some instances families of up to ten people crowded into one small room. 'I am informed', Richards wrote in his report, 'that the Roscrea Union is the lowest rated Union in Ireland', a situation about which the guardians were proud and intended keeping things unchanged. This meant that they had no interest in building labourers' cottages.⁸

None of this impressed Richards. As he saw matters: there was a housing problem; the 1883 Act and subsequent amending acts allowed a solution; so why were PLUs like Roscrea doing little or nothing? He knew the answer of course - meanness on the part of the Roscrea guardians. A similar point had been made a few years earlier by another official of the Local Government Board.⁹

Nenagh Poor Law Union (1885)

In contrast to its neighbour Roscrea, guardians in Nenagh were proactive. As discussed in the previous article, 1884 ended in frustration, partly due to Lord Dunalley's determination to have his own way and as he saw the matter, not forfeit control over labourers on his own land. The new year opened with the same drama playing.¹⁰ Ostensibly the concern was about costs, specifically contracts for five cottages in Kilmore at a very high £93 each was cited.¹¹ More generally the argument was that decisions should be postponed until after the passing of the 1885 amending legislation which would give more freedom to guardians. This (48 & 49 Vict. C.77) became law in August 1885 and for example allowed the repair of existing cottages and easier compulsory acquisition.¹²

By mid-February, matters appeared to be moving forward when £700, the first instalment of the loan from the Commissioners of Public Works, (interest 4% p.a.) was lodged in the Bank of Ireland branch. Subsequent lodgements would follow inspections of work in progress by engineers from the Local Government Board. In Nenagh PLU this took place in late July.¹³ The guardians continued to be plagued by sectional interests - for example, a land owner wanting an agreed site changed from one part of a field to another.¹⁴ Not only landowners were troublesome, some clergy attempted to influence, if not control events. Because of his later roles in the New Tipperary and Erasmus Smith agitations, Fr David Humphreys is one of the best known Tipperary priests.¹⁵ At this time, February 1885, Humphreys had just been transferred from Newport where he had been curate for a few years. Nevertheless, the Nenagh guardians received a telegram from him declaring that the occupation of the cottages now being built in the Newport area, would be decided locally with the clerical perspective dominant. Rightly, this communication was declared an absurdity. Decisions about sites, cottages and tenants could only be made by guardians acting as a sanitary authority and then only under the strict control of the LGB.¹⁶ Neither owners of estates nor occupiers of farms, much less local opinion makers, were to have a say about who were allocated cottages.¹⁷ In practice however, the guardians cannot have made their decisions in a vacuum.



Plan of labourer's cottage.

There were also very specific legal issues such as sites in the townlands of Bawn and Benedin, land owned by the Bolton sisters but mortgaged to the Royal Bank, which institution rather than the sisters was to receive the purchase money for the sites. These claims were heard before an arbitrator sitting in Nenagh and involved such matters as the division of compensation money between land owner and tenant. In one instance, Mrs Honoria Gleeson 'in a pitiful voice' told the arbitrator she was a widow with eight children, surely it wasn't only £3. 7s 8d they were going to give her and they taking away the very best bit of land she had. She begged for £5 and declared she was entitled to half what Lord Dunally was getting. The engineer Robert Gill declared that her case was a deserving one and the arbitrator fobbed her off by saying he would look into the matter.¹⁸

On a wet and stormy day in February 1885, after endless talk and frustrating delay, there was evidence that finally something was happening. In the townland of Kilriffith in Dolla near Nenagh, a large crowd gathered to witness Fr Cunningham, a curate in Silvermines, lay the foundation stone of what the local press proclaimed to be the first cottage built in Ireland under the 1883 Act. Bands from Nenagh and Silvermines played and with some ceremony the clerk of the Nenagh PLU formally took possession of the land and Gill the engineer marked out the site. Amid cheers the first sod was turned and the foundation stone laid.¹⁹ Over the following weeks building was well under way across the Union and the guardians anxiously reminded their engineer Gill to keep inspecting the sites to ensure quality materials were used and that good workmanship was in evidence.²⁰ No doubt the unspoken

idea was lurking in the undergrowth: 'It will do; it's only for labourers'. Gill made fortnightly reports to the guardians.²¹ By late June, he was able to report that twelve cottages were complete; twenty four almost ready and another eighteen making progress.²²

An example of one of Gill's reports is instructive.²³ With reference to Michael Lee contractor:

The site of the dwelling at Foilduff is fenced in. He has done nothing to the dwelling at Knocknamurragh. With regard to the dwelling at Fiddane, the foundation not having been sunk to a proper level, the engineer refused to allow the masonry to be proceeded with until the foundation is sunk to a proper level. Nothing has yet been done towards the erection of the dwelling at Knockahopple, with the exception of a little fencing.

The other contractors named were John Ryan, Patrick Magrath, William Clancy, Thomas Magrath, John Leonard, Patrick Sheridan, E. Devitt, J. Deane, M. Jones, Patrick Marshall, Stephen Dooley and Thomas Williams. It would appear that these men were essentially jobbing builders and it is not difficult to understand the board of guardians' concern that progress and execution be kept under close scrutiny. As with much building, there were instances where contractors wanted more than what was agreed. In October, Devitt a contractor, having completed his work disappeared with the keys until his demand for an extra £40 was met.²⁴ The most detailed report was with respect to Thomas Williams:

Number 1 cottage at Castlewaller is built, roofed and slated. Work good, except the privy, which is not built according to plan. No. 2, 3 and 4 at Newross, all roofed and slated. Some defects in roofing which have been pointed out to contractor. The same remarks about the privy as in Castlewaller cottage. No. 1 cottage at Clonbeally has all the external work completed. Mason work, roofing and slating satisfactorily executed. There are some defects in the joists. The objection to the privy the same as already mentioned. In cottages Nos. 2 and 3 at Newport, the internal plastering is being done. Some defects in the eave course to be remedied. No. 11 at Foxhall is slated. The same objection as to privy. No. 9 at Garrytigue, built to the eave course. Masonry fair. No. 12 at Rosserymore, the same as No. 1 at Castlewaller. No. 14 at Cooldrisha, do. No. 15 at Derryleigh, is roofed and slated. The same remarks with regard to privy as above.

At this same meeting of guardians, a letter was read from Thomas Magrath one of the contractors, seeking money on account to enable him complete his contract. As there was no certificate from the engineer, this application was refused. A member of the board spoke up for Magrath but to no avail. Doubtless the Local Government Board was watchful for any example of procedures not being followed, perhaps because of possible relationships between board members and contractors. By early August, all of the cottages contracted to Williams, with the exception of No. 15 at Derryleigh still needing minor work, were completed and handed over.²⁵ The guardians were unhappy about the general rate of progress, complaining in mid-August that out of sixty-three cottages contracted for, only eighteen had been completed and handed over and given to the labourers chosen by the guardians. It was decided that the board's solicitor would send warning notices to contractors and more pointedly, to the individuals who had stood as guarantors that contracts would be fulfilled.²⁶

It cannot have occasioned surprise, in light of the revolutionary nature of what was afoot, that there would be tears and tantrums along the way. For landlords, their beliefs about managing their property were being undermined; for farmers, their control over their labourers was being questioned and for other interested parties, from builders to priests, there were both threats and opportunities. In essence, rural life is conservative. Its socio-economic pecking order is established and familiar but the building of labourers' cottages - where they should be sited and who should have then - was unsettling and in a decade when more obvious political change, led by Parnell, was underway.

In mid-March, with cottages being built, Nenagh guardians had to decide what rent to charge and who would choose the tenants. Regarding the former, on a vote they opted for one shilling per week and about the latter, mindful of public pressure, they decided to hide behind each other and declared that the entire body of guardians and not just those elected for the division in which the cottage/s were located, would choose the tenants.²⁷ This pressure was made all too clear at their meeting on 26 March, when from early morning their board room was under siege. In a telling comparison it was noted that such crowds had not been seen since the Famine.²⁸ There were continuing pressures from some farmers, either refusing to give up designated sites or offering alternative, and in the view of the engineer, worse sites.

For example James Ryan a farmer from Ballyard near Newport, on several occasions declared defiance to the clerk and engineer when they arrived to take possession. Any fence they erected, he told them, he would knock down. The guardians were anxious to deal with such episodes without fuss and their approach was repeated reminders that such farmers had no choice and if the law was invoked, the farmer would have to bear the costs.²⁹ In this instance, forbearance was wasted and possession of the site was only secured by bringing in the sheriff.³⁰ Even then, Ryan did not give up and instructed his solicitor to serve notice of ejection on the Local Government Board claiming that the 'wrong' site had been taken. After consultation, the guardians were satisfied that all was it should be.³¹ Another farmer, in Birdhill, dismissed one of his labourers who had worked for him for several years and wanted the guardians to change their decision about that labourer getting one of the cottages on that farmer's land. The guardians refused and were not impressed by stories about the labourer keeping a poitin still.³²

Nenagh and Tipperary were the two most active PLUs in the county with respect to building labourers' cottages. An example from Tipperary PLU illustrates how financial compensation for the interested parties was settled. In late March 1885, the same arbitrator who had sat in Nenagh the previous month, conducted business in Tipperary court house. In the words of a press report: 'the proceedings were of the tamest kind and the enquiry of the most formal description' (no tearful widows as in Nenagh). The board of guardian's engineer explained that he fixed a 'fair rent' for the site, then allowed twenty year's purchase (i.e. the 'fair rent' multiplied by twenty) and that this sum was divided between landlord and farmer in the proportions 3-5ths to the landlord and 2-5ths to the farmer. When one landlord sought £25 for each of the sites on his property, the chairman of the Tipperary guardians reacted in shock, described the claim as 'enormous' and was reassured by the arbitrator that 'it does not follow that he will get that sum'.³³

On 14 August 1885 a new Labourers' Act became law which it was hoped would encourage the many sanitary authorities still on the sidelines, to become proactive. Changes

included a more liberal definition of agricultural labourers; less restrictions about acquiring sites; power now to repair an existing cottage and give a labourer his half-acre without having to actually build a new cottage to qualify; where labourers lived in villages or towns, guardians could now lease or purchase land for half-acre plots and increased power for guardians to decide if cottages would be paid for through very localised taxation or whether the burden would be spread across the PLU.³⁴ Unlike some neighbouring PLUs where little appeared to be happening, in Nenagh the new or amended legislation aroused immediate interest. At their meeting at the beginning of September, the clerk of the union emphasised that the 1883 Act was not repealed but that the new act gave the guardians additional powers.

At that same meeting, the guardians met a deputation of labourers who 'crowded in the room and among the number were two women'. Whether orchestrated or not, this deputation provided impetus for the guardians to press on and for example deal with labourers living in towns like Nenagh in obviously dreadful conditions. The clerk explained to both the board and deputation that the medical authorities could have a vital role to play. If a dwelling was certified unfit for human habitation, and if action was not taken to render it suitable, the sanitary authority (i.e. the guardians) could take over and repair or demolish and build a new dwelling. While this was to an extent letting negligent employers off the hook, it also meant a transfer of control away from labourer's employers. Members of the deputation explained that they were 'wretchedly housed' and paid from 1s 2d to two shillings a week rent. Not unnaturally, they were anxious to know when they could have their new or repaired cottages and their half acres. From the context of the report of this deputation, the presence of women was obviously unusual enough to be noted. In response to a query from one of the guardians, the women explained that they came in place of their husbands 'who were at work'.³⁵

In Nenagh PLU, the 1885 Act initiated a huge demand for cottages and plots. Neighbouring PLUs such as Borrisokane appeared to be waking up - slowly. When representations from a number of electoral divisions were laid before that board, 'no motion was taken in the matter until the other E.D.s would have furnished their representations'. Clearly no sense of urgency there.³⁶ By late October and November, the matter was being dealt with in both of these PLUs but the scales were very different. Borrisokane was discussing perhaps forty cottages, whereas Nenagh, having built around sixty, over three hundred more were under consideration. As 1886 began, there was evidence that patience was ebbing among Borrisokane's labourers, around thirty of whom made their case to the board, demanding the cottages 'granted to us' by an Act of Parliament. 'The expediting of them was neglected', they declared. (This kind of language presumably the input of a local priest.) They were not 'mendicants', the board was told and with no work available they wanted 'justice' now. Some twenty labourers were given temporary employment on workhouse land.³⁷ For a long bitter winter's day spent digging, each man was paid 1s 8d.³⁸

Who paid was as always a key issue. In Borrisokane (a smaller PLU than Nenagh) a very well attended meeting voted on the question whether each electoral division would pay for its own cottages or whether the PLU as a whole would pay. (This same question with respect to poor rate was a matter of contention during the Famine.) The result was seventeen votes that each E.D. support its own cottages and eight votes that it be a PLU responsibility. Borrisokane Sanitary Authority had the advantage of Robert Gill's experience with Nenagh PLU. They appointed him, a 'local man', engineer, to be paid five percent of outlay.³⁹

The Borrisokane guardians at a meeting in mid-November went through each application. An example from Kilbarron illustrates what a boon the Act could be. One of the applicants (Kelly) was called before the board to answer the proposition that he had a reasonably good house. He explained it was damp and unhealthy (it was of course in his interest to paint a negative picture) and that he paid £2.12s a week and extra money to rent a piece of 'manured ground'. His application was allowed to stand. Medical opinion seems not to have been in question and in this and undoubtedly many other instances, having a guardian for the E.D. on your side meant a great deal.

This also worked the other way as illustrated when Mrs Talbot of Ashgrove (E.D. Terryglass), holding some three hundred acres freehold, objected to having a cottage on her land and asked that the matter be adjourned until her son Captain Talbot returned from Sudan. She added that according to the legislation, home farms were exempt. The relevant guardian argued against allowing the cottage 'be struck out'. Mrs Talbot may have injured her case by serving a notice to quit on her herd, the man for whom the cottage was intended. When, a few weeks later the Captain himself appeared before the guardians to argue his case, it made no difference.⁴⁰ With just one cottage at issue, Talbot's vehemence is difficult to understand. The argument was not about the location of a cottage, a common point of disagreement but the fact of a cottage. It is difficult not to conclude that at stake was control - dislike of dictation from an outside body.

While Borrisokane was getting started, Nenagh was preparing to respond to a huge number of applications for cottages. No doubt labourers all over the PLU, seeing some of their neighbours benefit from the Act, decided that for once, advantage might possibly come their way. These were not individuals or families on whom fortune usually smiled. Fr Meagher in Newport described families having to live in rooms eight feet square and that was in the context of other labouring families who could find no accommodation in the village. Another priest, Fr McKeogh spoke an unpalatable truth: 'Farmers never did anything for the labourers until they were compelled to do so by legislation' and he cited a farmer with nearly 130 acres who opposed one cottage on his farm.⁴¹ Speaking about Nenagh, Fr Flannery described how there were some eighty labouring men in the town without employment and on the brink of starvation. Their housing was very bad and the priest encouraged the guardians to purchase land close to the town for division into half-acre plots.⁴² Within a week this was done - a notice in the local press asking for proposals from owners and occupiers (including leaseholders) for ten to twelve statute acres immediately adjacent the town.⁴³ By the end of the year there were two replies: from Mr Wolfe Rochfort who had a twelve acre field and Mr George Bolton who was willing to discuss the matter with the guardians.⁴⁴

The new legislation gave guardians more freedom of action (as indicated in the last paragraph) and some scepticism was voiced about farmers wanting existing labourers' cottages repaired. Evidence suggests that during the first phase, some guardians opted out of choosing sites, leaving decisions to local ad hoc committees dominated by clerical opinion. This was especially the case in Kilcomenty. This time round, Robert Gill declared that he would not accept instruction from any source other than the guardians. The fact that guardians had more options under the new legislation made Gill's professional life more difficult. One guardian suggested more floor space by incorporating the rear yard, while another greatly objected to two doors in a room twelve feet by nine - a sure recipe for rheumatism.⁴⁵ This

planning matter occupied a great deal of discussion; rather less time was devoted to the distance the WC should be from the dwelling or the best location for the pigsty.

Opinion was also divided (as it was in Borrisokane) on a much more important question - should cottages be paid for from the relevant electoral division or should the cost be spread across the entire PLU. The argument was that if the former, there would be pressure to limited the response but on the other hand no cottages would be built unless 'absolutely required'. The other side of this view was that if the entire PLU paid, the demand from some electoral divisions might be disproportionate if not profligate. Incidentally these meetings of guardians were very well attended and on a vote, fourteen guardians wanted the PLU to pay but twenty nine went for the electoral division option.⁴⁶

A few weeks later, at another board meeting there was an attempt to rescind this resolution but by a vote of twenty nine to twelve, the move was defeated.⁴⁷

A full list of (270) sites in Nenagh PLU was published in the local press in early December.

Table Labourers Cottages (Sites) in Nenagh Union⁴⁸

Abington (14)	Lackagh (2)
Annameadle (5)	Kilcomenty (15)
Ballina (9)	Kilkeary (5)
Ballygibbon (3)	Kiloscully (12)
Ballymackey (7)	Kilnaneave (16)
Ballinaclough (6)	Kilmore (17)
Burgesbeg (8)	Kilnarath (13)
Birdhill (14)	Knigh (11)
Carrigatoher (11)	Latteragh (12)
Castletown (10)	Monsea (17)
Dolla (4)	Templederry (5)
Derrycastle (6)	Newport (22)
Greenhall (15)	Youghalarra (11)

To Be Continued

References

¹G. Pellew, *In Castle and Cabin or Talks in Ireland in 1887* (New York & London, 1888) , p.109

²See D.G. Marnane, 'A Forgotten revolution: the 1883 Labourers' Act in County Tipperary', *THJ* (2007) pp. 116-32.

³See V. Crossman, *The Poor Law in Ireland 1838-1948* (Studies in Irish Economic and Social History 10, 2006) p.43

⁴The standard study W.L. Feingold, *The Revolt of the Tenantry the transformation of local government in Ireland 1872-1886* (Northeastern UP, 1984) does not deal with the topic of housing and in a brief reference gives 1884 as the date of the act.

⁵Robinson's evidence: *Select Committee Agricultural Labourers, 1884* (317), viii, p.5

⁶*Select Committee on agricultural labourers (Ireland), 1884-85* (32), vii, p.iv

⁷F.H.A. Aalen, 'The rehousing of rural labourers in Ireland under the labourers (Ireland) Acts, 1883-1919" in *Journal of Historical Geography*, 12, 3 (1986) p.287. My thanks to Willie Nolan for obtaining a copy of this article. An exception is M. Silverman, *An Irish Working Class Explorations in Political Economy and*

- Hegemony, 1800-1950* (University of Toronto Press, 2001), pp. 211-15 which discusses the impact of the acts around Thomastown in Kilkenny.
- ⁸ *Devonshire Commission*, report of R.C. Richards, 1893-94 [C -6894] xxxvii (pt.1) pp.299-302
- ⁹ R. Bourke's evidence: *Select Committee Agricultural Labourers, 1884* (317), viii, p.47
- ¹⁰ *Nenagh Guardian*, 3, 10 Jan 1885.
- ¹¹ *N.G.*, 17 Jan 1885
- ¹² *14th Report Local Government Board, 1886* [c 4728], xxxii, p. 15.
- ¹³ *N.G.*, 25 July 1885
- ¹⁴ *N.G.*, 14 Feb 1885
- ¹⁵ For a summary of his career see his entry in the new *DNB*.
- ¹⁶ *N.G.*, 28 Feb 1885.
- ¹⁷ *N.G.*, 27 June 1885
- ¹⁸ *N.G.*, 21 Feb 1885
- ¹⁹ *Tipperrary Advocate*, 21 Feb 1885
- ²⁰ *N.G.*, 18 March 1885
- ²¹ *T.A.*, 23 May 1885
- ²² *N.G.*, 27 June 1885
- ²³ *N.G.*, 4 May 1885
- ²⁴ *N.G.*, 17 Oct 1885
- ²⁵ *N.G.*, 8 Aug 1885
- ²⁶ *N.G.*, 18 Aug 1885
- ²⁷ *T.A.*, 14 March 1885
- ²⁸ *T.A.* 28 March 1885
- ²⁹ *T.A.*, 18 April; *N.G.*, 18 April, 16 May 1885.
- ³⁰ *N.G.*, 8 Aug 1885
- ³¹ *N.G.*, 29 Aug 1885
- ³² *T.A.*, 16, 23 May 1885
- ³³ *Clonmel Chronicle*, 28 March 1885
- ³⁴ *T.A.*, 29 Aug 1885. An article by Tom Sexton MP, one of the Home Rule MPs interested in the issue.
- ³⁵ *N.G.*, 5 Sept 1885
- ³⁶ *N.G.*, 30 Sept 1885
- ³⁷ *N.G.*, 6 Jan 1886
- ³⁸ *N.G.*, 13 Jan 1886
- ³⁹ *T.A.*, 28 Oct., 14, 28 Nov 1885; *N.G.*, 11 Nov 1885
- ⁴⁰ *T.A.*, 14 Nov., 19 Dec 1885
- ⁴¹ *N.G.*, 17 Oct 1885
- ⁴² *N.G.*, 12 Dec 1885
- ⁴³ *N.G.*, 19 Dec 1885
- ⁴⁴ *N.G.*, 30 Dec 1885
- ⁴⁵ *N.G.*, 24 Oct 1885
- ⁴⁶ *N.G.*, 28 Nov 1885
- ⁴⁷ *N.G.*, 9, 12 Dec 1885
- ⁴⁸ *N.G.*, 5, 9 Dec 1885