

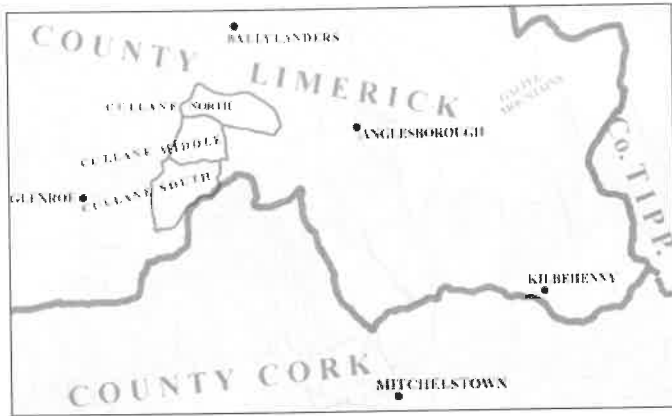
The Ballylanders Evictions 1871-1874

by Tim O'Connell

Cullane South and Cullane Middle are townlands of Ballylanders parish located about six miles NW of Mitchelstown, just inside the county Limerick border. In 1852 Charles Wilmot Smith of Ballynanty, Bruff purchased both townlands from the indebted Kingston estate of Mitchelstown. Leases were legally in place protecting the tenants, during the lifetime of James Earl of Kingston. Things continued much as they had until 1869 when the Earl died.¹

The relationship with the Kingston estate had been based on trust going back over a century when the tenants were granted the land in a very raw state, on the basis that they would reclaim and improve it. They felt that that they were in partnership with the landlord as they had increased the value of the land and so had earned the right to continue living there indefinitely.

The events which came to a head in 1871 took place against the background of the recently passed 1870 Land Act which established some very basic tenant rights including a right to compensation for improvements in the event of eviction. Cullane became a test case for the workings of the act.



Map showing location of Cullane townlands.

Freed from the terms of the leases on the death of the Earl, Wilmot-Smith moved to raise the rent. The land had already been valued in 1849 for Griffith's Valuation, but he inflated the value of the holdings by getting his own valuation. Wilmot-Smith was a magistrate of County Limerick, so the tenants offered to accept the valuation of two fellow magistrates from counties Cork and Limerick, but he declined and demanded increases averaging 127% above the previous rents.² The farmers refused to pay and initially three of them were issued with orders to quit their holdings.

Threatening letters and notices were posted locally and a threat was also made against Wilmot-Smith's son who was confronted while shooting in Cullane. Two cases involving vigilante actions followed. William Creagh, who lived in Cullane, was Wilmot-Smith's bailiff. Tasked with communicating and collecting the increased rent, Creagh became deeply unpopular. During an attack on his house in September 1871 a bullet came through the timbers of his door and injured him but it was not fatal.³

He identified Patrick Leonard, a neighbour's son, as one of those involved. Patrick was sent to Limerick Jail awaiting trial.⁴ The accused was released five months later when Creagh testified that he had only heard Leonard's voice on the other side of the door on the night he was shot.⁵

In November 1871 at a public house in Mitchelstown David Quane and his brother-in-law Adam Landers, from Galbally, were accused of soliciting John Lonergan to shoot Wilmot-Smith.⁶ Lonergan had the reputation as a marksman who served in the Tipperary Militia. David Quane was from Cullane and his mother Mary had been served with notice to quit. On the way home Lonergan quarrelled and fought with Quane and Landers. Feeling aggrieved Lonergan then took his story to the police and the two men were remanded in Cork Jail pending trial.⁷ Due to the rising tension and other violent incidents a portable police barracks was established in Cullane, manned by six police officers and the tenants were levied for the cost of its maintenance.

At this point the farmers of Ballylanders parish formed a combination (union) under the leadership of William Brazill, WW O'Dwyer and Francis B Dineen. These men were strong farmers who were not tenants of Wilmot-Smith and were supported and encouraged by the local Roman Catholic clergy. They managed to keep the farmers united and the effort moved from agrarian outrage to mass protest and the law courts.⁸

Fr. Cullinane, Roman Catholic Curate of Ballylanders, attended a meeting of the Limerick and Clare Farmer's Club in Limerick to appeal for support.⁹ This organisation was determined to test the terms of the recently passed Land Act and saw the plight of the Cullane tenantry as an example to pursue in the courts.

A mass demonstration and show of support was arranged for Ballylanders on New Year's Day 1872. Thousands of people from the surrounding parishes in counties Limerick, Cork and Tipperary attended. Their Catholic clergy were present and many of them made speeches supporting the tenants. The Protestant owned *Cork Constitution* was contemptuous of their attendance. Quoting a priest who spoke at Ballylanders the article suggested that he was condoning and encouraging the recent violence.¹⁰

Both Catholic and Protestant newspapers were prejudiced, but in January 1872 the *Freeman's Journal* published a list of 14 farmers threatened with eviction along with a table of their new and former rents. This list is selective and does not include all tenants, but the figures are revealing and demonstrate the injustice that was driving the agitation. The widow Catherine Keane appeared to be worst impacted as her rent increased by 264%.¹¹

1871 Cullane Tenants

Tenant Name	Number of Irish Acres	Statute Acres	Poor-rate Valuation	Original Rent	Increased Rent	Increase percent
John Roche	43	70.51	£35.75	£49.45	£96.75	96%
Jeremiah Lee	42	67.66	£32.00	£48.30	£88.20	83%
David Quane	53	86.49	£33.00	£33.79	£92.75	175%
Thomas Quane	53	85.79	£31.00	£33.79	£106.00	214%
John Riordan	15	23.52	£14.25	£19.38	£37.50	94%
John Fitzgerald (Patrick)*	17	27.65	£15.00	£21.25	£35.70	68%
John Fitzgerald (Maurice)*	11.5	18.25	£10.50	£14.85	£20.13	35%
Michael Hanley	16.5	26.1	£10.75	£11.55	£28.88	150%
Timothy Denihan	13	22.23	£11.00	£13.00	£31.88	145%
John Barrett (Ned)*	20	33.65	£12.50	£22.17	£40.00	80%
Thomas Lee	17	23.03	£10.00	£9.38	£24.65	163%
Edmund Barrett	16	25.71	£10.75	£12.00	£28.80	140%
Widow Catherine Keane	28	45.04	£16.00	£15.40	£56.00	264%
Widow Johanna Keating	4	6.79	£2.50	£2.40	£7.00	192%
Total:				£306.70	£694.23	

*Father's name in brackets to differentiate other land holder of the same name

Original from *Freeman's Journal*. Imperial units converted to decimal for Clarity

In March the case against David Quane and Adam Landers was fixed for Cork Assizes but the prosecution said that they wanted to postpone because John Lonergan, the main witness had gone to America. It was claimed that Lonergan's passage was paid and he was escorted to Queenstown (Cobh) by relatives of Quane and Landers. Another witness named Ryan, who claimed to have overheard the conversation in Mitchelstown, was not considered credible. The police witness claimed rather unconvincingly that he expected Lonergan to appear at the next Assizes so the accused were kept on remand in Cork Prison but they were eventually released.¹²

At Limerick Quarter Sessions in November 1872 decrees were issued allowing the evictions to proceed.¹³ *The Limerick Chronicle* gave details of the proceedings against the Quane and Leonard families. Farmer's labourers living in cabins on their property were also evicted but only a few cases are dealt with in detail. Widow Mary Quane was left in place because her notice was not served correctly by the agent.¹⁴ Francis B. Dineen, writing in 1915, recalled that David Gorman, Timothy Denihan, and John Barrett were evicted from their holdings while others suffered seizures that were sold for rent by Sheriff's sale in Limerick.¹⁵

Thomas Quane was ejected immediately. He was a brother of David Quane, who was remanded in Cork Jail for conspiracy to murder Wilmott-Smith. A challenge for compensation was initiated in the courts. His mother, widow Mary Quane had bought the lease for £850 in 1865 and transferred the farm to Thomas on the occasion of his marriage. She received

£320 for herself, probably from his bride's dowry. When Lord Kingston died prematurely in 1869 this lease became invalid wiping out their investment.¹⁶

Detailed argument about compensation for drainage, manure, fencing etc ensued. For humanitarian reasons it was common for evicted tenants to remain in place until around April, but Quane had been summarily evicted with a crop of potatoes in the ground, his hay and property still on the farm. Under cross examination Wilmot-Smith admitted that he had moved early against Quane because he believed he was one of those out to kill him. He was demanding £2 per acre for Quane's farm but the Farmers Club, which was acting as a representative body, would only offer 18s 6d (£0.93) per acre.

Independent witnesses valued the land at between £1 and 28 shillings (£1.40) per acre. During his concluding remarks, the judge said £2 per acre was a rack-rent for the land in question, but that the sum offered by Quane was too low and encouraged compromise. Wilmot-Smith's agent had approved the transfer from Mary Quane to Thomas, knowing of their financial arrangement. He said it was dishonest to approve that transfer and then raise the rent. But he was highly critical of the Farmer's Club and the mass meetings. He said he sympathised with the sense of intimidation Wilmot-Smith was feeling. He allowed compensation, but limited it to one year because Quane was guilty of participating in an illegal combination.¹⁷

Likewise, tenant Michael Leonard (father of Patrick) also initiated proceedings against Wilmot-Smith demanding £349 for disturbance.¹⁸ In his case the rent offered was quite realistic at 28s 6d (£1.43) per acre. Leonard admitted to being angered when Wilmot-Smith told him he would prefer to turn Cullane into a bullock farm rather than accept the rents being offered. The landlord repeated the allegation that Leonard's son had shot William Creagh and also shot at him, but both allegations remained unproven. There was a similar outcome to the Quane case. He was only allowed one year's rent (£45), because he had participated in a combination with the other farmers.¹⁹ Leonard challenged this and on appeal had this award increased to five years rent plus the cost of improvements.²⁰

The contemporary newspapers did not record any other litigation between the evicted tenants and the landlord, but Land Revision Books record that most of them were re-admitted to their holdings in 1874. The Leonards did not get their farm back, but their successful compensation case had achieved the desired result for their neighbours. Threatened with huge compensation bills Wilmot-Smith finally agreed more realistic rents. The Leonard farm was taken up by John Riordan who owned the adjoining farm.

In 1877 William Creagh acting on the landlord's behalf unexpectedly offered 30-year leases to the tenants, who signed them without getting legal representation under pressure to sign immediately or lose the offer. They found that a host of restrictive covenant clauses had been inserted in the small print. For example, they had to get permission from the landlord prior to ploughing any field on their farms. They were not allowed to cut turf or cut down trees. Manure could only be spread on the leased farm, not on any other land that the tenant might hold elsewhere etc. If any clause was broken, the landlord could double the rent. In 1882 the farmers were back in court again trying to have the restrictive conditions removed and eventually succeeded.²¹ There is no record of any further conflict on the Cullane Estate after 1882.

Charles Wilmot-Smith died in 1900 and his estate passed to his son John Crosbie Wilmot-Smith. The 1903 Land Act transformed land ownership in Ireland and Cullane was finally bought out around 1915 with ownership passing to children of the troubled tenants of the 1870's. Alleged conspirator David Quane left Cullane around 1876.²² He became a publican and auctioneer in Tipperary town,²³ where he died in 1917. Thomas Quane's farm passed to his daughter Mary and her husband George Fox, when they married in 1890. Adam Landers married Bridget Kiely of Ballylanders in 1881 and lived in Galbally until about 1910. The farmers' leader, Francis B Dineen, went on to become a major GAA figure, the man who bought Croke Park, later wrote with great nostalgia about his participation in these events, in 1915, just as the land struggle reached conclusion. Cullane had been one of the first battles in the land reform struggle, which along with Catholic Emancipation was probably the greatest achievement of the nineteenth century for Irish people.

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