

The Decline and Fall of the Ballynagarde Estate

JOSEPH LENNON

Three pivotal events during the 1860s were to prove decisive in the fortunes of the Croker estate of Ballynagarde: John Croker's marriage to a housemaid, the 'Croker vs. Croker' court case and the 'Croker Estate Act 1881'. The extent to which these rather than the gambling debts and generally reckless lifestyle of Edward Bagwell Croker were responsible for the downfall of Ballynagarde is discussed.

The Croker Family

The origins of the Croker family are in Lineham, Devonshire. In the early seventeenth century a younger son, Thomas Croker, acquired the estate of Ballyanker in Waterford while at least three of his brothers also settled in Ireland.¹ One of them Edward Croker was killed in cold blood during the early stages of the 1641 rebellion allegedly in revenge for the execution by his brother Captain Hugh Croker, governor of Cappoquin, of one of the rebels.² It was a grandson of Edward, John Croker who would build Ballynagarde house in 1774. This estate had been bought by his father, John Croker, in the 1680s from the widow of Colonel Randall Clayton for the sum of £3,000.³ Clayton has obtained the lands from an army officer who had received them as payment for his service in the army of Charles I during the 1640s.⁴

Originally Ballynagarde castle and its lands had belonged to the Burkes but had been confiscated from Theobald Burke under the Cromwellian plantation and the family had failed to recover it at the restoration.⁵ John Croker bought further land, amounting to nearly 500 acres, in Croom under a private act of settlement in 1711.⁶

The Crokers do not appear to have lived in Ballynagarde until the 1730s but it became their principal residence when John Prittie Croker (1730-1795) built Ballynagarde House in 1774, reputedly at a cost of £10,000. It was erected on or very near the site of the old castle. It was two storeys over a high basement, having a five bay front, with three bay pediment breakfront; a wing with an ionic porch was added in the nineteenth century.⁷ The estate was further developed and efficiently managed by John Hare Croker (1784-1858) who played a significant role in trying to alleviate the effects of the Great Famine on the locality. His commitment to his duty as a landlord was to be in sharp contrast to his son and heir, Edward Bagwell Croker who was an idle, self indulgent, extravagant gambler.

¹ John Burke, *A Genealogical and Heraldic History of the Commoners of Great Britain and Ireland*, vol. 1 (London, 1836) pp 340-1.

² Mary Agnes Hickson, *The Irish Massacres of 1641-2*, vol 2 (London, 1884) pp 139-40.

³ James Greene-Barry, *The Cromwellian Settlement of the County of Limerick* (Limerick, 1900), p. 16. Thomas Toomey and Harry Greensmyth, *An Antique and Storied Land* (Limerick, 1991), pp 77-8.

⁴ John O'Hart, *The Irish and Anglo-Irish Landed Gentry when Cromwell came to Ireland* (Dublin, 1884), p. 381.

⁵ R.C. Simington, *The Civil Survey of the County of Limerick, A.D. 1654-1656*, IV (Dublin, 1938) pp 82-3.

⁶ *The Journal of the Kilkenny and South-East of Ireland Archaeological Society*, ii (Dublin, 1859), p. 358. Westropp gives the date as 1721, Thomas J. Westropp, 'The Ancient Castles of County Limerick' *PRIA*, 26 (1906), p. 166.

⁷ Mark Bence Jones, *A guide to Irish Country Houses* (London, 1988), p. 25.

When Edward married Lady Georgina Monck, daughter of Viscount Monck, of Charleville House, Enniskerry, Co. Wicklow in 1841 neither family seems to have been entirely pleased. Croker's father reputedly expressed his unhappiness that his son was 'not marrying an heiress': Georgina was one of eight daughters.⁸ Her parents were apparently equally unhappy, questioning Edward's motives in marrying their daughter and concerned about his debts.⁹ These doubts, it transpired, were well founded as he became further indebted to various persons between 1846 and 1859 for amounts close to £70,000. In 1851 the net annual value of the estate was, according to *Griffith's Valuation*, approximately £2,158.

This resulted in the necessity for the sale of part of the estate, situated in the area of Croom. However the marriage of their son, John Monck Croker to one of his mother's maids in 1846 and his own death in 1867, leaving a minor son, and the terms of John Hare Croker's will in 1857 led to a complicated and disputed legal situation and a noted legal case and culminated in the sale of the estate in 1881 under the terms of the Croker Estates Act.

John Monck Croker marries a housemaid

John Monck Croker (1842-67) eldest son of Edward and Lady Georgina and heir to Ballynagarde, married Harriet Donaldson, Lady Georgina's maid in 1864. Donaldson was from Hillsborough, Co. Down, and had only been in the service of Lady Croker for a week or so¹⁰ when the impulsive and irrational young heir, who was housebound due to a broken limb, asked her to marry him. Donaldson accepted and they prepared their elopement: she left the employment of Lady Croker, took up another position in Monkstown, Co. Dublin, where she and John Monck married before the registrar on 6 September 1864.¹¹ According to the minutes of the later court case, Croker told the servants in Ballynagarde how happy he was to be marrying Harriett Donaldson, so there can be little doubt that it was common knowledge on the estate and that the servants and staff, at least, knew well in advance of the impending marriage.

However, his parents were not informed and when they discovered that the marriage had taken place they were furious and attempted to have it annulled. This they hoped to do by proving that it was null and void because their son did not reside in the place of marriage (Monkstown in this instance) for the fifteen days prior to the wedding which was required by law.¹² When the marriage was judged to be legitimate in the court, Edward and Lady Georgina Croker then attempted to get their John Monck to divorce his wife and disinherit their minor son, also named John.¹³

Croker vs. Croker Court Case

According to the minutes of the court case, 'Croker versus Croker' began before the Vice-Chancellor on 26 April 1869.¹⁴ The background to this case is the debts of Edward Bagwell Croker for amounts close to £70,000¹⁵ and the necessity to sell the Croom

⁸ Elizabeth Batt, *The Moncks and Charleville House* (Dublin, 1979) pp 59-60.

⁹ *Ibid.*, p. 62.

¹⁰ *The Irish Times*, 2 May 1869.

¹¹ *The Munster News and Limerick and Clare Advocate*, 5 May 1869.

¹² The marriage certificate of Croker and Donaldson is kept in the R.C.B. Library in Dublin.

¹³ *The Irish Times*, 29 April 1869.

¹⁴ *The Munster News and Limerick and Clare Advocate* (1 May 1869).

¹⁵ *The Irish Law Courts and Solicitors Journal, A Gazette of Legal Postings*, iv, 1870 (Dublin, 1870), pp 181-2. *The Munster News and Limerick and Clare Advocate*, 28 April 1869.

estate to raise the necessary funds to clear the debts. To conclude this sale, Edward needed the signature of his son John Monck who had been bequeathed these lands by his grandfather John Hare Croker in his last will (below) amended only one year before his death in 1858, to be held under guardianship until John came of age in 1862.¹⁶

13 January, 1857: This is the last will and testament of me John [Hare] Croker ... And whereas my great love and affection which I bear for my grandson John Croker, eldest son of my own son Edward and to continue the estate in to the best of my ability in my name and family, I have determined to release the property from the charge next mentioned...in order that my grandson ... may have some provision independently of my said son ...¹⁷

This Will was designed to prevent Edward selling off lands to pay his mounting debts. After many attempts, Edward successfully obtained his son's signature in 1866 allowing him to sell off the estate at Croom. However, after John Monck's premature death in 1867, his widow, Harriett Croker filed a suit against her parents-in-law, Edward Bagwell and Lady Georgina Croker in 1868 to have this indenture declared null and void. Her case was based on the right of her minor son, John Croker, to be the heir to Ballynaguarde and its declining fortunes.

The case commenced on 26 April 1869, lasting over 15 months alone in the Vice-Chancellor's Court due to adjournments and appeals. Both plaintiff and defendants exchanged bitter accusations in a series of court sittings, each accusing the other of lies and deceit. When cross-examined, Harriett accused the Crokers of forcing their son to sign the deed of sale for the estate at Croom, which would release them from their debts; in turn, the defendants accused her of tricking their weak minded son into marriage for her own material gain. Having argued unsuccessfully that the marriage be declared null and void, they then accused Harriet of taking advantage of the somewhat easily influenced young son who, they said, been a heavy drinker of brandy from a young age and constantly suffered from bouts of illness which had eventually led to his early death.

John Monck Croker, the court heard was put under undue pressure by his parents to help them alleviate their debts; this they agreed helped to drive this young man into marriage with Harriett Donaldson in an attempt to escape from Ballynaguarde. He was said to have had an earlier infatuation with a forty-year-old English cook at Ballynaguarde by the name of Hannah Smith. It was also revealed in court that he had proposed marriage in 1862 to the daughter of a Mr Mills, who rejected him by allegedly stating: 'I would not give him my daughter if he had ten Ballynaguardes'.¹⁸

Although the court agreed with the plaintiff that John Monck was somewhat coerced by his parents into signing the aforementioned deeds of sale; the court case continued until 12 July 1869 when the Vice Chancellor dismissed the case with costs in favour of the defendants Edward and Lady Georgina Croker. However, an appeal was brought before the Lord Chancellor and Lord Justice of Appeal by Harriett Croker on 6 December 1869.¹⁹ By then Edward Croker was dead and the appeal pitted Harriett

¹⁶ May A., C., Woodlock, William, *The Irish Reports, Equity Series, ii, 1868* (Dublin, 1869), pp 59-60.

¹⁷ *Ibid.*, pp 59-61.

¹⁸ *Ibid.*, 5 May 1869.

¹⁹ *Munster News and Limerick and Clare Advocate*, 8 Dec. 1869.

directly against her formidable and antagonistic mother-in-law Lady Georgina Croker. This appeal was dismissed with costs in favour of the defendant though the Judges had much sympathy for Harriet Croker and her minor son John.

Harriett, although losing both the case and appeal with costs awarded against her, subsequently succeeded in persuading the court to appoint a receiver, who decided to sell Ballynagarde to secure her minor son's fortune in 1871. Pivotal, perhaps the most important part of this case was the moment the court duly recognised the validity of the marriage of John Monck Croker and Harriett Croker. This meant that their son was indeed the lawful heir to the estate at Ballynagarde. However, when a report was made, it stated that £50,000.00 would be required to settle the encumbrances on the estate due to Edward Croker's gambling debts.²⁰

The Croker Estates Act 1881

This significant primary source has not been consulted in any previous account of the decline of the Ballynagarde family.²¹ The act was designed to settle outstanding issues dating back to the marriage agreement between Edward's marriage to Lady Monck in 1841 as well as the aforementioned court case 'Croker vs. Croker'. It sets out in detail the final fragmentation and sale of the Croker estate following the deaths of John Monck and Edward Bagwell Croker in 1866 and 1869 respectively. However, it is a complicated piece of legislation and only extracts of it are examined here.

The following decisions were made and accepted by the 'Landed Estates Court' on the 11 June, 1872.²² Under the 1841 marriage agreement between the Croker and Monck family, of which Viscount Monck and Vandeleur Roche²³ were trustees, Lady Georgina was to receive an annuity of £600 per year in the case of her husband, Edward Croker dying before her, and this was accepted by the court. Viscount Monck and Sir David Vandeleur Roche bought the Ballynagarde estate for the sum of £102,108, having firstly secured a loan of £44,000.00 from the Representative Church Body of Ireland (R.C.B.).

And whereas by an order... 11th day of June 1872, and made by the Right Honourable Judge Flanagan [of the Landed Estates Court] in the matter of the estate of Edward Croker and John Croker... it was ordered that the proposal... of Viscount Monck and Sir David Vandeleur Roche for the purchase of the estate in the said matter, subject to the jointure of £600 per year for the life of Lady Georgina Ellen Croker, for the sum of £102,108 should be and the same was thereby accepted and the court did thereby declare the said Viscount Monck and Sir David Vandeleur Roche the purchasers of the said estate...²⁴

The Croker family were permitted to remain at Ballynagarde under the terms of an earlier agreement until the minor Croker came of age, but he, John Monck Croker, was to die at the early age of twenty-three and his uncle continued to oversee the estate.

²⁰ *Croker Estates Act 1881* (London, 1881), p. 15.

²¹ Numerous references to the break-up of the estate in local books and journals omit this Act.

²² *Croker Estates Act 1881*, p. 18.

²³ Vandeleur Roche was an MP for Limerick city, a magistrate and a land agent in Croom.

²⁴ *Croker Estates Act 1881*, p. 18.

During the minority, Henry Stanley Croker, his mother, brothers and sisters to be permitted to occupy the mansion house and that part of the demesne of Ballynaguarde ... at a rent of £120 per annum ... in keeping the mansion house and its premises in proper repair and condition...²⁵

The Croker estate at Croom, (450-500 acres), was sold for just over £8,000 in 1872. Harriet Croker, on behalf of her minor son John, of whom she was guardian, received £7,000 from this sale. However, as the young Croker was the legal heir to Ballynaguarde, this money was then placed in the account of the Representative Church Body, who accepted it as part of the outstanding £44,000.00 mortgage. When Harriett Croker died on 7 July 1872, her son was placed into the guardianship of Viscount Monck.²⁶

Edward Bagwell Croker's sons continued in turn to administer Ballynaguarde until 1934: Henry Stanley Monck Croker (1846-1897) died unmarried; Frederick Albert Monck Croker (1847-1900) died without issue. The last Croker to reside at the once great mansion was the youngest brother Courtenay Le Poer Trench Croker (1853-1934). He also died without issue. The house and remaining lands were then sold to the state, which divided the estate primarily among families residing in the area. The house is now a ruin, sad but eloquent testimony to the decline and fall of the Crokers of Ballynaguarde.

²⁵ Ibid.

²⁶ John Monck Croker died in 1889 at twenty-three years old.

