

The Attempt to sell the Devon Estate in 1883

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In 1883 the earl of Devon, unusually for an Irish landlord at that time, offered to allow his Limerick tenants to purchase their holdings. The debates and arguments which ensued, both locally and nationally, are considered and discussed. The complex reasons for the ultimate rejection of his proposal are analysed.

The Devon Estate

The lands of the Devon estate, originally acquired by Sir William Courtney ancestor of the Earls of Devon, in the Munster plantation of the late sixteenth century, had by 1848 shrunk from nearly 80,000 statute acres to around 35,500 statute acres, containing 1,200 holdings as well as the town of Newcastle West.¹ Some small portions were sold off during the next three decades and in 1876 it comprised 33,026 statute acres² in West Limerick, extending over 14 miles from Feenagh to Abbeyfeale.³ It had a relatively low valuation of £14,525 since it was divided fairly equally between good grasslands and mountain or reclaimed lands.

The estate’s tenants were to be found in nine parishes, Ardagh, Carrickerry, Castlemahon, Killeedy, Knockaderry, Monegay, Newcastle West, Templeglentan and Tournafulla.⁴ The bulk of the rental came from the farms in these parishes rather than from the town of Newcastle and its environs (Fig. 1).⁵

25 March 1882	1/2 year’s rent due	Amount received including arrears
Townland farms	£6643	£6424
Townfields ⁶	£361	£376
Town of Newcastle West ⁷	£471	£455
Total for Half Year	£7475	£7255

Fig. 1 Analysis of rental income 1882

¹ John Cussen, ‘The Curling family – agents to the Devon Estate, County Limerick, 1848-1943’ in *Journal of the Newcastle West Historical Society*, no. 1 (1990) pp 32-5:32. In 1709 the estate had been more than twice as large at 79,622 statute acres. T. Moland, *A book of maps of the estate of the honourable Sir William Courtenay ...*, (1709) 16 F.2, National Library of Ireland.

² U.H. Hussey de Burgh, *The Landowners of Ireland* (Dublin, 1878) p. 126, John Bateman, *Great landowners of Great Britain and Ireland* (New Edition, London, 1879) p. 125.

³ *The Limerick Reporter and Tipperary Vindicator* (hereinafter the *Limerick Reporter*), 4 December 1883.

⁴ ‘The Receiving Rental of the Devon Estate for the half year ending 25 March 1882’ (hereinafter called ‘Rental Devon Estate 1882’) in Devon Record Office, Exeter lists 989 tenants. There is a copy in Limerick City Archives, DM 20.1. The townlands were Ardbohil, Arranagh, Ballintubbrid, Ballingown, Ballinvallig, Ballycluvane, Ballycuinnoo, Ballylinane, Ballyloughane, Ballymackesy, Ballycrannell, Ballymurragh, Ballykenny, Ballylanigan & Dromroe, Ballyquirk, Ballyshane, Camas, Castle Demesne, Castlevew, Clunebrowne, Churchtown, Cloniskrihane, Cloonsherick, Cullenagh & Knockane, Dromada, Drominbeesom & Mt. Turlough, Dromindeel, Dually, Dungeeha, Glengort, Glenmore, Glenquin, Gortnaclohy, Gortroe, Gorteenknaveen, Gortgarry, Grange, Killeline, Killaculleen, Killannonleigh, Lissurland, Meenylane, Moveedy, Rathcahill, Rathina, Reanagilee, Reens, Rooskagh, Shangarry, Teermenah, Teervena, Templeglentan, Trumenagh, Tulligoline, I have adopted the place name spelling as in Art Ó Maolfhabhail, *Logainmneacha na hEireann Imleabhar: I Contae Luimnigh*, (Baile Atha Cliath, 1990); a few of the townland names are not included in this book. Portions of some of these townlands were classified as townfields, see note 6.

⁵ ‘Rental Devon Estate 1882’.

Devon and his Irish Agents

William Reginald Courtenay (1807-1888) 11th Earl of Devon had succeeded to the title in 1859. His lands in Devon comprised 20,049 acres with a valuation of £30,995.⁸ Six years earlier his profligate eldest son, William, had died at the early age of 21 but not before managing to squander the family money, forcing the mortgaging of the estate. Devon worked hard with some success to free the estate from these encumbrances but his third son, Edward Baldwin Courtenay (1836-1891), surpassed his elder brother and went bankrupt twice (1870 and 1878).⁹ This necessitated further mortgages being taken out on both the Irish and English lands. Eventually all the charges were consolidated and the rents paid to a receiver who allocated a portion to the Earl and applied the remainder to servicing the debts.¹⁰

Devon was known generally as 'the good Earl',¹¹ and could justifiably be described as an able, dutiful and benevolent landlord. Railways, education and religion were included in his many interests. Under his chairmanship, a railway company connected Newcastle West to the Limerick/Foynes line in 1867 while a line to Tralee was opened on 20 December 1880.¹² He generously supplemented the salaries of teachers in the local Courtenay schools and proposed the establishment of a model agricultural college in the town. The local people showed little interest, however, and the scheme failed to materialise. Devon also visited the town regularly and contributed to the new Christian Brothers school in 1859.¹³ His agent from 1848 to 1874 was Edward Curling, who has been described as 'the epitome of the able, dutiful and benevolent administrator'.¹⁴ In his 26 years as agent he promoted local schools, encouraged the development of Newcastle West and was heavily involved in setting up the railway links between the town and Rathkeale.¹⁵ A newspaper obituary in 1874 declared that 'peace, prosperity, and contentment have reigned on the estate since the administration was assigned to Mr. Curling'.¹⁶ In that year his son, Charles, succeeded Edward as agent; a position he held until his death in 1895.

Devon, through his agents, encouraged extensive land reclamation by his tenants, resulting in around 1500 acres of 'mountain' and bog land becoming productive. He constructed roads, granted long leases, made allowances for improvements and was prepared to adjust rents according to the prevailing price of the principal local product, butter.¹⁷ Of the annual rent from the estate in 1882 of just under £15,000, 89% came from

⁶ All or portions of Churchtown, Cloniskrihane, Cloonakilly, Cullenagh, Gortboy, Gortboy Collins, Gortroe, Killeline, Knockane, Rathinane, Shanagarry.

⁷ Although paying only 6% of the estate's rental the town had roughly one third of the tenants.

⁸ Hussey de Burgh, *Landowners of Ireland*, p.126, Bateman, *Landowners of Great Britain and Ireland*, p. 125.

⁹ H.G.C. Matthew, and Brian Harrison (eds), *Oxford Dictionary of National Biography*, Vol. 13 (Oxford, 2004) p. 692. Edward subsequently became Earl on the death of his father in 1888, the year in which he joined the Roman Catholic church. He died in 1891.

¹⁰ A Deed of Sale for a plot of land in Newcastle West in 1913 lists not only the Earl but also the Guardian Assurance Company, the Life Fund Trustees, the Scottish Provident Institution, the Settlement Trustees and the Indemnity Trustees as having an interest in the property. I am grateful to Mr John Cussen, Solr., Newcastle West for sending me a copy of the Deed.

¹¹ Matthew and Harrison, *op. cit.*, p. 693.

¹² Liam O'Mahony, 'The Railway 1867-1925' in *The Annual Observer*, (1981), p. 26. Patrick J. O'Connor, *Hometown*, (Coolanoran, Co. Limerick, 1987), p. 14.

¹³ Michael Dore, 'The first fifty years of national schools in the Newcastle area and the Christian Brother interlude' in *The Annual Observer*, (1981) p.3.

¹⁴ Cussen, 'The Curling family', p. 32.

¹⁵ O'Connor, *Hometown*, especially p. 14.

¹⁶ *Munster News*, 28 October 1874.

¹⁷ O'Connor, *Hometown*, pp 23-9 gives a detailed and comprehensive account both of the work and sympathetic attitude of Devon and his agent, Mr Curling.

farming tenants in the various parishes, 5% from the townfields and 6% from the town of Newcastle West.¹⁸ Arrears of rents up to 29 September 1881 totalled £1683, around 11% of the annual rental.¹⁹ This was a very reasonable figure and suggests that generally the tenants were happy with their rents, were willing and able to pay them and enjoyed a good relationship with their landlord and his agent.²⁰

The Political and Agrarian Climate

At the time of Lord Devon's sale offer in 1883 the general political and agrarian climate in Ireland was very unsettled. While Gladstone's 1881 Land Act,²¹ granting the 3Fs, Fair rent, Fixity of tenure and Free sale, had represented a substantial gain for many Irish tenants it did not solve the land question. For a variety of reasons the measure had received a mixed reception from Nationalist leaders, who while officially advocating peasant proprietorship as their ideal solution to land problems, differed not only in their degree of genuine commitment to this objective but also as to how it should be achieved. This ranged from outright confiscation of estates to government-backed schemes offering landlords generous compensation. Parnell, on one hand, appreciated the Act's value and its concessions, and, while feigning unhappiness, made sure that it was passed. Davitt, on the other hand, saw little in it and in this view he was supported by the cottiers, the landless labourers and the leaseholders as well as the large number of Irish farmers who were unable to clear their rent arrears and were consequently excluded from the new Land Commission Courts.²²

When these Courts, established by the Act to set fair rents, began operations, they generally reduced existing charges, sometimes substantially, during the first few months of their operation.²³ However the Act did little to ameliorate the conditions of many other tenants. The government soon recognised this and the Arrears of Rent (Ireland) Act of 1882²⁴ resulted in the government paying £800,000 rent for 130,000 tenants,²⁵ thus bettering the lot of a significant number. The cumulative effect of the amendment and other proposed improvements to the Land Acts, coupled with the ongoing land agitation particularly in the west of Ireland, as well as falls in the value of land was to create an unsettled and constantly changing climate that was not conducive to persuading tenants that this was the right time to purchase under the terms of the 1881 Act.

Devon's Proposal

In this atmosphere of uncertainty and general landlord intransigence the earl wrote to his Irish tenants in November 1883 inviting them to purchase their holdings. He pointed out that the Land Commission was now:

empowered to advance to any tenant who has agreed to purchase his holding, a sum equal to three-fourths of the agreed price, such sum to be repaid by means of

¹⁸ 'Rental Devon Estate 1882'.

¹⁹ *Ibid.*

²⁰ The *Times*, 18 July 1881, claimed that some prosperous tenants around Newcastle West were refusing to pay their rents even when abatements of 15% were offered for peace sake.

²¹ Land Law (Ireland) Act, 44 & 45 Vict., c.49 (22 Aug. 1881).

²² The Land Commission was set up initially to determine fair rents under the 1881 Act; its scope was later broadened.

²³ During the first statutory term after 1881, 275,525 attended the Land Courts and had their aggregated rental reduced by around 21%. Terence Dooley, *The Land for the People*, (Dublin, 2004) p. 9. The *Report of the Royal Commission on the Land Law (Ireland) Act, 1881*, (H.C. 1887 xxvii) estimated that reductions in rents for the five previous years were 22%, 22%, 20%, 19.6%, 22.5%, averaging around 21.2%.

²⁴ 45 & 46 Vict., c.47 (18 Aug. 1882).

²⁵ Joseph Lee, *The Modernisation of Irish Society, 1848-1918* (Dublin, 1992) p. 88.

an annuity calculated at the rate of five per cent per annum, and expiring in thirty-five years, at the end of which term the Land Commission would have no further claim. The tenant must himself provide the remaining one-fourth of the purchase money, either out of his own resources or by borrowing on mortgage, as a second charge upon the purchase money.

Under Devon's scheme he would sell their holding to any of his tenants:

at a price to be agreed upon as fair between him and my agent, Mr Curling, and to allow any balance of the purchase money not provided by the Land Commission to remain on mortgage at 4 per cent per annum. In addition I would give to each tenant a conveyance free of expense, except Government stamp duty (10s per £100) and the fees on registration in Dublin.

His offer, which would only remain open until the end of the year, was however dependant on at least half of his tenants agreeing to purchase.

Previous Land Acts designed to help tenants to purchase their holdings had had limited success.²⁶ Devon's offer sought to deal with some of the reasons for the poor response to these Acts by removing three of the existing obstacles. It took care of any difficulty that a prospective purchaser might have had in finding some or all of the balance after the Land Commission had contributed its portion as well as offering a more attractive rate of interest. Devon furthermore was prepared to cover some of the ancillary purchasing costs.

General Reaction in Ireland to the Proposal

Reaction to the proposal was somewhat mixed but generally favourable. The *Freeman's Journal* described Lord Devon's proposal as 'very remarkable' and felt that the response would indicate to many concerned about the Irish land question whether tenants really wanted to purchase at that time and also whether the Purchase Clauses of the Land Act would be used and would work.²⁷ The *Irish Times* was favourable, calling Devon's proposition 'thoroughly straightforward and generous'.²⁸ The *Munster News and Clare Advocate* declared that the Earl's proposition seemed to be one that could and should be embraced. The conditions attached to the offer were 'eligible and opportune' though the leader writer wondered:

If the very goodness of the Earl of Devon as a proprietor might indeed militate against the immediate sales of the estate. Occupiers would not like to part from him as a landlord. Rents are paid easier than a lump sum for purchase.²⁹

Other local papers were similarly positive. The *Limerick Chronicle* contained an article commending Devon's generous proposal and attacking nationalist politicians who were opposing such offers³⁰ while the *Clare Examiner* described the terms of the proposal as 'liberal'.³¹

²⁶ Only 877 sales were completed under the 1870 Act and 731 under the 1881 Act. John Pomfret, *The Struggle for Land in Ireland, 1800-1923* (Princeton 1930) p. 166.

²⁷ *Freeman's Journal*, 13 November 1883. A letter to the editor of the *Irish Times*, 15 November 1883, from a Bray reader had similar sentiments: the tenants' reply, he stated, will provide a very real test of the 1881 Act's purchase clauses.

²⁸ *Irish Times*, 13 November 1883.

²⁹ *Munster News and Clare Advocate*, 14 November 1883.

The articles had clearly underlined possible obstacles to the success of the proposal. They suggested that the reaction of the National League and particularly its leaders, Davitt and Parnell, would be of major importance. Although peasant proprietorship was one of the stated aims of the Land League, Davitt, in a speech in Liverpool on 6 June 1882, had advocated land nationalisation in preference to this objective. However other left-wing politicians like Matt Harris and James Daly bitterly opposed his nationalisation scheme.³² The Irish National League, founded on 17 October 1882 as a substitute for the defunct Land League, had listed as one of its five major objectives that the land of Ireland should be owned by its cultivators.³³ In practice, however, its leader, Parnell, himself a landlord,³⁴ while genuinely aware of the need to solve Irish land problems, was much more interested in Home Rule. Since he and the parliamentary party effectively controlled the Irish National League, political rather than agrarian interests frequently took precedence.

Nationalist leaders, realising that the English government believed that solving the land question and greatly increasing the number of peasant proprietors and accordingly reducing the number of landlords was essential if Ireland was to enjoy lasting peace, tried to intertwine Home Rule with the land question. For a section of the Nationalist leadership Home Rule was the priority. As one authority has pointed out Parnell hesitated about peasant proprietorship partly because he feared that Westminster might feel less disposed to grant home rule to a people who had emasculated the political power of the aristocracy.³⁵ He condemned rent strikes not because he believed that they were wrong but because that they might retard political progress towards Home Rule.³⁶ It is probably fair to say that settling the Irish land question would have lessened active support for this objective. Favourable decisions of the Land Commission Courts in establishing fair rents had already led to some tenants losing interest. Any solution to tenants' difficulties could further threaten the movement in so far as it would rule out the possibility of using agrarian agitation as a weapon in support of the nationalist cause. Indeed some politicians felt that ideally it would be better if the tenants believed that their land problems could not be properly dealt with in the absence of Home Rule but would be quickly solved once it was granted. Therefore it was not at all clear what the attitude of nationalist leaders might be to any landlord's offer. Any encouragement they might give would be very positive for acceptance while a perceived lack of enthusiasm might, as a consequence, influence tenants to reject almost any opportunity to purchase their holdings, no matter how reasonable the terms.

Reaction in England

Devon's proposal to his Irish tenants, being the first of its kind, aroused a good deal of interest not only in Ireland but also in England. *The Times* carried a number of reports on the progress of negotiations³⁷ and *The Standard* discussed the offer in a lengthy article

³⁰ *Limerick Chronicle*, 15 November 1883.

³¹ *Clare Examiner*, 17 November 1883.

³² Lee, *Modernisation of Irish Society*, p. 88.

³³ F.S.L. Lyons, *Charles Stewart Parnell* (London, 1977) p. 236.

³⁴ In 1882 Parnell's estate had a charge of £18,000 so he filed a petition in the Landed Estates Court for the sale of all his Wicklow property. To obviate any need for this sale a national collection raised almost £40,000 and more than paid off his mortgage, Lyons, *Parnell*, pp 244-7.

³⁵ Lee, *Modernisation of Irish Society*, p. 77.

³⁶ Laurence M. Geary, *The Plan of Campaign 1886-1891* (Cork, 1986) p. 2.

³⁷ See 3 December 1883, 7 December 1883, 28 December 1883, 11 January 1884, 21 January 1884.

that was reprinted in a local Limerick paper. The writer had no doubt as to why few tenants had availed of the 1881 Land Act:

The uncertainty as to the future, the hope held out to the people that by and by they would become masters of the soil by the simple process of withholding rent, the prospect that, at the worst, rent, and, as a necessary consequence, the value of land, would decline from year to year, tended to dissuade them from incurring any liability, or parting with any of their capital, in order to obtain a change of status.³⁸

Furthermore the Land Commission Courts by reducing rents had so improved their situation that tenants felt little inclination to take out a mortgage. However things were now different, the writer maintained, and the terms offered by Lord Devon were so generous that rejection by his tenants would be very discouraging. While the writer was prepared to hope for the best, he was not unduly optimistic. Referring to Tim Healy's declaration that the people of Ireland would never be satisfied while a single penny of rent was paid for a sod of land,³⁹ he described the growing vehemence and virulence of Nationalist agitators as the high water mark of all that was most dangerous for Ireland.

Tenant Reaction

Against this background, the Devon Estate tenants held a well-attended meeting in Newcastle West on 22 November 1883 with Rev Arthur J. Sheedy, P.P., Monegay, in the chair. Fr Sheedy's observation that it was obvious that the tenants seemed very keen to become the proprietors of their holdings, provided they could obtain purchase agreements on good terms, was greeted by a 'hear, hear' from the attendance. Referring to 'the kindness that prompted his lordship to make such a liberal and fair offer', he felt that they should be anxious 'to show in a suitable manner their reciprocation of his lordship's kind desire to see his tenants in a prosperous condition', an opinion that was greeted with another 'hear, hear'. Fr Sheedy concluded by advising them to accept the offer if the terms were right and if they got fifty years to pay off the loans. During the course of the meeting the tenants seemed eager to purchase. As a first step forward they decided that the parish priests of the nine parishes in the estate⁴⁰ should consult with their parishioners on the following Sunday and collect the signatures of those willing and financially able to avail of the offer. A committee consisting of the respective parish priests on the estate, with six others from each parish, should meet again in Newcastle to further the objects of the meeting.⁴¹ The initial reaction to Devon's proposal therefore was positive and enthusiastic.

When they reconvened a week later delegations from all the nine parishes on the estate were in attendance. According to newspaper reports,⁴² the meeting heard however that the tenants had been consulted in only three of these parishes. Although 101 out of

³⁸ The article was reprinted in the *Limerick Chronicle*, 15 November 1883.

³⁹ Mr Healy had made a number of inflammatory statements around the time of Devon's offer. See for example *Irish Times*, 12 November 1883, *Limerick Chronicle*, 15 November 1883.

⁴⁰ Newcastle West, Templeglantine, Tournafulla, Monegay, Killeedy, Castlemahon, Knockaderry, Ardagh and Carrickerry.

⁴¹ *Limerick Chronicle*, 24 November 1883. *Cork Examiner*, 26 November 1883. *Limerick Reporter*, 27 November 1883. *Munster News and Clare Advocate* (hereinafter called *Munster News*), 1 December 1883. *Farmers' Gazette*, 1 December 1883.

⁴² *Munster News*, 1 December 1883. *The Times*, 3 December 1883. The account included both Parnell and Davitt's letters. *Cork Examiner*, 3 December 1883. *Limerick Reporter*, 4 December 1883. *Clare Examiner*, 8 December 1883.

220 in Monegay had signed up, Fr Sheedy, the parish priest, stated that they were initially unenthusiastic and that he had to impress on them the necessity of indicating an interest in purchasing their holdings. In Newcastle West parish 91, including a large number of householders, had signed; the number in Templeglentan was 46. Out of the 900 or so tenants on the Estate only a total of 240, including cottiers and householders, had signed up. The reason offered for this low number, the meeting was told, was that many tenants believed that by signing they were committing themselves to purchase their holdings without knowing the terms. Delegates indicated that once the tenants realised that signing was only a preliminary step and not a binding contract they would be much more willing to sign. A Tournafulla delegate, Lawrence Harnett, claimed that all the tenants in his parish had been prepared to sign on Sunday but hadn't done so because they had no leader to direct them. At this point other delegates warned that it should not be taken for granted that a large number would accept Devon's proposal. The tenants, they declared, were considering the matter with extreme caution, conscious that it was the first transaction of its kind since the passing of the Land Act, and while they were most anxious for proprietorship they would purchase only on the most favourable terms.

Many felt no need to hurry to change from their existing situation since Devon was a most indulgent landlord and their rents were fair. As one delegate, Mr Pitts, put it, farmers had now a security in their holdings that they had not enjoyed ten years previously and they should not be in a hurry to purchase. Others disagreed with this viewpoint and stressed some of the advantages of ownership – rents could not be increased and the owner received all the benefits of improvements. While no details of the price required had been indicated it was generally believed that when the required number had signed up, Devon would have each holding valued and would then make an individual proposition. Sixteen years' purchase at the present rental seemed to be the most that they were prepared to offer Devon. The bottom line for most of those attending seemed to be that, if they were to purchase, the total of all their repayments to the Land Commission, to Lord Devon, their share of the poor rate and any income tax due should not exceed their existing rents. Some tenants, mainly in the town of Newcastle West, who had received Devon's circular were householders rather than landholders. While it was not at all clear that they would get the same purchasing facilities as landholders, they in particular, it was stated, were most anxious to purchase.⁴³

Reaction of Davitt and Parnell

Mr W. D. Ahern, a delegate from Templeglentan, then announced to the meeting that he had contacted Michael Davitt and Charles Stewart Parnell about the proposal. Some delegates felt that it would not be wise to hear their views before Lord Devon had given some indication of his sale terms, suspecting, presumably, that their intervention could complicate matters. However the Chairman agreed that the meeting should be informed of the content of their replies to Mr Ahern. Davitt's opinion, unsurprisingly, was not very positive. He conceded: 'Heaven knows it would be a blessing all round if this Land Question could be finally settled.' However he went on to express strong criticism of the landlord:

The Earl of Devon seems to have made up his mind that settled it is now bound to be; and he appears, naturally enough, anxious that the settlement connected with

⁴³ In many cases their rents were very low; the average rent for one of the 128 Maiden St tenants was just over £2 annually, 'Rental Devon Estate 1882'.

his estate should be a profitable and satisfactory one to him. He is an absentee. His rents are largely in excess of the valuation, and in my opinion, though, perhaps, not in that of Lord Devon and his agent, these facts ought to be considered in the terms of the settlement. It is certain they will be taken into account by and by, when moral courage will enter more into such transactions than it now does.

He further warned that the tenants should consider 'that after any final settlement that takes place the occupiers or proprietors of land are sure to be taxed in the interest of the whole community'.⁴⁴

Davitt's comments on Devon were certainly unfair. His statement that the rents were 'largely in excess of the valuation' was disingenuous. He must have been well aware that the Griffith Valuation, carried out in Limerick about thirty years previously, would have been around 30% lower than the actual letting value of Limerick agricultural land in 1883.⁴⁵ Although technically an absentee, Devon did not deserve that cachet or the opprobrium normally attached to the term. He had a genuine interest in his tenants' welfare and in the running of the estate and tended to visit every year and stay with Curling at the Castle.⁴⁶

Parnell was less negative and did not commit himself one way or the other. He wrote from London that he needed more information as well as some indication of Devon's selling price. Specifically, he wondered if any tenants had gone to the Land Court or had had their rents reduced under the Land Act. Generally speaking, he advised that a tenant should not purchase if his total repayments would exceed a fair rent. He recommended that the tenants should form a committee and communicate with the secretary of the National League in Dublin, an indication that he was keen to control or at least be involved in any future developments.

The London *Times* commented a few days later that Devon's proposal had not met with the ready and general response that had been expected. The tenants were being very cautious and after getting fixity of tenure had shown no desire to become peasant proprietors except on easy terms.⁴⁷ One wonders why delegates from six of the nine parishes had not taken the matter further, particularly in those parishes with a large number of Devon tenants. At least five priests, including Fr Walsh from Ardagh who at the next meeting actually advised the tenants to purchase, had attended the original meeting and one would expect that they and the other delegates would have understood that the first step in the procedure was merely an indication of interest and communicated this information to their parishioners.

Mr Ahern did not delay in sending Parnell the information requested, writing that no tenant had or would approach the Land Court since every farmer believed that this would result in an increase in his existing rent. Significantly he emphasised in his letter that neither he nor most other tenants would take any action that would give English politicians 'an opportunity of thwarting or obstructing your design on behalf of the Irish

⁴⁴ *The Times*, 3 December 1883. *Limerick Reporter*, 4 December 1883.

⁴⁵ See Barbara Solow, *The land question and the Irish economy, 1870-1903* (Cambridge, Mass. 1971) chapters 4 and 7. The Griffith Valuation was as much as 33% below the real letting value of land by the late 1870s. Comparisons of contemporary rents with Griffith's valuations was a tactical ploy exploited by the Land League as rents that had risen in that period could only be described as rackrents when compared to the old valuation. Terence Dooley, *Sources for the History of the Landed Estates in Ireland* (Dublin, 2000) p. 10.

⁴⁶ *Limerick Reporter*, 17 August 1886.

⁴⁷ 3 December 1883.

people.' This was a clear indication that some people at least viewed Devon's proposal not simply as a local issue but as one that was subordinate to national objectives. An observation from Mr Thomas Roche, a Newcastle West delegate, that the general feeling of the people was in accordance with the letters of Parnell and Davitt, was greeted with 'hear, hear' and cheers. The meeting concluded after agreeing that another effort should be made to seek signatures at the different parish churches on the following Sunday. If the required number was obtained, they would then be given to Mr Curling for transmission to Lord Devon.

Progress of Negotiations

Fr Robert J. Ambrose, C.C., St John's, Limerick,⁴⁸ spoke a week later at the next tenants' meeting. While agreeing that Devon was a very good landlord he disagreed with Mr Ahern's assertion that rents were so low that tenants were sure that they would be increased if they went to the Land Court. Similarly he questioned Devon's statement in his circular that the tenants had been very satisfied when old Mr Curling had valued the estate and increased rents by ten per cent. Despite these reservations he favoured the proposal and believed that the meeting should aim to get all tenants to sign the document. This would prove to the British House of Commons that Irish tenants were willing to purchase their farms and would not be satisfied with merely the fixing of fair rents. Not everybody present concurred with this approach. When the parish priest of Ardagh, Fr J. Walsh, strongly advised tenants to purchase since future terms might not be so reasonable, a dissenting voice interrupted with 'we expect far better terms in the future'.

The meeting then decided to send for Curling, Devon's agent, to inform him that half of the tenants had signed the document. On his arrival he asked the meeting to pass a resolution stating the number of years' purchase they were willing to offer. The chairman, Rev Dr Quinn, P.P., Coolcappa, suggested in turn that it would be better if Curling made an offer. The agent's reply was that different circumstances applied to different farms and Devon, therefore, couldn't make a general offer. As an example he referred to some tenants who had large tracts of turbary (bogland) for which they were paying only nominal rents but which were worth from £20 to £40 a year⁴⁹ and indicated that it would not be fair to ask the earl to allow these tenants to have that turbary on the same number of years' purchase as allowed to the tenants of grass lands. Curling stated that he had no information regarding the procedure by which Devon would value their holdings. He also pointed out that landlords in Limerick and Kerry were watching events closely and that they had indicated that they would also offer their properties for sale on similar terms at a future date, implying that whatever deal was concluded would set a precedent and that both Devon and himself had an obligation to bear this in mind. Fr Ambrose then

⁴⁸ Robert Ambrose, aged 16, and his brother, Stephen, aged 18, were among the band of Fenians who attacked the RIC Police barracks in Ardagh in 1867. Stephen was wounded in the attack but got away and later escaped to America. Robert spent some time in hiding but was eventually arrested and charged with being a Fenian. The Castletown, Pallaskenry magistrate, Rev. John T. Waller, a substantial landlord, dismissed the charge because of the boy's age. Robert went on to study for the priesthood and after ordination was originally assigned as curate to the famous Fr Casey of Abbeyfeale who launched the Land League in West Limerick, John M. Feheney, *Ballysteen The People and the Place*, (Cork, 1998) pp 131-3.

⁴⁹ Patrick J. O'Connor, 'Ireland's last best west: evidence from the Courtenay/Devon Estate', *Journal of the Newcastle West Historical Society*, no. 1 (1990) pp 25-9 gives a detailed and most informative account of the large amount of land reclamation carried out in parts of the estate. In 1844 the 'mountain land' contained 100 farms which collectively accounted for 12,278 statute acres. Additionally there were 60 mixed farms which included some of the lowlands and totalled 5,862 statute acres, O'Connor, *Hometown*, p. 64.

suggested an adjournment and the appointment of local committees to sound out the opinions of the tenants. Mr Ahern announced that he had received another letter from Parnell but he was told not to publicise it until Devon had indicated his terms.⁵⁰

Devon's position was very understandable. Almost half of the estate was mountain or bog land and special terms had been granted to those involved in land reclamation. For example it was customary to let a recently reclaimed field rent free for three crops to a labourer who undertook to carry out specific improvements.⁵¹ Considering the variations in the quality of the land as well as concessions given and particular arrangements made over the years with some tenants regarding improvements, it was hardly realistic at that time to expect a general offer. In the unlikely event of such an offer being made one might expect that those who had particularly good deals would buy and that Devon and Curling would be left with in the main the more difficult and unreliable or incompetent tenants.

The tenants next met on 13 December but since no reply had been received from Devon they agreed to reconvene on the 17 December.⁵² Fr Quinn, the Coolcappa parish priest, chaired this meeting. Summarising the situation to date, he warned tenants not to commit themselves to offering to repay more than they could afford while at the same time advising them to ignore the foolish people who maintained that property would be got for almost nothing. In the event of an auction they should all realise that the highest bidder would be declared the purchaser. He trusted that they would not throw away a reasonable offer while at the same time taking care not to outbid each other.

Devon's Response

Devon's reply had by then arrived and was read to the meeting. Expressing satisfaction that the tenants seemed disposed to avail themselves of his offer, he explained that he was not in a position to make a general offer that would be applicable in all cases because of the circumstances of the estate and the nature and variety of the different holdings:

All that I can say is that in dealing with each separately and on its own merits, it will be endeavoured to deal fairly and justly, and to act with due regard to all circumstances which ought properly be taken into account. Mr Curling, in whom, I believe, the tenants will have confidence, being authorised to arrange as to the price in each case, I need hardly add that such an arrangement will be much facilitated if any person applying to purchase will give his own view of the value, as a point to be considered with others by Mr Curling in fixing the price.⁵³

This approach seems very reasonable, particularly bearing in mind that a large portion of the estate was land that had been or was in the process of being reclaimed and was consequently not subject to normal rent obligations. During the course of his negotiations the

⁵⁰ *Cork Examiner*, 7 December 1883. *The Times*, 7 December 1883. *Irish Times*, 7 December 1883. *Limerick Chronicle*, 8 December 1883. *Farmers' Gazette*, 8 December 1883. The *Irish Times* report mentioned that Parnell's letter was read and that he had advised that sixteen years' purchase, if yearly instalments did not exceed previous rents, would be a fair offer. The *Freeman's Journal* of the same date had reasonably similar content, writing that 'the offer to allow the tenants to purchase at sixteen years' rent, if made on the same terms to all the tenants on the estate, ought to be accepted, as it would do no harm but good to the public interest.'

⁵¹ O'Connor, 'Ireland's last best west', p. 27.

⁵² *Limerick Chronicle*, 15 December 1883. *Cork Examiner*, 15 December. *Limerick Reporter*, 18 December 1883.

⁵³ *Munster News*, 18 December 1883. *Limerick Chronicle*, 18 December 1883. *Cork Examiner*, 18 December 1883. *Clare Examiner*, 22 December 1883. *Farmers' Gazette*, 22 December 1883.

tenant, furthermore, would be afforded an opportunity to raise relevant matters, for example, to underline any improvements that he had made, with Mr Curling who would take these points into account. Curling, who had full authority to negotiate, had a high reputation as a kind, sympathetic and reasonable man so tenants could expect a fair deal.⁵⁴

Reaction to Devon

Despite Devon's letter, some still felt that a general offer should be made. However, the predominant tone of meeting seemed to be that the best judge of the value of each holding would be the tenant who worked it; therefore each case should be decided on its individual merits. At this point Mr Ahern read two letters from Parnell, one dated 29 November 1883 and the other 5 December 1883, in which he expressed surprise that Devon had not named his price. He suggested that if tenants were to offer sixteen years' purchase on the existing unreduced rental it ought to be accepted by Devon. However they should be careful that the sum they offered was such that they would be able to make their punctual half-yearly payments.

After reading the letters Mr Ahern referred dismissively to a local rumour to the effect that speculators would be likely to purchase if tenants in certain districts did not bid a very high figure for their holdings. He also asserted that land was deteriorating in value. It had dropped a quarter within the past seven or eight years, he maintained, and there was no guarantee that it would not drop further in a similar fashion over the following seven or eight years. Tenants would be unwise to make an offer to Lord Devon since, in effect, they would be committing themselves while leaving Devon free to accept or reject their offer. He supported the suggestion from the meeting's Chairman, Fr Quinn, that arbitration would be a better option.

The arguments raged back and forth on whether they should make an offer: and if so, should it be as individuals or as a group. It was unclear if Curling would name a price for each tenant or townland or would insist that each made him an offer and they wondered if having an arbitrator be a better choice. Eventually a resolution was proposed to the effect that intending purchasers should value their holdings fairly and after due calculation bid Devon a fair price. Mr John Condon, the Newcastle West solicitor, then suggested that any tenant making an offer should start with a minimum price as part of the negotiations and later do a deal with Mr Curling. The resolution was passed at that stage and the meeting concluded.

The possibility of lengthy haggling with five hundred to nine hundred or more tenants was hardly likely to appeal to Devon, the trustees of the estate or their agent. Presumably they wanted a speedy realisation of their assets to reduce the estate's debt. The original proposal had envisaged a reasonably quick decision rather than protracted negotiations. Some tenants with good farmland were very conscious of the closing date and, afraid of missing a good opportunity, met in Newcastle West and agreed unanimously to offer Devon, through Mr Curling, twenty years' purchase on the existing poor law valuation.⁵⁵ At the same time the *Limerick Chronicle* also carried a letter stating that tenants in

⁵⁴ An indication of Curling's high reputation is shown by a letter from John H. Danaher of Athea published in the *Munster News*, 28 February 1883, complaining that a fair rent allowance had not been granted by the courts for improvements made by him. He regretted that the County Court judge had not appointed as valuer 'Mr Curling or some other gentleman having sympathy with the tenants'.

⁵⁵ *Limerick Chronicle*, 27 December, 1883. *Irish Times*, 28 December. *Freeman's Journal*, 28 December. *Clare Examiner*, 29 December. *The Times*, 28 December.

Londonderry had bought their holdings at 19½ years' purchase on the Government valuation and that a fair price for the Devon tenants would be 20 years' purchase, after half the average poor rate and county cess for the previous five years had been deducted from the Government valuation when calculating the total.⁵⁶

So as the year drew to a close the initial enthusiasm that had greeted the proposal had waned considerably. At first many tenants who had long dreamed of owning their own holdings believed the opportunity had now presented itself. Under the terms of Devon's proposal the purchase price would not involve approaching the bank and repayments should not be more expensive than their existing rents. In their opinion the offer should be grasped while it was still available. Yet there were many other voices urging caution. Why change the situation, when now fair rents and fixity of tenure had been secured, to assume the obligations and commitments of ownership when they had a good landlord and agent. Devon has not yet indicated a price and land values were dropping, so that farms might be purchased for much less later and on better terms. In addition the National League has advocated making low initial offers, as negotiations are just beginning, and advised acting collectively rather than individually even though Devon has explained why he could not make a general offer, while Davitt had also urged caution. There was a feeling that a more favourable Land Act might be introduced so the safer option would be to sit tight and await developments.⁵⁷

Developments in 1884

As the new year dawned events moved quickly. Some offers had been made and Devon had extended the deadline for receiving others.⁵⁸ The Earl had also indicated that he would reply within a fortnight to those who had offered twenty years' purchase.⁵⁹ Newspaper accounts of the negotiations varied in the details. The *Freeman's Journal* and the *Irish Times* both reported that out of some one thousand tenants not quite two hundred and fifty proposals had been sent in and, acting on the advice of the National League, the tenants had generally offered sixteen years' purchase for their holdings. Curling had also denied the statement recently made that a body of tenants had offered twenty years' purchase at the outset of the negotiations.⁶⁰ A few days later the *Freeman's Journal* printed a letter from 'A twenty per cent man' who claimed to have been told by Curling that 310 offers had been received by 10 January. The writer maintained that many had offered twenty or more years' purchase. While more than 600 tenants had signed as intending purchasers, many were unable to carry out their intentions since their leases were mortgaged in the various banks and elsewhere as security for money borrowed.⁶¹ The *Munster News* reported that it was said that about 300 had submitted offers ranging from 12 to 20 years' purchase.⁶²

⁵⁶ The *Irish Times*, 24 December had published a letter from 'A Sufferer', complaining that the Devon tenants were proposing to offer sixteen years' purchase for land that used to bring in twenty two years' purchase and suggesting that landlords should be compensated. The *Freeman's Journal*, 29 December 1883 printed a letter from 'Anti-Humbbug', asking caustically if Parnell would offer his own estate to his tenants, now that he had cleared it of mortgages, for sixteen years' purchase. The writer had no doubt that Parnell would not while at the same time he considered that sixteen years' purchase was good enough for other landlords.

⁵⁷ Lee has pointed out that the tenant certainly wanted as much control as possible over his holding, but not at any price. He approached the choice between peasant proprietorship, leases and annual tenancy in a realistic rather than in a romantic state of mind, *Modernisation of Irish Society*, p. 102.

⁵⁸ *Irish Times*, 11 January 1884. *Cork Examiner*, 11 January 1884. *The Times*, 11 January 1884.

⁵⁹ *Munster News*, 5 January 1884.

⁶⁰ *Freeman's Journal*, 11 January 1884, *Irish Times*, 11 January 1884. *Farmers' Gazette*, 12 January 1884.

⁶¹ *Freeman's Journal*, 15 January 1884.

⁶² *Munster News*, 19 January 1884.

On 19 January 1884 the *Irish Times* reported that Curling had sent a circular to the tenants to the effect that all offers of 12, 14 and 16 years' purchase were too low and had been refused. The small number who had suggested twenty years' purchase were told that their offers were under consideration.⁶³ Undoubtedly the bulk of the offers made seriously underestimated the value of the holdings. Some tenants may well have felt that this was simply the first round in the bargaining process and may have been prepared to make a more realistic offer at a later stage.

Value of local land

An indication of the true value of local land at the time can be found in the *Munster News* of 19 January 1884,⁶⁴ in a report of an auction that had taken place a few days previously. Mr John Liston, a Newcastle West draper, had put his interest in an eight-acre holding near the town on the Rathkeale road up for auction. This land was held from Lord Devon under lease for an unexpired term of eighty-one years dated March 1871 at a yearly rent of £16-10-0. After spirited bidding the land was purchased by Mr Patrick Enright, another local draper, for a total sum which was the equivalent of 27 years' purchase. The article emphasises that this high price was paid merely for the tenant's interest at a rate of £19 a year and not for the fee simple, that the money had been paid without the help of Government loans and that it gave an indication of the value of land at that time.⁶⁵

Rejection of Offer

A week or so later a circular from Devon effectively ended this episode. In it he admitted that negotiations had not been successful. He stated that the offers made, at the behest of the National League, had fallen very considerably short both in number and amount of the proportion fixed by him as a condition of a general sale. Many of these offers had been based on poor law valuations or on rents no longer in force. He was aware of the large sums paid on assignment of the tenants' interests and regarded this as proof that existing rents were low. He acknowledged that his moderate rents had been paid regularly and referred to the friendly relations that had always existed between his family and agent and his tenants. He would like these good relations to continue. While he certainly had no need to sell he reserved the right to deal with his estate as he pleased.⁶⁶ He signed the circular: 'I remain your friend, Devon.'⁶⁷

Devon's statement that he certainly had no need to sell must be taken with a grain of salt. While acknowledging that his wish to see his tenants benefit from the terms of the recent land legislation was genuine,⁶⁸ his offer was not wholly altruistic. We must also take into account the fact that he was seriously in debt. The extravagance of his sons, William, and later Edward, who went bankrupt in 1870 and again in 1878, had taken its

⁶³ *Cork Examiner*, 19 January 1884.

⁶⁴ The article was reprinted in the *Irish Times* of 22 January. At least some of the town's merchant classes had obviously prospered.

⁶⁵ On 21 February 1884 the tenant's interest in a good farm of 38 Irish acres at Ballyneety, near Ardagh, was sold to John Murphy, a Newcastle West draper, for £810 and fees.

⁶⁶ In fact his indebtedness had already forced him to cede some of that right to Trustees. The 1882 Devon Estate rental includes two printed columns, one headed 'Allowances by Order of Trustees' and the other 'Rent lost by insolvent or ejected tenants or cancelled by Order of Trustees', rather than by order of Lord Devon.

⁶⁷ *Freeman's Journal* and *Irish Times*, 28 January 1884. *Farmers' Gazette*, 2 February 1884. *Illustrated London News*, 2 February 1884.

⁶⁸ *Munster News*, 19 January 1884. The paper believed that one of Devon's motives in making his proposal was to prove his interest in the welfare of the people of Newcastle West.

toll on the fortunes of the estate.⁶⁹ The estate's mortgage debts were huge, amounting to nearly £250,000.⁷⁰ Since the annual rental from his Irish property was almost £15,000, the sale of most of the Irish holdings, even at 20 years' purchase, would have cleared his encumbrances. His financial difficulties were such that some time later all the various charges on his estates were consolidated and his rents were paid to a receiver.⁷¹

So after less than three hectic months Devon's offer had been rejected. During this period his proposition to tenants in nine West Limerick parishes had assumed not just local but national importance. His initiative had aroused considerable interest throughout Ireland and even in England. Being the first proposal of its kind, its acceptance or rejection would feature in the ongoing debate as to whether or not the Irish tenant was serious about purchasing his holding. If it were to be accepted it would set a precedent and any landlord interested in selling would carefully study, and be influenced by, its terms.

Explanations for the rejection

Many of the tenants initially seem to have had the inclination, the initiative and the ambition to purchase but when faced with a lack of encouragement from nationalist politicians and movements their confidence was shaken. Some were too poor, incompetent or timid to contemplate purchase. More than twenty years later one tenant recalled that one third of the tenants did not make any bid because 'the offer found them heartless; many of them on the verge of bankruptcy after their long and weary struggle against agricultural adversities'.⁷² The *Times* came to its own very different conclusion: 'The uncertainty that prevails as to future legislation on the land question appears to afford the only real explanation of the tenants' reluctance to come to a settlement'.⁷³

Some Irish landlords, in letters to the *Irish Times*, had little difficulty in identifying what they believed to be the underlying reasons. Referring to Irish farmers in general rather than specifically to those on the Devon Estate, one wrote that tenants would not buy their holdings as long as Parnell and his supporters travelled through the country preaching the abolition of landlords and 'the land for the people'.⁷⁴ Another maintained that 'due to the Land League they think that by holding out against the payment of rent and by terrorism they will get their holding for nothing'.⁷⁵ A third claimed that purchase by tenants would not become general for a long time since it was not in their interests to do so:

As a tenant he virtually holds in perpetuity at a low rent a valuable and unencumbered estate. He can sell his interest or raise money on it. Once he accepts the State's loan even at 3½% he becomes an encumbered owner. Unless some indirect compulsion is applied tenants will never purchase.⁷⁶

⁶⁹ *Oxford Dictionary of National Biography*, Vol 13, Oxford University Press (2004), p.693.

⁷⁰ *Bristol Mercury and Daily Post*, 1 August 1884.

⁷¹ Obituary in *The Times*, 19 November 1888. It gave his wealth at death as £2598. The *Limerick Reporter* (17 August 1886) and the *Weekly Irish Times* (21 August 1886) both reported that a receiver was to be appointed to the estate. The *Limerick Chronicle* (14 August 1886) claimed that a receiver had actually been appointed.

⁷² Stated in an interview with a Devon Estate tenant, published in the *Limerick Leader*, 10 May 1907.

⁷³ *The Times*, 21 January 1884.

⁷⁴ *Irish Times*, 27 February 1884.

⁷⁵ *Irish Times*, 12 March 1884.

⁷⁶ *Irish Times*, 26 February 1884.

All these elements, the ever-changing economic and political climate, the prospect of a better deal in the future, a reluctance to assume the risks and responsibilities of ownership, as well as the relative contentment of Devon's tenants were important reasons for the non-acceptance of the offer. Community solidarity was such that if a tenant were to decide not to buy nobody else was likely to purchase that holding. Apprehensions and fears persisted about any change to the usual arrangements while inertia exerted its influence. However the most important factor of all was the attitude of national and local leaders. The lack of enthusiasm displayed by Davitt and Parnell towards the proposal, concentrating on possible negative consequences if it were accepted and suggesting unacceptably low bids, combined with the ability of members of the local National League to sway local opinion, was the major reason for the rejection of Devon's 1883 purchase proposal.

