

# 'Black' Mick Hayes

*"I am a bold, undaunted, fox that never was before on tramp.  
My rent and rates and taxes I was willing for to pay;  
I lived as happy as King Saul and loved my neighbours great and small,  
And had no animosity for either friend or foe. I made my den in prime good land between Tipperary and Knocklong,  
Where my forefathers lived three thousand years or more. But now of late I was betrayed by one that was a fool and knave.  
He told me I should quit the place and show my face no more".*

**T**he fox-hunting image that runs through the opening verse of this song has its origin in a violent and bloody incident that took place in the town of Tipperary on July 30th 1862. The dark-faced hero of the song was Michael Hayes, a tenant farmer and land bailiff, who lived in the townland of Carrigmore, near the village of Doon, in the County Limerick, and about twelve miles from Tipperary town.

Michael Hayes, known to the people around Cappamore and Doon, as 'Black' Mick Hayes, because of the darkness of his skin and hair, was, as we shall see, dark in his heart as well as dark in his complexion. Hayes was born around the beginning of the nineteenth century. The deed that was to bring him the blackest infamy on one side and a badge of tarnished glory on the other. He was then about sixty one years of age. Hayes was a member of an extensive clan that had long

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by Pat Feely

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lived and propagated on the boundaries of counties Limerick and Tipperary. Many of his relatives lived around Doon and Cappamore in the County Limerick. A newspaper of the time said that he had relatives from Limerick to Clonmel.<sup>1</sup> His ancestors had occupied the land that he held in the townlands of Carrickmore and Carrickbeg for ten generations. In the words of the song: "Where my forefathers lived for three hundred years or more".

When Griffith's valuation was being compiled between 1852 and 1865, Michael Hayes was living in the townland of Carrickmore on a farm of 35 acres, 3 roods and 30 perches. This would have been a comfortable holding at that time. The soil was black and rich and deep. The Mulkear river flowed nearby, draining the land and providing water for the farm animals.

But by 1860 Michael Hayes' holding was much reduced. He was by then the tenant of two parcels of land: one of eight acres in the townland of Carrickbeg and another of twelve to fourteen acres in the townland of Carrickmore. He had been deprived of fifteen good acres. We do not know why. But it probably had to do in some way with the relationships that he had with his landlord and agent. But even this combined holding on the banks of the Mulkear would have been a comfortable farm in this second half of the nineteenth century.

Michael Hayes was feared, if not respected, in a part of the country where

physical strength, violence and toughness were admired. For much of the nineteenth century that part of the country around Doon and Cappamore in the County Limerick was a battle ground for faction fighting. At fairs and at patterns, at race days and after funerals, rival factions beat each other with sticks, struck each other with stones and shot each other, sometimes with blunderbusses or other short guns that they hid under their long, great coats. Some of the principal factions in that part of the country were the Three Year Olds and the Four Year Olds. Their quarrel was said, apocryphally or not, to have originated in an argument as to whether a particular cow was three years old or four years old. Another faction, the Reaskawallahs, took their name from a townland near Doon, Michael Hayes' country.

These violent encounters, often involving a number of families on either side, went on for decades, long after the original cause of the feud had been forgotten. They were tests of strength, toughness and violence. It was these faction fights at the fairs and the patterns in east Limerick and west Tipperary that hardened and steeled the young Michael Hayes. His propensity for violence, his dark nature and his pitilessness, in time made him the leader of a faction that centred around the Hayes family.

It was also probably his toughness and ruthlessness that brought him to the attention of the agent of the estate, John Waller Braddell. Richard Hare, a blood relative of Lord Listowel, and a British army officer with the rank of colonel, but



Cappamore, Co. Limerick

(Tom Keogh Collection)



Main Street, Tipperary

(Tom Keogh Collection)

on half pay from the army, was the landlord of the estate. It was an estate of 1,800 acres. Colonel Richard Hare was said to be held in high esteem by the tenants. At least so we were told by the *Limerick Chronicle*<sup>2</sup> which, however, was very much an establishment newspaper of that time. Hare was also said to be indulgent in regard to payment of rents and to be generally kind towards his tenants. The same source tells us that Hare was an improving landlord. But, as we now know, improving landlords were often unpopular with their tenants. They overturned long-standing arrangements and unwritten understandings between landlord and tenant and interfered with traditional customs and practices on the estates. The tenant was frequently conservative, disliking change, and favouring the old ways and the established practices. Also, they knew that change often meant the breaking up and the redistribution of their existing holdings.

The Irish peasant was conservative and suspicious of change, certainly of change that he could not see immediately benefiting himself. Alexander Hoskins, the agent of the Courtenay estate in County Limerick in the early 1820's brought a major revolt down on his head when he tried to run the estate along strict English lines.

Colonel Hare seems to have had a practice of distancing himself from the activities of his agent, John Waller Braddell, and his bailiff, Michael Hayes. He liked to sit in the background and seemed to be removed from what they were doing. But he was aware of all that

was happening on his estate. He was their paymaster. They were his servants.

John Waller Braddell was about forty in 1862. He lived in Mallow in the County Cork. He was a qualified attorney but he did not practice. He made his living as an estate agent. He acted for Colonel Hare and for two other landlords, Captain Cole Bowen and Sir Denham Norreys. He married a Miss Monckton of Limerick in 1856, by whom he had three sons. Violence and murder seems to have stalked the Wallers and the Braddells.

In the evening of the 12th of November 1843 at Finoe House, a country mansion about a mile and a half from the village of Borrisokane in County Tipperary, Colonel Waller, the owner of the house and a wide tract of land around it, had just sat down to dinner with his wife, his niece, Miss Waller of Ormond Cottage and his brother-in-law, Mr. Braddell of Mallow, when a band of men, some carrying pistols, burst into the dining room. They seized the knives from the dining room table and stabbed Mr. Waller, Mrs. Waller and Miss Vereker, Mrs. Waller's sister, in the face and upper body. Mr. Waller and Miss Vereker were the most severely wounded. The attack showed blind anger, savage ferocity and vengefulness.

Mr. Waller was a justice of the peace, a substantial landowner and the agent of the Cole Bowen estate near Toomevara. A large number of clearances had taken place on this estate and there were very bad feelings amongst the tenants towards the land agent and the landlord. A few murders every year were a feature of life

on this estate. Some time previous, a local man named Quilty had been tried for one such murder. He was found guilty and sentenced to hang. The local people, however, believed him innocent of the crime and a petition was drawn up by the local parish priest seeking clemency on Quilty's behalf. This was signed by members of the clergy and by leading citizens of the area. But it was to no avail. Quilty was hanged.

Nine days after the attack on the house and its occupants, Miss Vereker died. The inquest ascribed her death 'to wounds inflicted by some person or persons unknown'. At the time of her death, Mr. Waller was said to be in a precarious state. The butler, Mr. Larkin, was in bed and in severe pain from his injuries. Mrs. Waller, on the other hand, had made almost a complete recovery. But at the end of November, Mr. Waller died from his wounds.

The Wallers and the Braddells were no strangers to the anger and vengeance of the peasantry. Braddell and Hayes, though differing in their backgrounds and in the social status, were at one in the harshness and ruthlessness with which they treated their tenants. They carried out many evictions during the Famine years, especially between 1847 and 1850, when the small farmers were ruined by the potato blight and living in the shadow of death and emigration. When the tenants fell into arrears with the rent, they were evicted by the land bailiff.

Hayes was said to be a pitiless instrument in clearing the lands of these,

stricken, broken people. One of the 'worst specimens' of the 'detested class' to which he belonged was how the *London Times* described him, after he had turned against his former employers. It was in the famine times that Hayes and Braddell are credited with depopulating a whole parish. They were said to be responsible for the eviction of one thousand, two hundred and fifty people. These were set adrift in the world from one parish. Hayes not only evicted people from their lands and houses, but also pulled down their houses so that they could not reoccupy them. He had constructed a special contraption to do this. This consisted of four big, iron hooks. These hooks were placed around the roof trees of the house and were hitched with ropes to four black horses. When the horses pulled, they brought the roof and timbers crashing down on many an old humble home. Of those evicted by Hayes and Braddell, some took ship to America, some went to live with relatives and others continued to live in and around the area for a time, long or short. Others left the district and tried to set up in another place with hopes for a better life. Others wandered the country roads as beggars. More threw themselves on relatives and friends to support them for as long as they could. And as these, often, were only marginally better off than the evicted ones, the arrangement was, of necessity, short term. Others took themselves off to some barren place, a bog or a moor and built a crude hut of sods and heather and here they pined away in poverty for their old place until death came to take them away.

There was a tenant named Ryan in the Cappamore area. He had fallen behind in the payment of his rent. But he was not without money. When Waller-Braddell came to him to discuss his situation, he was able to offer the agent £50 of what he owed. Braddell gave him to understand that he would consider his case. But he subsequently met Hayes not many miles distant and told him that Ryan's house was to be pulled down. Hayes arrived at the house with the black horses and the house-tumbling contraption. The family were about to sit down to a meal and they asked him to be allowed to eat this last meal cooked on the last fire of their ancestral home. But this was refused them by the hard-hearted Hayes. He ordered that the hooks be slung around the old beams. The black horses were whipped forward and rafters, thatch and ceilings were torn down into the yard.

Ryan, who had a wife and eight children, was not wanting in energy and determination. He succeeded in getting a few acres of land in another part of the country where he tried literally to scratch out a living for his large family. But it became too much for him and the poor man died. His family scattered and took up abode in different parts of the country. Others turned their backs on Paddy's Green Shamrock Shore for the big cities of America.

Two other brothers of Ryans were evicted by Hayes. But they continued to

live in the Cappamore area and made a living of sorts, cutting and saving turf in the bogs and selling it to the local people.

In a county like Tipperary with a long history of agrarian violence, secret societies and retributive justice, it was only to be expected that an attempt would be made to punish Hayes for his cruel and pitiless treatment of the tenants. One dark night a band of Whiteboys set off for his house. But as they approached the house to take their vengeance, Hayes heard them coming. He had sufficient time and cunning to hide in a pump, or a passage, or some such secret place. The Whiteboys searched for him but could not find him and then headed back into the County Tipperary from whence they came. But as soon as they had moved out of the farmyard, Hayes mustered and rallied his relatives and supporters and they all set off in pursuit of the Whitetboys. Knowing the countryside intimately, Hayes had no great difficulty in coming on them from behind as they retreated. A skirmish took place, shots were exchanged and some of the Whiteboys were wounded. Hayes' party took others of them captive and these were handed over to the law in Tipperary. This handing over of local lads to the authorities to be dealt with, with the full rigour of the law, did not make Hayes any more popular with the people.<sup>3</sup>

People in the Doon-Cappamore area and in the adjoining districts were afraid of Hayes. They avoided any truck or dealing with him. His reputation for violence made him a man to be feared. But, we are told, this did not apply to the parish priest of Doon, Father Hickey, (1788-1864), who had been active in the agitation against tithes some decades earlier. Hickey, local lore tells us, denounced Braddell and Hayes and foretold that they would die at each other's hands.<sup>4</sup>

Braddell and Hayes had an involvement that extended over many years. When Braddell had been appointed agent, it was Hayes who showed him around the estate, introduced him to people and explained to him the workings of the estate. It was also Hayes that was at his side at evictions, or in times of danger, real or imagined. The icy violence and iron determination of the land bailiff brought him through many a dangerous situation. When the break in the friendship came, Braddell acknowledged this saying that he had put up with a lot from Hayes because of 'the scenes of danger' that they had gone through.<sup>5</sup> Hayes' falling from favour seems to have resulted from the general behaviour of the family rather than from any single act. Hayes' son, Patrick, aged between 30 and 40, and as black in appearance as his father, would seem to have contributed more than his share to this process. Braddell advised Patrick Hayes that if the family wished to hold onto their land, he, Patrick, should leave the country and earn his bread respectably, while Colonel Hare wrote to Michael Hayes saying that he could not keep a 'ruffian' like him around the place any longer. And when subsequently they were ejected

from the Carrickbeg lands that they had held, Braddell said that it was for their joint, ill-conduct. The Hayes family tried to placate the landlord and the agent. In 1861 when the threats of eviction were in the air, Patrick Hayes left the area for a period. He probably stayed with relatives of his in County Tipperary. But he returned to the family home in November of 1861 with most fatal consequences.

Why did the landlord and the agent turn against their bailiff of many years? It may be that although they had found him most useful in more disturbed and more lawless times, they now found him, in more peaceful years, a nuisance, an embarrassment and a threat. The family, there were at times three men and two girls about the place, had a number of guns and all of them seemed to be practised in firing them. A daughter of Michael Hayes was credited with being able to slice a coin with a shot.

The first act that the landlord took against Hayes was to remove him from his post as bailiff. Subsequently, there was a comment in one of the newspapers that he had become too old for the job. But Hayes, although he was in his sixties, was a very fit man, remarkably tough and hardy. He was quite capable of remaining on as a bailiff.

Then in May 1861, Braddell informed his old comrade, the former bailiff, that he intended to repossess for the landlord the eight acres that Hayes held in the townland of Carrickbeg.

Some time after this, Waller-Braddell had a visitor to his house in Mallow. The visitor was dark-faced, tall and athletic and wearing dark clothes. This was Patrick Hayes, a son of the bailiff. In his speech, he was most courteous and respectful, when asking the agent why they had had their land at Carrickbeg taken from them. Braddell said that he, Patrick Hayes, knew the reasons quite well. The family had been told that if they wanted to hold onto their lands, he himself would have to leave the country and earn his living in a respectable way. If he did not do this, his father and mother would be evicted off the lands as Colonel Hare would not have a ruffian about the place. Hayes said to Braddell that John Quinlan, whose name had been mentioned in connection with the taking of the Carrickbeg land, had turned himself and Colonel Hare against them. The agent denied that. He said that John Quinlan was Colonel Hare's best tenant and that he had originally been recommended to them as a tenant by Michael Hayes himself. This exchange came to a conclusion when Patrick Hayes, who had come all the way from Doon, said that he had had no breakfast. John Waller-Braddell put his hand in his pocket and gave him the money to buy himself a breakfast.

But later the same day, Hayes came back again to see Braddell, this time at his office in Mallow. Continuing to be pressed by him, Braddell told him emphatically that they would not get the Carrickbeg land back. And he went on to warn him to



Main Street, Tipperary

(Tom Keogh Collection)

give up his guns and the way of life that he was leading and to take up some respectable occupation. At this point Hayes was being ushered out of the office, but, as he was, he left them with a veiled, sinister parting shot. He said "Sure, I couldn't live without shooting game and amusing myself". The most surprising thing in all this story was that John Waller-Bradell, who knew the Hayes's family better than most, does not seem to have really understood how dangerous and violent the situation was becoming.

The landlord was successful in his ejectment proceedings at the petty sessions court in Limerick in relation to the lands of Carrickbeg in June 1861. At the same court, he began proceedings to repossess the twelve to fourteen acres held by Michael Hayes in Carrickmore, in the following month.

In late May, Pat Hayes was back in Mallow to pay a second visit to John Waller-Bradell. This time his manner and tone were markedly different from his first visit. Bradell was feeding setter pups in the back yard of his house when the black figure of Hayes towered over him, cutting off his light. Hayes said that he had come on his father's behalf in connection with the land. This time his language and manner were heavy with menace and threat. Bradell ordered him off his property, saying that if he did not go, he would send for the police. Hayes went. But shortly afterwards, he went into the land agent's office in Mallow. Here he entered into conversation with Bradell's secretary, Christopher Flynn. He asked Flynn if Bradell would carry out his threat to repossess the land at Carrickmore. Flynn

said that he thought that he would. Hayes then spoke of the ejectment proceedings in regard to the Carrickbeg section of the farm and he said that if he were on the land when the ejectment was undertaken, no living man would take the land. Flynn seems to have realised that Hayes was not just letting off steam and making heated threats. He was deadly serious and would walk the path of violence. Flynn asked him if he were not afraid of the law. Hayes replied: "What's the law to me? I've only one life. And 'tis dead I'll be taken off the land". Hayes had made his dark thinking crystal clear.

Later the same afternoon, Hayes pursued Bradell around the streets of Mallow. He asked him who had taken the lands at Carrickbeg and shouted aloud: "Let us see the man that'll take it". Bradell went into the club to escape from him but Hayes remained outside, pacing up and down past the window. When Bradell left the club and hailed a car to take him to the railway station, Hayes followed him asking questions, spiced with threats, about the land. The agent asked him why he went on so. But Hayes answered him in words of blood and violence.<sup>6</sup>

As it turned out, the case in Limerick in July 1861 for the repossession of the Hayes land in Carrickmore went against the landlord. The court refused to eject Hayes. But an ejectment proceeding had been successful in respect of the land at Carrickbeg. This land had been given to John Quinlan, a model tenant on the estate, a highly respectable, industrious, improving farmer. The land was given to him as tenant on September 10th 1864.

Hayes had planted potatoes on this land and Quinlan did not move onto it until Hayes had taken up the potatoes. Indeed, it was almost two months later, on November 4th, that Quinlan drove some stock onto the land. Pat Hayes had not been seen around the district for a considerable time prior to this day. But the Quinlans, the father and two sons, had no sooner come onto the land with their cattle than Pat Hayes came out of the house carrying a double-barrel shotgun. He walked in a steady, purposeful way across the fields towards where the Quinlans were. Walking by his side was his sister, Margaret, who passed him a powder-horn as he loaded the gun while crossing the field. Tadhg Quinlan, one of the sons, shouted: "Pat, when did you come home?". Hayes replied: "If I catch you I'll let you know when I came home". The Quinlans took to their heels to escape the shot from Hayes' gun. Later that evening Hayes drove the cattle to Quinlan's farm and he told Quinlan's daughter, Catherine, to look for her father. But, lucky for him, he was not be found.

On the 16th of November 1861, John Quinlan went on the train to Limerick on business. He spent most of the day there, returning on the 4 pm. train from Limerick to Limerick Junction. It was around 5 pm. when he alighted at New Pallas station, about three miles from his home. His youngest son, Edmond, aged 13, was at the station to meet him, with an ass and cart. It was intended that the father would travel home in the cart. But he opted to walk and to let his son drive home the cart and donkey. The moon was up early that November night and there was frost in the

air. And this made the stars shine sharp and bright. Edmond sat straight up in the car, chucking the reins to keep the donkey in the centre of the road and every now and then, looking back at the old man, walking behind the shafts of the car. All of them, including the donkey, knew the road well. They had travelled about two and three quarter miles when they came to Booleens Cross in the townland of Gortnakistin and they were only about a quarter of a mile from home. So at ease were they all, that the little boy was sitting with his back to the donkey, looking at his father who was still walking along behind. On one side of the road there was a wall. On the other side a ditch with a hedge. And at this part of the road, there was a wide gap in this hedge. As they came abreast of the gap, the night and the stillness were rent by an explosion followed by a flash of light. The father roared in pain, put his hand to his side, took three or four steps and fell on the road. The boy claimed that he looked through the hedge, the gap in the hedge, and saw a man whom he knew well about to run off. That man was Pat Hayes. The boy was naturally shaking with fear and terror. But he was able to make his way to his aunt's house, a Mrs. Johanna Ryan, who lived nearby. The people in the house went with the child to the place where his father had been shot. Here they found the father in mortal agony, his life blood seeping from him onto the road in the moonlight. The post-mortem was to show that Quinlan had taken a heavy charge of shot on his left side and that several pellets had passed through his abdomen. When the day following, Inspector Crawford of the police questioned the boy, Edmond, about the shooting, the boy told him that he had seen Patrick Hayes behind the hedge and that he had seen him run away across the field. This led forthwith to a hue and cry being raised for Hayes. But no one could find him in the area. He had gone to ground. It was sixteen days after the murder before Hayes was arrested. He was taken in the house of a man, named Dwyer, on December 2nd at Moonard, near Tipperary town. He was taken into custody by Constable Michael Hughes, accompanied by six sub-constables. The size of the arresting party shows the fearful respect that they had for him. Hughes told him that he was being arrested for the murder of John Quinlan and cautioned him. Hayes said that he had been in the house of William 'Ban' Ryan, a relation of his, on the night of the murder. When they were leaving Dwyer's house, Hayes said to the police: "Ye pinned me very handy".

The trial of Patrick Hayes for the death of John Quinlan took place at the Spring Assizes in Limerick before Judge Baron Hughes in February 1862. The prisoner stood tall and powerful in the dock, his dark, frieze suit adding to the swarthinness of his complexion. At the start of the trial, he was showing some signs of nervousness. But as the trial proceeded, he was seen to master this and for



Moore Street, Cappamore

(Limerick Museum)

the rest of the trial, he was cool, composed and controlled.

Baron Hughes had difficulties in empanelling a jury. And it was only after calling on the named panel three times and threatening to impose a fine of £10 that a twelve man jury was sworn. We do not know why the jurors were slow in coming forward to serve. But they would, in all probability, have heard about the case and they would have known that it was an agrarian murder case. That would have been sufficient for many of them to be slow in coming forward. Jurors knew that in agrarian murder cases the bringing in of a guilty verdict could often lead to great anger and recriminations, even when the accused was patently guilty. Even in such situations, the deed was seen as necessary and just, carried out to protect other tenants from land grabbers and evictors.

When the jury was finally sworn in, the case commenced. Mr. De Moleyns outlined the case for the prosecution: telling how Michael Hayes had been the tenant of the Carrickbeg lands but had been evicted the previous summer, he told of Pat Hayes' visits to Mallow and of his threats, of Quinlan taking possession of the land on the previous September 10th, of the accused coming onto the land on November 4th and threatening the Quinlans with a shotgun and then of John Quinlan being shot at Booleen's Cross on his way home from Limerick. The witnesses for the Crown were the Quinlans, the principal witness being Edmond Quinlan, Braddell's secretary, Christopher Flynn and John Waller-Braddell. The latter, being the estate agent, gave evidence that was very detailed and very damaging to Hayes. He told of the two visits to Mallow by Patrick Hayes. During the first visit, Braddell said that Pat Hayes was very respectful except for the 'curious and rather silly remark' that he made in the afternoon 'that he could not live without shooting.' That Braddell had read Patrick Hayes words as 'silly' shows that he had no real insight into Patrick Hayes.

For a trained solicitor, Braddell showed a certain looseness of language and a lack of discrimination in his choice of words. He also showed an absence of restraint in his speech and body language. He told the court that he had told Pat Hayes on his first visit to Mallow that he was to leave the country as Colonel Hare would not keep 'a ruffian' like him and his father on the property. He also gave evidence that Hayes had made threats against whosoever took their land.

Mr. Coffey Q.C. questioned Braddell aggressively and closely about what he had said. He put it to him that Hayes was on trial for his life and that he should be more careful about what he was saying. He, Braddell, said however, that he still considered Michael Hayes a great ruffian. Under further questioning from Coffey, he said that he did not think that Pat Hayes would carry out the crime for which he was then on trial. Christopher Flynn gave his account of the conversation that he had with Hayes in the office and of the threats made and words spoken by the prisoner.

Timothy Quinlan told of Hayes coming towards them with his sister and loading the gun as they crossed the field. When he started to run, Hayes had called out after him: "Tadgh won't you stand." This evidence was corroborated by his brother, Michael. Catherine Quinlan gave evidence that Hayes drove their cows into their yard later that evening and told her to go and look for her father.

Coffey put it to Braddell that Hayes was on trial for his life and suggested to him that his evidence was loose and coloured. Pressed on his description of Hayes as a ruffian, Braddell withdrew the term. Under pressure from further questions from Coffey, he agreed to take back the imputation that he had given to the remark about shooting 'game'. And he ended up admitting that he too had a quick temper. Coffey proved very successful in undermining and defusing Braddell's evidence. Getting him to seem to agree that there was no sinister meaning in the

shooting 'game' remark must have been something that helped the defence case especially when placed together with his other withdrawals. Hayes was now appearing as a hot-tempered and justifiably angry man. But not necessarily a murderer.

The principal witness for the prosecution was Edmond Quinlan. It was on his evidence and his delivery of it that Hayes would hang or go free. The boy gave his story clearly and confidently, describing all that took place from the railway station to Booleens Cross. In his cross-examination Coffey pressed him with energy. He got from him that he had been with the police in Limerick, being coached from the days after the murder until the trial. But he was not able to shake the young lad from his basic account of what had happened on that clear, moonlit night. It was in his appeal to the jury that Coffey made his real impact. He saw that the case hinged on the evidence of Edmond Quinlan and his identification of Hayes as the gunman behind the hedge. It was this central evidence that he sought to discredit. The child's evidence, he stressed, was uncorroborated. How could he be that sure in the terrible circumstances of that dreadful night? How could he be that self-possessed with the blood of his father flowing onto the road? Was his eyesight that sharp in the dark? If the police were that convinced by the boy's evidence, why did they arrest two of Hayes' brothers and a man named Stokes the following day after the shooting? Mr. Coffey also criticised Braddell for pressing so hard on the 'wretched man' in the dock. The Crown case was further damaged by some remarks made by the judge at the close of the trial. He ticked off in a forceful fashion the arresting officer, Constable Hughes, for making an information against Hayes and for not giving it to Mr. Howley R.M., until three days later, and then asking him to predate it. This judge Hughes found 'very reprehensible'. The prisoner, he said, should be given every reasonable doubt but, on the other hand, the jury should not be intimidated by the solemnity of the occasion or the consequences of the guilty verdict. The jury retired. They were out for twenty minutes and then returned with a verdict of 'not guilty'. There was great jubilation amongst the relatives and supporters of Hayes.<sup>7</sup>

John Waller-Braddell had not done well in the court at all. He, a qualified solicitor, a land agent and a man of property, had in fact been humiliated and made withdraw much of his sworn testimony. Furthermore he had been portrayed by Coffey as someone desirous to present Hayes in the most evil and darkest light. His dissatisfaction with his performance, with the outcome of the trial and his fear for his own well being were to be seen in his actions after the trial. He went to a journalist who was covering the case and asked him not to forget to mention something favourable to him that Coffey had said in the course of the trial. Of course, he had every reason to feel fearful for his life. The man against whom he had given

such blackening evidence and whom Braddell and others believed to be the murderer of old Quinlan had walked free out the door of the court. Waller-Braddell, moving around the estate and amongst the tenants, could prove an easy target for a gunman when walking the road or collecting the rent from the tenant farmers.

But a week after the trial, the threat from Patrick Hayes receded. On the 7th March 1862, he used threatening language to one John Grady, thereby putting him 'in fear and terror' of his life, contrary to the law of the land, as it was put. Hayes, his father and a third man had been bound to the peace on June 20th 1861 and had entered into sureties to be of good behaviour, Pat Hayes was bound for £40. The bond was now called in and the authorities were able to arrest him and put him in jail for the threat against Grady. Hayes was, therefore, out of circulation, for the time being at least.

But whatever his fears and, as we shall see, Braddell had fears, on the instructions of Colonel Hare, he brought ejection proceedings against Michael Hayes for the re-possession of the lands in Carrickmore. This took place at the same assizes as the one at which Pat Hayes was tried for murder. In the meantime, the position of bailiff on the estate had been filled by one Daniel Moore, a big, strapping man from Coolnamona, Doon, County Limerick, not far from Cappamore. It had been Braddell's custom to collect rents in the house of the bailiff. This helped to bring in the rents because the bailiff knew on the day who had paid and who had not. But when the agent was due to collect the rents at the end of July 1862, he decided to do so not in Moore's house but in Dobbyn's hotel, in the town of Tipperary. Braddell feared for his life in the countryside around Doon and Cappamore. But he thought that he would be safe in a hotel in Tipperary town with a strong complement of police in the barracks nearby. He had heard that Hayes had openly threatened that he was going to kill him. But he thought that he would not dare to attempt this in a town. However, some night previous, Braddell's wife, like Caesar's wife, had dreams that her husband was going to die at the hands of Michael Hayes.

But in spite of this, when he arrived by train at Tipperary station on that Wednesday morning in July, he had forgotten to bring his guns. He had left his case of pistols in Mallow. At the station, he was met by Dan Moore and when he asked the new bailiff whether he thought that he should arm himself before going to the hotel, Moore said that he thought that there was no need for guns, it would be unnecessary. So, unarmed, they went in. Braddell had booked the smoking-room of the hotel for collecting the rents and the tenants came and paid their rents in their usual way. The only thing unusual had to do with Michael Hayes. He too came forward and offered the rent but the agent refused it, with the ejection pending. But Hayes did not leave. He remained on in

the passage near the door, glowering at Braddell. He came forward a second time and asked not to be put off his land and for his rent to be accepted. But Braddell again refused him. The tenants were coming and going. By this time most of them had come and gone. Those left in the room were Moore, a tenant, named Thomas Riordan, who was discussing drainage with the agent, and Hayes who was standing near the door, threatening and cursing Braddell. Riordan having concluded his conversation with Braddell, stopped to advise Hayes to desist from his behaviour as he was only making things worse for himself. But Hayes just ignored him. Hayes would seem to have been working to a plan. He waited until all the tenants had paid their rents and left. Then he struck. He went to the table for the third time, proffering the rent. Again the agent refused to accept it and was aggressive, angry and dismissive of Hayes. Hayes now was committed to the deed. He put his hand into his breast pocket, took out a pistol and said: "If you won't take the rent, take this." And he fired the pistol at the seated man. The charge struck Braddell in the abdomen. He jumped from his seat and ran for the door. Hayes pulled out a second pistol that he had on his person and fired a second shot at the fleeing man. Moore, dark and powerfully built, grabbed Hayes from behind. But Hayes, though many years older than Moore, was able to break free and produce from his clothing yet a third gun (all the pistols were single shot) and fire at Moore. However, this shot too went wide. The bullet lodged in a window-shutter. But it was enough for Moore who took to his heels. Moore had had enough of the homicidal Hayes.

As he went rapidly down the passage past the public bar, Moore was grabbed by a man who asked him what was going on. Moore was subsequently accused of not telling this man that Hayes was still inside in the smoking-room. However, given the pandemonium and the shooting that was taking place in the smoking-room, it is easy to understand why Moore was in no mood for a conversation with the man from the bar. All that was in his mind was to put as much distance as possible between himself and Hayes' guns. Subsequent to the shooting there was talk of some form of collusion between Moore and Hayes. Moore was criticised for telling Braddell at the station that he would be safe at the hotel and would not require pistols. There was even talk of indicting Moore as an accessory before the fact.<sup>8</sup> But Braddell had not armed himself for the collecting of the rents and Braddell had deliberately chosen the hotel, believing that he would be safe there. But it is easy to be wise after the incident. If, as Moore said, Hayes had fired a shot at him, and three shots were fired, that would make a nonsense of the assertion that he had conspired in the shooting. The question of a motive also arises. Moore had replaced Hayes as the bailiff of the estate. He had walked

Braddell to his death and almost got himself shot too.

There are two accounts of how Michael Hayes escaped from the hotel. One version has it that he walked coolly out onto the street and left the town by way of the townland of Carranreddy, in the direction of his own part of the country. In the words of an old song:

*"Braddell lay mortally wounded,  
Michael Hayes he walked out on the street  
He made no alarm about it  
And no enemy there did he meet."*

This cool, daring, escape was attested to at the inquest. Here Thomas Riordan stated that he had seen Hayes on the main street after the shooting in the hotel. But he may, in fact, have left the hotel by a side window and he may have made his way out of the town into the friendly countryside, from the back yard of the hotel. For it was subsequently discovered that two panes of glass had been broken in a side window. And blood was found on the broken glass and on one of the three pistols that he had left behind in the hotel, and on a wall, and on a house at the rear of the town. In this house there lived a relative of Michael Hayes and it was thought that he had gone there to seek her succour and assistance. But the woman was not at home. By one of those strange ironies of life, at that very time, she was assisting the wounded Braddell, Hayes' victim, to Riordan's house.

The police arrived at the hotel soon after the shooting but they showed no great enthusiasm for going in. Their reluctance arose from not knowing whether Hayes was still inside or outside. The first person to go into the building was a young stable hand full of bravado and parading his courage to the watching police and townspeople. He crawled along the corridor where the acrid smell of gunpowder stung the air. Hearing no noise and seeing no figures lurking in the corridor or smoking room, he shouted out to the police and the others, who were afraid to enter, that there was no one there. It was only then that the police had the courage to enter the hotel. This provided their critics with acid comments and sarcastic jokes for many months afterwards. In the hotel, the police found three pistols. One was in a grate under some firewood. A second one was thrown on the floor. And a third, sticky with blood, was lying behind a seat. The fact that Hayes came to the hotel with three loaded pistols showed his determination to kill Braddell and also, his determination to escape the scene. No policeman would take him alive while he had a loaded pistol. In their examination of the room, the police found a bullet mark on the wall opposite where Braddell had been sitting and found a bullet embedded in the window-shutter.

Amongst the citizens of Tipperary town, there was a great deal of criticism of the police, of their dilatoriness and their supineness when faced with a single

armed man of advanced age. This current of criticism is reflected in the defensive and justificatory tone of a report sent to the authorities in Dublin Castle by sub-Inspector Saville of the police in the town. He told Dublin Castle of proceeding to the hotel on hearing of the shooting. Here he found various members of the force in a state of considerable confusion. He neglects to say that if they had the courage to enter the hotel, they would or could have taken Hayes. When he arrived, some people were saying that the man was in the backyard of the hotel. So he sent some of his men to investigate. The police searched the yards and the sheds at the back of the hotel, also a garden and a large house with access to it from the hotel yard. Saville noted in his report that this took a half hour. In the yard they had found a bullet that had passed through the hotel window. Saville had himself gone to the back-yard of the hotel with his policemen. For he says that it was only when he returned to the street that he was informed that Hayes had left the hotel before the police arrived there. Subsequently, he went to a house forty yards down on the opposite side of the street to the hotel. On the walls there, he found bloodmarks and also on the wall of a house next door. Both houses were searched but without success. The blood of Hayes was also found on a back wall that led to open country. Michael Hayes had made his escape from the town.

Saville, so he said, sent his men in all directions to search fields and cornfields deep in crops at this time of year. He sent mounted police to the police stations at Monard, Oola and New Pallas to warn them to be on the lookout for the wanted man. He sent instructions of a similar nature to other stations in the county Tipperary. He had telegraphed Limerick, Clonmel and Cahir and Dublin Castle, informing the authorities in those towns and the City of Dublin of what had taken place and telling them to be on the lookout for the wanted man. He also had the trains searched to make sure that Hayes did not take a train for Queenstown, as ships from Queenstown left on a Thursday each week for America.

Saville went out of his way to mention this as the police in Tipperary had been criticised for their slowness in mounting a search and for their failure to supply the police in Queenstown with a description of Michael Hayes. It was not until the Friday, the day after the ship had sailed to America, that the head constable in Queenstown was given a description of the wanted man and that was furnished to him by a Cork policeman, not one of Saville's men. Saville was most desirous to cover himself and his officers because it was widely believed in the early days of the hunt for Hayes that he, quite simply, had taken the train to Queenstown immediately after the shooting, arrived there unchallenged, boarded the steamer for America and sailed away across the broad Atlantic. It was widely known throughout the whole of Munster that this steamer

sailed every Thursday for America. Saville was most anxious to scotch his story. He said that Hayes could not have got to Queenstown to take the steamer. In his report to the Castle, he complained that the people on the street in Tipperary had tricked the police by saying that Hayes was at the back of the hotel and in this way they helped him to escape. Anyway, he concluded, it was impossible to get information in Tipperary on any crime connected with the land question.<sup>9</sup>

Saville in his report was, as can be seen, very adept at laying blame at as many doorsteps as possible and deflecting criticism from himself and the police. Doctors Kennedy and Nadin came to Riordan's house to minister to the wounded man. They were later joined by Doctor Gallwey, a brother-in-law of Braddell's with a practice in Mallow. At first there was some doubt amongst the doctors as to whether the bullet had pierced the body at all. The entry wound was just a slit and there was little external bleeding. But it had. The bullet had glanced off the left forearm, entered the left side and passed across the wall of the abdomen, rupturing vessels and organs and causing internal haemorrhage.

After discussing the medical state of the patient for some time, it was decided to insert a probe into the wound to try to remove the bullet. This was a common way of dealing with this type of wound. But to be successful, it had to be done with deftness and skill. And it killed as often as it cured. In this case none of the doctors had any previous experience of this type of operation. They succeeded in removing the bullet, but the insertion seems to have aggravated the wound and worsened the patient's condition.

For soon after removing the bullet, it became clear that Braddell was dying. However, he retained consciousness for some time. He made a will and he summoned his clerk, Christopher Flynn, to him. He directed Flynn to transfer certain shares in order to benefit his employers Colonel Hare and Sir Denham Norreys. It was in this way that he loyally served his superiors. He also made a dying declaration, naming Michael Hayes as the man who had fired a pistol into his abdomen which had left him 'now in a dying state'. On, or about, 4 a.m. on the morning of July 31st 1892, John Waller-Bradell drew his last breath and departed this world.<sup>10</sup>

An inquest, presided over by Doctor Ryan, the district coroner, followed. Amongst those who gave evidence were the bailiff, Dan Moore, and Thomas Riordan, the tenant farmer. The latter said that he saw Hayes on the street outside the hotel after the shooting had taken place.

Coroner: *"And good God. Why did you not arrest him? Or give the alarm?"*

Riordan: *"Sure I did."*

Coroner: *"It is possible that Tipperary blood is so prostrated that we are cowed by a few assassins? That we are terrified by one or two miscreants like this?"*



Main Street, Tipperary

(Tom Keogh Collection)

The coroner was really sounding off. Would he himself have tackled Hayes on the street outside the hotel?

The coroner with a long experience of gunshot wounds was critical of the probing that the doctors had done on Braddell. The coroner seemed to believe that if doctors more familiar and experienced with gunshot wounds had been in attendance, Braddell might have survived. A joint information from the two doctors, who attended the dying Braddell, Kennedy and Nadin, was demanded and this was read to the inquest.

As the witnesses were signing their recognisances, Dan Moore, the bailiff, came under strong criticism. Moore was a big, tall, strong man. And the coroner said that he could not understand why a fellow as big and powerful as he was could not arrest Hayes or at the very least raise the alarm. The coroner seemed to have temporarily forgotten that Hayes was armed and Moore was not, that Moore had tackled him and was almost shot by him and had to run from the hotel to save his life. Moore pointed out, rightly, the difficulty in holding on to an armed man like Hayes, who had already shot one man and was hardly going to be squeamish about shooting another. Moore also said that he had told a man named Michael Cormick, who was at the door of the hotel, to go for the police.

The resident magistrate, Patrick C. Howley, also was critical of Moore. He said if Moore had held on to Hayes, people of the town would have come to his assistance as there was not a bit of sympathy for Hayes in the town. This was a point that

Howley was intent on making. The reality was that no one knew what sympathy there was for him. Also, Moore was being scapegoated. He was an estate bailiff, not a policeman. It was not his job to arrest Hayes. Howley should have been asking where were the police.

There was no duty on unarmed citizens to tackle an armed man. And to do so would be foolish and foolhardy. Howley, the magistrate, who was a native of Sligo, said that he would be recommending to the government that a large reward be offered for anyone who informed on persons harbouring 'this man'. The coroner concluded the proceedings by saying that Hayes' escape was an 'everlasting' disgrace to the town.<sup>11</sup>

This daring assassination on a quiet afternoon in a hotel on the main street of one of the county's towns was a considerable embarrassment to the establishment of Tipperary and a direct blow at them. Braddell was one of them. The county had a long-standing reputation for agrarian crime and violence which they were trying to live down and play down. This cavalier killing of a prominent land agent made a nonsense of their claims that the county was law-abiding and peaceful. It was because of this desire to be seen to be respectable that Howley was applauded at the inquest when he described what had happened as an 'imported outrage'. The Tipperary newspapers were quick to point out that neither the killer nor the victim were from the county. Hayes was a native of Doon, County Limerick, and Braddell was from Mallow. The denunciations too were not slow in coming. At Sunday Mass,

the Archbishop of Cashel preached in 'scathing reprehension' of the murder and his example was followed by the priests of the diocese who preached on the enormity of the crime and of the intense 'horror and outrage' among all classes.<sup>12</sup> As we shall see they may not have been in tune with popular feeling in all that they said.

The temporal establishment, in the person of the Right Honourable Baron Deasy, addressing grand jurors at Nenagh, also condemned the killing. He had, he said, known Braddell for a long time and thought him 'a man of humane disposition, just in his dealings with the tenantry... mild and inoffensive... incapable of being hard'.<sup>13</sup>

Deasy was in no doubt but that there was considerable sympathy amongst the country people for the perpetrators of agrarian crimes. From the bench he warned all those found harbouring or assisting wanted criminals that they were liable to sentences of penal servitude as accessories after the fact.

The murder was considered remarkable enough to merit editorial comment in the *Times* of London. It described it as 'most extraordinary'. The killer seeing himself as an 'injured' party had carried out his work with an 'ostentatious defiance of consequences'. The paper said that it brought to the fore the whole question of law and order in Ireland. In the Ireland of Queen Victoria, a man is afraid to go beyond the limits of a country town in the legitimate course of his business. The murderer seeing this to be so comes into the heart of that town and strikes him down. The *Times*, not for the first time,



was baffled by the 'lawless Irish', a supposedly civilised people, who without any interest in the quarrel, favour the assassin and help him escape.<sup>14</sup> But the newspaper also blamed the landlord for employing a 'bad character' like Hayes and said that Braddell knew the risk of quarrelling with his 'old myrmidon'. The writer also criticised landowners for instructing their agents to depopulate a parish because of the tenants inability to pay the rent as a result of an act of providence.

Hayes was seen in the surrounding countryside in the aftermath of the shooting. He was seen in the company of a stout young man who appeared to be acting as a look-out and to be helping him over dikes and ditches. Hayes was said to look weak. He was a man in his sixties who had carried out an assassination that most men half his age would not have had the nerves for. It is hardly surprising that he would have been feeling tired. And he had also been injured in the hotel as he had left blood marks on walls in the town.<sup>15</sup>

One story from the lore tells us that after the shooting, Hayes went in the direction of Limerick Junction with a strong contingent of the police in pursuit. He came to a meadow, where the men were making hay, with the police hot on his heels. Here, with the connivance and support of the haymakers, he got into 'pike of hay' and was covered over with hay by the haymakers. No sooner had he been covered with the hay than the police arrived into the field. The field was black with them. They searched for him. But Hayes 'lying under the hay' was never discovered.<sup>16</sup>

In the weeks that followed the stout young man was reported as accompanying Hayes in other parts of the country. Sightings of Hayes, real or fabricated, were reported from different places. In early August, he was said to have passed through the Tipperary village of Upperchurch and to have asked for whiskey at a farmer's house in the district. Afterwards he was seen to go off in the general direction of the nearby mountains.<sup>17</sup>

In the second week of August 1862, Hayes was seen in the Kilcommon mountains not far from the village of Borrisoleigh. The heavy-set younger man was again seen in the company of Hayes. He was said to have acted as a look-out for Hayes since the latter was forced to flee Tipperary town. The Kilcommon mountains are a range of scrubby hills near the village of Borrisoleigh. They branch out in all directions, are scantily covered with furze and heather and have many clefts and gorges that would have offered good hiding places to a man on his keep. The intense police sweep of these hills failed to unearth Hayes. But they did arrest a man named John Ryan of Curreeny who was charged with harbouring Michael Hayes. Hayes had been in the house and had only left a short time before the police arrived.<sup>18</sup>

There can be little doubt that the hunt for Hayes was intense and incessant. But Hayes' family and connections stood by

him, lending him succour and support. Also, in the minds of many country people the fact that he had shot Braddell cancelled out his own acts of cruelty against the people. The bullet in Braddell redeemed him. This is borne out by part of a conversation overheard by a policeman eavesdropping on two country people. "T'would be a great pity if the poor fella was taken for he behaved like a great soldier, and a true friend to the persecuted tenantry of Ireland".<sup>19</sup>

Such expressions of sympathy and understanding were not just confined to country people. *The Munster News* wrote of Hayes as a member of an extensive family and said that his family had been tenants of lands in the townland of Carrimore for generations. The writer referred to the affections associated with the house of one's forefathers and he drew attention to the fact that Hayes had offered Braddell the rent for the fourteen acres left to him. But the latter, wishing to evict him, had refused the money.<sup>20</sup>

In September 1862 a proclamation was issued by P.C. Howley, Resident Magistrate of the Tipperary district, offering an additional reward of £500 to the £350 already on offer from his Excellency, the Lord Lieutenant. Mr. Howley said that he would personally hand £350 to anyone who will give me 'private information as to where Michael Hayes of Carrickmore can be found'. The money was to be paid over as soon as he was arrested by the constabulary. There was also a reward of £150 for information on anyone who harboured Hayes or helped him to escape justice. For this reward it was necessary that the information be given within six months. The reward money on offer was very large in the context of the time and was an indication of how desirous the authorities were to capture Hayes.<sup>21</sup>

Hayes' new role as the destroyer of Braddell and the avenger of a scoriated, oppressed peasantry was enhanced by a number of letters to the newspapers, published in the provincial press. One of these stated that on the Cole Bowen estate near Nenagh, there was more blood-spilling, evictions, malicious injuries, threatening notices and human misery, in the previous twenty years under the agencies of the two Braddells, father and son, than in any other estate in Ireland.

Tenants were bound by leases to an estate where they cannot live as human beings. A man was deprived of a house on which he had spent £100. The widow Kennedy, who had paid all her rent but the bailiff's fees, was evicted, even though the bailiff was happy to forego his fees. Three dressers were to be seen in the yards where houses once stood. Heads and teeth were broken on the Sabbath day.

Armed keepers roamed the estate day and night, terrifying the tenants. In one townland three keepers were murdered and an innocent man was hanged for one of those murders. For three successive days the sheriff was evicting, and then levelling the houses of the evicted families. Horses were shot and poisoned.

Cows' tails were cut off. Savage fights took place. Families ate asses' flesh and starving children were carried off to the workhouse. A thousand families were evicted by the Braddells with the help of hired thugs because they could not pay extortionate rents.

This letter simmers with anger and rage. But a reply came to it signed by eighteen tenants of the Farahy section of Captain Cole Bowen's estate. These tenants maintained that Waller-Braddell was indulgent to those unable to pay their rents in time and said that he cut the rents by half during the Famine years.<sup>22</sup>

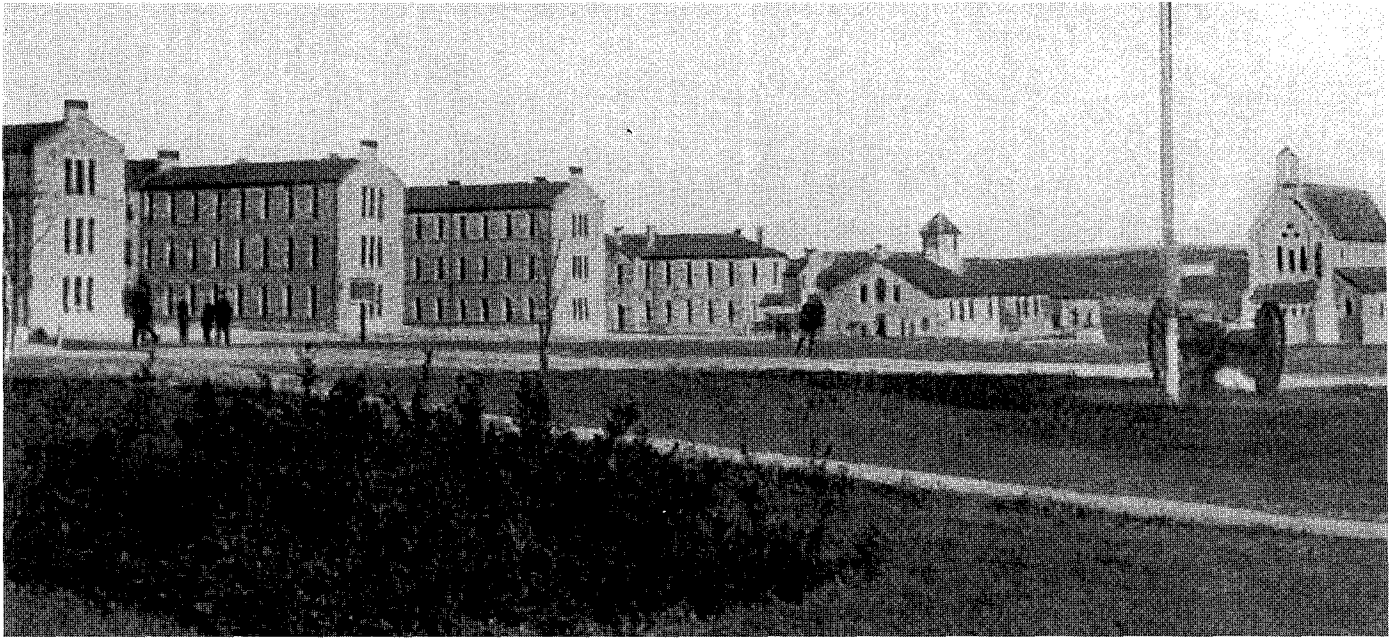
Denis Loughnane, an employee of Captain Bowen's, denied that rents had been doubled during the previous eleven years. Rents, he said, had been reduced by 25% in the Famine times and when the present owner had come of age arrears had been written off and new leases had been introduced with increased but fair rents. No tenant had experienced 'undue pressure' or unkindness from Mr. Braddell. And he had been thanked in the chapel by Father Maher and by the local newspaper for his generous contributions, on behalf of his employer, towards the relief of the poor.<sup>23</sup>

But the critics of Braddell resurrected the ghost of Dan Trumpane who had died of hunger nine months previous. First his cows, corn and effects were sold to pay back the rent money that he owed even though this was only for a year or a half year. He was then turned out of his sixty acre farm which his family had held for more than two hundred years.<sup>24</sup>

Some of the English newspapers and journals tried to explain the murder in the context of the existing land system rather than presenting it as yet another of the barbaric Irish murders. The Spectator said that agrarian outrages came from a most execrable system of land tenure. It had left a deep sense of injury and injustice amongst the peasantry. Many poor families take land to cultivate at whatever rent is asked because they have to live. But they never have a hope of paying this rent. More comfortable farmers with proper leases and longer terms of tenure if they fall behind in their rents are evicted without compensation for the improvements that they would have made to the house or lands.

Some of the English papers were critical of the police. One said that they really were not a police force at all but a force of paramilitaries. They were well trained in the use of guns and bayonets. But knew little of detective work which explained why they were unable to apprehend Hayes. *The Morning Star* accused the police of lounging in the station taking the sun when the shooting occurred and of not being in any great hurry to go to Dobbyn's Hotel. This paper also dwelt on how Hayes was regarded with distrust and abhorrence as a bailiff and noted evictor before the murder and he is now sheltered and protected by the same people.

Hayes' audacity and daring in shooting



Tipperary Barracks

(Tom Keogh Collection)

Braddell in the principal hotel and on the main street of Tipperary led the authorities to believe, rightly, that they were dealing with a man out of the ordinary, a man of great recklessness and boldness and of considerable cunning. They embarked on a most intensive combing of the countryside in an effort to flush him out and into the net. In late August around two hundred police were out on Slievefelim, the Silvermines and other mountains and hills on the borders of Limerick and Tipperary. They were right in thinking that he was in this general area at this time.

For the first and last definite sighting of Hayes took place near his home at Doon on August 31 1862. On that day, a Sunday, Patrick Howley, R.M., was at divine service in Tipperary when he was informed that Hayes had been seen in the vicinity of his farm. The large bait had brought one fish to the surface. On receiving the information, Mr. Howley gave immediate instructions that police from six stations should be sent out to encompass the place where he had been sighted. But his communication, instead of being delivered as quickly as possible by mounted police, was placed in Oola post office to be telegraphed and there, four miles from Doon and Michael Hayes, it lay for 36 hours. The large force that Howley wanted to use to surround the elusive Hayes never arrived. It was a much smaller party under Constable Michael Hughes (the man who arrested Patrick Hayes for the Quinlan murder) set out from Doon to capture Hayes. When this party of police was about two miles from the Hayes dwelling, Hughes ordered the main body of them to stay behind while he went forward to reconnoitre the area around where the sighting had been reported. He took with him just one constable, a young man called Costigan who had just completed his course of training in the Phoenix Park depot. This made sense. A large body was more likely

to alert the fugitive to its presence than two people. The two advanced silently in the way they had been trained, without making any noise, and in the cover of ditches and bushes. Finally they came close to the place where Hayes had reportedly been seen. Crawling and creeping they came to a fence where screened by whitethorn bushes, they had a view of the field on the other side. As they watched, a man walked out of the field preceded by a woman. Hughes, who knew all the Hayes family, recognised the man as Michael Hayes. Costigan too, although he had never seen Hayes in the flesh, recognised him from the likeness and the description in the police bulletin, the Hue and Cry. Hughes was armed with a revolver. Costigan, being a rookie, was not entitled to carry a gun.

A discussion took place whether or not to attempt an arrest. Hughes thought it imprudent to attempt to take Hayes without the support of the whole party. Costigan volunteered to arrest Hayes if Hughes gave him the gun. But Hughes would not do this. This could prove highly embarrassing to him if Costigan effected the arrest. And if Costigan ended up being shot by Hayes, there would have been more questions to answer.

Hughes had the element of surprise on his side. But even if he succeeded in arresting Hayes would he have been able to take him to the barracks? Other members of the family were in the house and even the women were crackshots. Would they stand by and allow their father to be taken to the police station? Hughes, therefore, decided to go back and bring up the full party to effect the arrest. But when they returned, the fox had bolted. In the field, where they had seen him walking, they found a dug out, roughly constructed and camouflaged with furze bushes. Inside there was a bed and a bottle of whiskey. The authorities were speechless with anger and livid at how the party failed to capture the most wanted man. An inquiry

was instituted into Hughes' conduct of the mission. This was to be the only definite and the last definite sighting of Michael Hayes by the police in the province of Munster.

After the escape of Hayes from the field, there was an investigation into Hughes' conduct. This was forwarded to Dublin Castle and subsequent to this Hughes was struck off the constabulary list.

Sub-Inspector Kitson led a search of the Two Mile Bridge Anner area some days later. Houses and servants' quarters were searched in the hunt for Hayes. The police returned to barracks at 5 a.m. with nothing to show for their search.

A magistrate, Samuel Riall, J.P., went to Tramore for a holiday with his family. Francis Kitson, the police chief, hearing from what he considered a reliable source that Hayes was hiding out in the magistrate's house, Annerville, carried out a search of the house and the surroundings with a force of forty police. Riall was not pleased at all when he returned and found that forty members of the police force had been tramping around his house and gardens.<sup>25</sup> Costigan on the other hand, basked in would-be glory and pondered on the standing and the promotion that he would have got if he had been given the gun and allowed to arrest Hayes.<sup>26</sup>

In late September 1862, Colonel Hare returned from a holiday on the Mediterranean to his house, Devonport, near Tipperary town. On Monday September 29th he sallied forth from Devonport with Patrick C. Howley, R.M. to inspect his estate and visit some of his tenants. He was asserting by his presence that the landlord was back home and in charge of things. None of the tenants was out to greet him as his coming had been unannounced. The Colonel, it was said, had investigated the circumstances of the murder and as a consequence he had removed Daniel Moore from his position as bailiff for failing to apprehend Hayes or



Outskirts of Tipperary town

(Tom Keogh Collection)

to raise the alarm. The position of bailiff was now to go to a man named Denis O'Driscoll, a constable on pension, who was at that time employed as a rent warner.

For some days at this particular time, there was a strong rumour circulating in the Tipperary area that Hayes had left the country and was in America. The Hayes family looked more cheerful and defiant at the market in Tipperary. But then it was said that he had been seen coming out of a grove near a gentleman's house some miles from Tipperary. However, when the police came and searched the grove and the area surrounding, no trace of him could be found.<sup>27</sup>

The petty sessions at New Pallas on November 5th 1862 was black with people. Patrick Hayes had been summonsed by the authorities to attend so that his surety, entered into on June 20 1861, to be of the peace to all Her Majesty's subjects for twelve months, should be estreated. Because he had, on March 7th 1862, used threatening language to John Grady, thereby putting him in fear and terror for his life. There were four magistrates on the bench. Patrick Murphy, Sessional Crown Solicitor, appeared for the crown. Hayes was described as showing the same callous indifference as when he had stood trial for the murder of Quinlan. Presenting the state case, Murphy said that on 20th June 1861, Patrick Hayes, his father and another man were bound to the peace for twelve months. Patrick Hayes had broken that bond when he threatened Grady with death on March 7th 1862. The other two

who had joined in the recognisances had these estreated in May. But Pat Hayes could not be brought forward at that time as he was in jail. Hayes had been originally bound to the peace for a sum of £40, as he was the principal offender, and two independent sureties of £20. But these were later reduced to sums of £10 in each instance. Mr. O'Donnell, solicitor, was representing Hayes. He said that the case could not be tried as the proceedings against Hayes should have been instituted within six months of the offence. This had not been done. Hayes as a result had to be discharged, to great cheering and congratulations in the Court.<sup>28</sup>

The sympathy that existed for the Hayes family was to be seen in one newspaper commenting on the outcome of the petty sessions hearing. It said that the magistrates would have put Hayes back in jail but they did not have the power. He was not the violent, dangerous man that the newspapers portrayed him to be but a rather quiet man. Even though he was now free in name, he would not be free in fact, as the police would be following him every place he went. The people of the countryside round about thought it cruel of Braddell to make it a condition of the father holding the land that he would compel his son, Patrick, to leave the country. There now were two brothers and two sisters, children of Michael Hayes, in occupation of Quinlan's part of their farm. But they were not cultivating it as they were daily expecting eviction. The journalist thought it wrong that three young men and two girls should be made

homeless in this way. The eldest of the girls, he informs us, 'is a formidable woman and a great shot'. The writer's sympathy and support flows from his pen.<sup>29</sup>

The Castletown Berehaven area of County Cork, for some reason best known to the authorities, became for a while the centre of a particularly frenzied search for Michael Hayes. This seems to have begun in the second week of November 1862 when a rumour began circulating that Michael Hayes had simply walked into the town and gone down to the quay where a vessel, the *Discharge*, was tied up. According to the local rumour mongers, he went on board the vessel, cast loose her painter, and rowed out to a barque, the *Margaret of Bristol*, anchored in the bay and boarded it. The *Margaret of Bristol* was bound for New York.

The local police having heard the story, as they were intended to hear it, went out to the barque in two boats around midnight. They went through the ship, waking up some of the passengers who were in bed, and making much noise and commotion as they searched the vessel from stem to stern for the farmer, Michael Hayes.

Having failed to find him on the *Margaret of Bristol*, they went on in the post-midnight hours to search other boats that were in the harbour. This proved as fruitless as the earlier search. But they were determined that he was in the district and they headed off for the village of Rushport, the inhabitants of which were in the deepest sleep until they were

awakened by the members of the constabulary banging on their doors. They went to about a dozen houses, waking up the occupants and searching the houses for Michael Hayes. By this time it was almost dawn, so they returned to the barracks, sleepless, grumpy and captiveless.<sup>30</sup>

The authorities were determined that Michael Hayes was hiding out in coastal County Cork, watching and waiting for a ship to take him to America. It was not surprising, therefore, that he was sighted there. In early November, in the Youghal area, a constable saw a man wearing, appropriately enough, a Tipperary cloak. The man obliged the policeman by running, when he saw him, leaving behind a bottle of porter and some bread. The constable duly informed a magistrate and a force of sixty police was put into the field, under a commanding officer, to carry out a close search of the coast between Helvick Head and Ferry Point near Youghal. To close off all avenues of escape, H.S.S. Magpie arrived in Youghal harbour to patrol the coast and prevent Hayes from escaping by sea. But it was a fruitless exercise from the beginning as Michael Hayes was not in the area at all.<sup>31</sup>

But the authorities were determined that he was. In mid-November 1862, the search moved to the Castletown Berehaven district with an unremitting scouring of 'highways and byways'. This arose from an oath sworn by a man named Dermody, an evangelical preacher, who said that he was a former national teacher and a former tenant of Hayes in County Limerick. He claimed that he had met Michael Hayes on the road and that Hayes had threatened him with a loaded pistol at his breast. But when this was subsequently investigated, it turned out to be a drunken delusion of Dermody's. He was drunk when he encountered a man named Sullivan from Bere Island on the road. He had some kind of altercation with this man and, in his cups, mistook him for Hayes.<sup>32</sup>

But the Hayes mania continued in south-western Cork. A youth, a respectable, intelligent young man, was taken in by the police, on the word of a Head Constable, who had heard him talking about Hayes and irrationally concluded that he had some knowledge of Hayes' whereabouts. The young man spent eight days in the Castletown Berehaven bridewell for refusing to be part of the daft charade and to swear an oath that he had no knowledge of Hayes' whereabouts.<sup>33</sup>

In November 1862, it was reported that the Hayes family, Mrs. Hayes, her three sons and two daughters, were still in occupation of the Carrickbeg lands which had been given to the murdered tenant, John Quinlan. The Hayes family were not cultivating the land as the landlord's threat to evict them was clear and determined. The newspaper thought it wrong that the family should be evicted and made homeless. It reminded its readers that two murders had already been committed for this rich land near the Mulkear River. The writer in evident admiration noted that the eldest of the sisters was a young woman of

considerable determination and an outstanding shot. She was capable of splitting a sixpence with a bullet at a fair distance.<sup>34</sup>

Michael Hayes' son, Patrick Hayes, was again before the magistrates at New Pallas, Petty Sessions, in June 1863. This time he was charged with using threatening language to a Mrs. McCarthy, in regard to her husband. Her husband was a workman for Mrs. Quinlan for whose husband's murder, Pat Hayes had stood trial. Hayes' actual words to Mrs. McCarthy were: "Tell Jim, when I meet him in the lonesome, I'll put a nail in him". This was a chilling warning for people who had some months previous seen the handiwork of a behind-the-hedge assassin. The evidence given at the hearing sustained that the threat was made and Hayes, as a result, was bound to the peace for twelve months, on a personal surety of £200 and two independent sureties of £100 each, or in default twelve months in prison. The quietly delivered threat from Pat Hayes was being taken seriously. In 1863 bail money of £200 was a vast sum of money, far beyond what an unemployed man on a small holding could ever hope to raise. As for the sureties of £100, no respectable man of means was going to put up that money for the future good behaviour of Patrick Hayes. So having failed, as the authorities knew he would, to raise the bail money, Hayes was once again committed to Limerick prison.<sup>35</sup>

The possibility of further murders was not discounted by anyone and certainly not by the police. They were making daily and nightly visits to the Hayes home, checking on movements of members of the family and keeping them under regular surveillance. These daily and nightly visits from the constabulary encompassed walking eleven or twelve miles of road. As well as regular visits to the Hayes household, they also visited the Quinlans, who by this time were back on the holding, and also the house of Dan Moore, the ex-bailiff who was under protection for fear of an attack on him. The police were also frequent visitors to the house of Ryan 'Bawn' who was married to the daughter of Michael Hayes. Presumably they were checking on his movements and making sure that his house was not a hiding place for the fugitive.

In March 1863, the murder of John Waller Braddell was spoken of in the parliament in Westminster. Mr. Whiteside, M.P. spoke on the matter. In his speech, however, he showed a defective knowledge of the state of affairs in the County Tipperary. He considerably exaggerated the number of police that were available to pursue Hayes and he blamed the magistrates for not telegraphing information on the murder to the surrounding police stations not knowing that most of these were without telegraphic receivers.

In early April, the landlord, Colonel Hare, again visited the estate, accompanied by his new bailiff, Driscoll, a rent warner and a former constable. They were said to have come to look at a stream that was flooding the properties of some

tenants. While they were there, they were approached by young Hayes. But they ignored him, refusing to enter into conversation with him. He was pleading that the family be allowed to remain on their farm.<sup>36</sup>

As the Limerick Quarter Sessions in June 1863, an ejection case was brought on behalf of the Honourable Richard Hare against his former tenant, Michael Hayes. The new bailiff, Driscoll, was there to prove service of the ejection notice and the presence of the landlord on the lands to demand possession on the 19th of May. The service of notice to quit after the death of John Braddell was also proven. Hayes owed a year's rent, £35, for the Carrickmore farm. But as Mr. O'Donnell, the Hayes solicitor, pointed out this rent had been tendered to the landlord. But he refused it. Mr. O'Loughlin, appearing for the defence, argued that the case could not stand as there was no evidence as to when the tenancy had commenced. This was an indication of how long the Hayes family was in occupation of the farm in Carrickmore. Mr. Griffin, for the prosecution, said that a notice to attend had been served on the defendant, Michael Hayes, but he had not attended. It is hard to know how they could have served a notice on him since his whereabouts was not generally known. But it was probably served at the house where the family lived. The court found that a prima facie case for possession had been established. The chairman of the bench issued a decree for the possession of the farm.<sup>37</sup>

On a Monday in early July, Mr. Hoare, the sub-sheriff, arrived on the lands of Carrickmore to carry out the eviction, accompanied by a large force of police, drawn from the Doon, Cappamore and Oola stations. But in spite of expectations to the contrary, possession was achieved without violence.

Amongst those removing effects from the house was a bailiff, named Craddock, from Tipperary. There was an irony in this. For the same Craddock, some twenty years previous, had been a close associate of Hayes when they had evicted hundreds from their holdings and unpitifully set them adrift in a hard world. Now the wheel had turned the full circle. Hayes was the evicted one and a fugitive with a price on his head.

As the furniture was put out in the yard, Mrs. Hayes said that she would never leave. The younger daughter was heard to say that it was 'a just judgement' from God. And there was no compassion for her. The mother and members of the family were taken in by relatives and connections in the area. A bailiff was temporarily placed in possession of the house and he, the house and the lands, were given police protection. It had been decided to make the house into a barracks, another irony, with six police, three from Doon and three from Oola.<sup>38</sup>

In January 1863, Colonel Hare had visited his estate in County Limerick. He had gone by Dobbyn's hotel, armed, and collected the rents himself. He said that he

was paying Mrs. Braddell £100 a year to compensate her for the loss of her husband. He did not intend employing another agent and this would offset the payment to Mrs. Braddell.<sup>39</sup>

West and south west Cork remained favourite places for seeing Michael Hayes. In April 1863, a man presented himself to the police at Berehaven and said that he had seen Michael Hayes at Cahergariffe. He recognised him as he was a former tenant of the estate. The police went with the informer to the named place. But there was no sign of Hayes. Back in Berehaven, the deponent swore a statement before P.A. Armstrong, J.P. He was said to have been drunk on the Sunday but not on the Monday when he swore the deposition. Arising from this sworn statement, on Monday evening a large force of police went to search around Dunboy Castle. One group carried out searches around Cahermore, the other in Dunboy wood. Both groups were said to have been generously entertained by the local gentry. The second group spent the night dancing with the female servants, while one of the policemen played dance music on the fiddle.<sup>40</sup>

In Skibbereen, an eccentric, itinerant pedlar, named Thady Daly went to Sub Inspector Potter of the Skibbereen police and told him that he had talked to Michael Hayes at Lamavadra Bridge. As soon as he made the statement, the countryside around there was black with police. Messages were sent to coast guard stations to the effect that all boats putting to sea were to be watched. Daly said that the man had jumped over a ditch to ask him if he was going to Ballydehob and leapt back over the ditch again. As Daly was going around the town, he was hooted and booed as an informer and he was said to be riled that he had not got the bloody money.<sup>41</sup>

The search for Michael Hayes was turned into a game and a joke in the Castletownsend Demesne. On October 12th 1862, a force of two hundred police assembled at this remote place. It had been reported that Hayes was hiding out in the district, watching for a chance to get on board a ship for America.

It was a night of very heavy rain, falling in torrents. The police were drenched as they tried to get through the dense and wild plantations of forest timber and the heavy, thick undergrowth. The search began at 6 a.m. and went on until 6 p.m. They had searched most of the demesne but not the area around the harbour and village where there were many deep caves and hiding places.

The search of this area re-commenced the following day, again in pouring rain. A policeman came up a cave mouth in which a whitethorn bush was growing, obscuring the entrance. The constable said that he had looked in and that he had seen the fugitive, sitting on a large stone in the cave, his forehead resting on his left hand, supported by the rock. Two pistols lay on the great stone their muzzles pointing towards the entrance.

Twenty four strong, able bodied, policemen were chosen to arrest Hayes. They approached the entrance two deep and at an angle, making it impossible for anyone inside to see them. Stealthily and cautiously, they approached the mouth of the cave.

Then a little policeman, standing on a rock, shouted 'charge', in a thunderous voice. They all rushed forward. Some fell on slippery stones, some tripped themselves in the darkness. One grabbed the 'sleeping' form. It turned out to be a hat balanced neatly on the end of a stick. The 'two pistols' turned out to be a pair of cabbage stumps skilfully cut and shaped to look vaguely like pistols. Some people in Castletownsend had a hearty laugh at the police.<sup>42</sup>

An English newspaper, *the Morning Star*, said that a 'more daring' murder had never been committed in Ireland, not even in Tipperary. The paper claimed that some of the Tipperary police were lounging in the sun when Braddell was shot and were slow to respond as they soaked up the heat of the August day. The journalist marvelled how Hayes was regarded with 'distrust' and 'abhorrence' by the other tenants, many of whom saw him as an 'evictor of unnecessary brutality'. But after the murder of the agent, he is given 'succour' and 'refuge', everywhere he goes.

Back in east Limerick, the Hayes family had been evicted. Patrick Hayes was still looking at the grey, encompassing walls of Limerick prison, having failed to raise the large bail demanded by the Court. Jim McCarthy was still working for Mrs. Quinlan, in spite of threats that he had received from Patrick Hayes. Then one dark night, he had an encounter. Two men with blackened faces and with whip handles loaded with lead attacked him. He was flogged and beaten half to death. Some time afterwards a younger brother of Patrick Hayes joined Patrick in Limerick gaol for the assault on Jim McCarthy.<sup>43</sup>

But what of the principal character in our drama. Michael Hayes was never arrested by the police for the murder of John Waller Braddell. After the sighting of him in the field near his home, he was never again seen, as far as we know, by the police or the authorities. About two years after the murder, the authorities had begun to withdraw the police watch for Michael Hayes on the ports and harbours.

In March 1865, three years after the murder, the death of Michael Hayes was reported in a nationalist newspaper. It was said that he had been living rough, like an animal, on the mountain of Slievenamon and that he had died there of cold and hunger. The people around the mountain seem to have had no knowledge of this and knew nothing of his hiding there. It was also reported that he had been buried in the family graveyard some days later around three o'clock in the morning. Burying a corpse secretly in a country graveyard would not be an easy thing to do. Then as now very little happens in

country districts that is not known to the local people. A secret burial would probably be the best known secret in the area. But such reports were probably welcomed by the police at this stage for they would have had by this time greatly reduced hopes of arresting Hayes. The report in the paper made it more easy for them to close the book on a case that they had by this time given up hope of ever solving.<sup>44</sup>

But where did Hayes go after the one definite sighting near his house? One thing is fairly sure that he could not remain in the Limerick-Tipperary border area. The search in those districts was too intense. The numbers of police too great. The lure of the reward money too tempting. The old ballads and songs are often fairly accurately based on the happenings and the events that they set out to recount. The General Fox Chase comes within that category. It does, as its title says, describe the countrywide man-hunt for Michael Hayes. Where did Hayes go? Did he really die of hunger on the slopes of Slievenamon? We do not think so. He was the dark fox of the song, too wily to be taken or captured. It was most unlikely that he would starve to death in his own county, or, indeed, anywhere else. Wherever he went, and to those he made himself known, he was the man that shot 'the landlord' in Tipperary. For many peasant farmers, shooting a landlord was a heroic act. And the man who did the deed was a hero. He should be given shelter and food, support and a helping hand to escape. So there were doors open to him, buildings and cabins where he could spend a night or two, and hay lofts where he could sleep and hide.

Ballads and songs from the nineteenth century are often quite factual and accurate in their reporting and telling of actual events. The song, *The General Fox Chase*, was written about 1862, the year that Hayes went 'on tramp'. The first verse of the song sets the scene, describing the fair countryside where 'my forefathers lived and thrived three hundred years ago'. But he was forced to leave this verdant countryside 'between Tipperary and Knocklong' with an eviction notice hanging over him and a bullet-holed estate agent lying dead behind him. The song goes on then to describe the pursuit of Hayes by the police in various places in the country, some of which we have already described. But they failed to take him. He was as clever as the fox with which he was compared.

*"They broke their brogues, some thousand  
pairs, this reward for to obtain,  
But still there was no tidings of me or  
my retreat.  
They searched Tipperary o'ver and o'er,  
the cornfields and Galtymore,  
They went along by Wexford but there  
did not delay".*

All the versions of this song clearly derive from the one original composition. And they differ only by a word or a phrase here



Cappamore, Co. Limerick

(Limerick Museum)

or there. What is also of considerable interest is that the countryside pursuit, in all the versions of the song, and indeed the song itself, ends in the county of Mayo.

*“Through Castlebar they took a trot, they heard I was in Castlerock,  
But still they were deluded where I lodged the night before.  
In Swinford town, as I sat down, I heard a dreadful cry of hounds  
So I took another notion to retaliate my chase;  
I being weary from the road I took a dram at half past four  
I was then renovated whilst the hounds were getting weak  
The night being dark at Castlebar, I knew not how to make my way,  
I had neither den nor manger to shield me from the cold,  
And as the moon began to rise; I said I’d make for a foreign clime  
I am in the land of liberty, so a fig for all my foes”.*

We do not know where Hayes went when fleeing his pursuers about the countryside. His peregrinations are given in the verses of the song but we do not know if these are a true record of his flight. They sound more like a record of where the police went in their pursuit of him than an account of where he went. But in the aftermath of the killing of Braddell, there were two things Hayes had to do. He had to leave the Limerick-Tipperary border area because of the intensity of the search for him in this area and the continuous presence of large numbers of police. Indeed, in the long term, he would have to do more than just leave his native Cappamore and Doon, he would have to flee the country. For whatever he did,

wherever he went in Ireland, there would be sharp-eyed policemen, the informer lured by the reward money or simply the loyal citizen reporting a wanted criminal.

The island of Inishbofin, off the Galway coast, is not interestingly enough, mentioned in the song. But in the folklore of the island, there is a strong tradition that Michael Hayes was in hiding on this island for a considerable time. Mary Lavelle interviewed two old men about Hayes on the island. This is a transcript of what they said.

Mary Lavelle of Inishbofin interviewed Paddy O’Halloran, aged 72, on the 10th of November 1989 on the question of Michael Hayes being in hiding on the island.

M.L.: Paddy, do you know any old story about the priosun (prison) over there on Cloonama mountain.

P.O.H. Ah, Michael Hayes was over there. A man named Michael Hayes. He was the first man in Ireland to shoot a landlord. He came from Tipperary and he made his way to ‘Bofin’. He was a long time in ‘Bofin’. So a woman saw him one day and he wouldn’t wait any longer in it. Nobody knew he was in it but the people that brought him into it. Into the east end, in the row boat. They brought him into Westport and he got on a sailing ship in Westport and he made his way to America and years later, one of the crew that brought him into ‘Bofin’, met him in America. So he got clear. He had a very narrow escape down in Mayo. The boys were on his trail and they had him nearly caught. And just at the dawning of the morning, he was going across

a field. There was a woman spreading out clothes early in the morning in a field. So he told her that if any people came along, enquiring about him, to say that she did see him and that he was gone ‘that way’. He then went the opposite way. He wasn’t too long gone when they came. And the very question, they did ask her. She says he went that way. So off they went that way too. But he went the other way and he made his way to Cleggan. That was the closest time he ever went to being caught.

M.L.: That was Mick Tony’s father that was supposed to have brought him in. Wasn’t it?

P.O.H. Well I’m not sure about the crew now.

M.L. I thought he was in Pete Wall’s house. That he was hiding.

P.O.H. Oh maybe. Maybe the first night or two, he might be there. But he shifted out of there and went out to the prison then. He was there a long time.

M.L. It’s unusual that nobody ever saw him. Isn’t it? They’d be a lot more people around and everything those days.

P.O.H. He was seen once by a woman now and he wouldn’t stay any longer.

M.L.: There’s a song about him. Did you ever hear it?

P.O.H.: Oh indeed I often heard it. I have some of it but it’s gone now.

Interview. Mary Lavelle (M.L.) talking to Michael Lavelle (Mick), 78 years old. Interview 27/11/1991.

M.L. Was it Granny the Lake that you said spotted Michael Hayes?

Mick: It was.  
 M.L.: What was the story again?  
 Mick: She was the first to see him.  
 M.L.: And where was she like?  
 Mick: Below the house Johnny Scuffle's in now. That's where she was living at the time.  
 M.L.: And how did she see him like?  
 Mick: She had a cow and they used to have the cows in the house that time, you know. And they used only have the one cow. I don't know was it calving or not. But Granny was up anyway. She may have had some kind of light. But 't was a poor light. They had a habit that time of leavin' a brush. They'd put a brush to the door and leave a bit of it open. I don't know was it for the smoke or not. 'twas a habit in every house. And when he was passin', he seen the light. And he shoved in the door and she was there by the fire and she seen him. He backed out again and pulled the door out after him. He was going back then at about Johnny Hughes is now. And she seen him that he (had) a stick on his shoulder like a pole. That was all the go at that time. People that'd go shopping or anywhere now, they'd have like the handle of a brush and whatever thing they'd have tied in a bag ... and tie it on the end of a stick. And they'd carry it like that on their shoulder. 'Twas a handy way too, that was the style that time. He had some clothes in it and he was carrying it on his shoulder on the end of a stick.  
 M.L.: But how did she know it was him?  
 Mick: Oh she didn't know it for a long time. She knew well he wasn't...  
 M.L.: An islander.  
 Mick: An islander. That he wasn't in this island. She knew he was a stranger. But she didn't know whether he was dead or alive (a ghost or some person tormented in life before death).  
 M.L.: Where did he go then?  
 Mick: He must go back in all the way ... He went to Traan. He went over to Dick's and over the cliffs there and the Claddagh and everywhere until he struck Traan. And he said, I believe, he said to himself this is the best place to be ... This is the best place for me to go, or they must have let him in.  
 M.L.: Who would have been living in that house then?  
 Mick: They would be a family in it that time. They'd be old Sean Wall and his wife and family.  
 M.L.: So he was over in Paddy "Walls" there for a while, couple of months, I suppose.  
 Mick: A couple of months. Maybe more. He'd be longer in it but he met a woman in the mountain.  
 M.L.: What happened him then?  
 Mick: At the dawn of day always he used

to leave the house and go for a walk you know, out along the cliffs, and this day didn't he meet a woman - he ran in to her and he said: 'Time to be going'. And that there was that.  
 Mick: There was police here I think.  
 M.L.: You see there's no records to prove there was police ever here that time because they were all burned in 1922 when the Customs Houses in Dublin were burned. So there's no record to see if there was or not. But any way go on.  
 Mick: And she was a woman from ... I don't know now but she might be Scuffle. She was from Cloona-more. She was a woman that was out looking for lambs, young lambs in the mornin' the dawn ... to see was there any old sheep had lambs after the night, that anything would have happened to them.  
 M.L.: So that would be the spring time. Wouldn't it. That'd be about March or April.  
 Mick: So he went in and got ready and the crowd in "Craan" then had a boat, so they hauled her down and they went on. They left him out in the mainland ... so on their way out over beyond Davillaun ... you know there used to be a lot of ships that time goin' in to the Killary harbour. 'Tis over there beyond Davillaun in the mainland and there were ships comin' out and they met this ship or something and the captain wanted a pilot, (some one who would know their way around the headlands) so they must know ... about the headland. There was only one big breaker there between Inishturk and Bofin but they said they'd put him aboard the ship if she was bound for Glasgow and he was never seen again anyway after that or heard of.  
 M.L.: So he must have gone from where, to Glasgow, to America.  
 Mick: He must go. He must go to Glasgow and then he must go. He might work a while in it and until he got a couple of pounds that'd bring him to America.  
 M.L.: Paddy Halloran told me that he went from Westport to America in a boat. Would make more sense really.

It seems like a credible escape for Michael Hayes, a boat from Westport to Glasgow and an ocean-going ship from Glasgow to the United States of America.

*"I am in the land of liberty, so a fig for all my foes".*

"There was a group of women in constant contact with him. His family, I would say. They came in here and the people believed them to be tinkers. And I think they might have been selling stuff as well.

They were here for a while and after a while the natives twigged it."<sup>45</sup>

#### REFERENCES

1. *The Munster News* 9/8/1862.
2. 10/11/1861.
3. *Ireland's Own*, 28/9/1946.
4. Interview with Michael Dwyer, Pallasgreaun, Co. Limerick, 1990.
5. *The Limerick Chronicle*, 22/2/1862.
6. *The Limerick Chronicle*, 22/2/1862, *The Limerick Advocate*, 1 March 1862.
7. *Tipperary Advocate*, 1 March, 1862; *The Limerick Chronicle*, 22 February, 1862.
8. *The Munster News*, 3 September 1862.
9. *Chief Secretary's Office Registered Papers. (C.S.O.R.P.) No. 16927 (1862)*.
10. *Tipperary Free Press and Clonmel General Advertiser*, 5 August 1862; *Cork Examiner*, 31 July 1862.
11. *Cork Examiner*, 1 August 1862.
12. *Tipperary Free Press and Clonmel General Advertiser*, 1 August 1862. *The Cork Examiner*, 1 August 1862.
13. *The Nation*, 9 August 1862.
14. *The Times*, 5 August 1862.
15. *The Limerick Chronicle*, 12 August 1862.
16. Ms. 407 pgs. 221-226. The Folklore Department, UCD.
17. *Cork Examiner*, 11 August 1862.
18. *Cork Examiner*, 19 August 1862.
19. *The Limerick Chronicle*, 12 August 1862.
20. *The Munster News*, 9 August 1862.
21. *C.E.* 17 September 1862.
22. *Cork Examiner*, 30 August 1862.
23. *The Tipperary Advocate*, 28 August 1862.
24. *The Tipperary Advocate*, 16 August 1862.
25. *The Tipperary Advocate*, 11 October 1862.
26. *The Tipperary Advocate*, 4 October 1862, *The Limerick Chronicle*, 4 October 1862.
27. *The Tipperary Advocate*, 4 October 1862.
28. *The Cork Examiner*, 7th November 1862.
29. *The Munster News and Limerick and Clare Advocate*, 8th November 1862.
30. *Cork Examiner*, 10th November 1862.
31. *Cork Examiner*, 11th November 1862.
32. *Cork Examiner*, 19th November 1862.
33. *Cork Examiner*, 19th November 1862.
34. *The Munster News and Limerick and Clare Advocate*, 8th November 1862.
35. *The Munster News*, 3rd June 1863.
36. *The Munster News*, 11 April 1863.
37. *Munster News*, 24 June 1863.
38. *The Munster News*, 11 July 1863.
39. *The Munster News*, 24 January 1863.
40. *Cork Examiner*, 16 April 1863.
41. *Cork Examiner*, 29 September 1862.
42. *Cork Examiner*, Monday October 20 1862.
43. *The Nation*, February 6th 1864.
44. *The Nation*, 18 March 1865.
45. Mattie Concannon recorded by Mary Lavelle on Inishbofin, December 1991).