

A Tale of Two Unions: John O'Ryan and the Limerick Operative House Painters' Society, 1908

The city of Limerick was unique in that the National Amalgamated Society of Operative House and Ship Painters (NASOHSPD) never succeeded in establishing a branch there. Such was principally due to a failed legal action that occurred in 1908. The issues involved and the circumstances of the time illustrate aspects of Irish labour history that have hitherto received little attention. The opposing parties to the dispute were the long established Limerick Operative House Painters Society (Limerick OHPS) and a member who had joined the NASOHSD. The significance of the dispute, the various contemporary issues and developments involved can only be fully appreciated in the context of the times.

Painters' Organisations in Ireland

By the second half of the nineteenth century most Irish cities and major towns had their own well-established painters and decorators trade unions. These included Belfast (c1842), Coleraine, Cork (c1845), Dublin (c1790s), Limerick (c1820), Dundalk, Drogheda (c1850s), Newry (c1870), Sligo, Londonderry (c1870), Waterford (c1820s) and Kingstown (c1892). There may have been local unions in Clonmel (c1881) and Kilkenny also. Major towns where no organisation seems to have occurred included Armagh, Wexford, Ennis and Tralee. In the 1890s Galway had a building trade union that catered for a number of trades.

The organisational position in the trade in Ireland prior to the 1890s differed little from that which prevailed throughout the United Kingdom before the establishment of the Amalgamated unions. Some local unions, Belfast and Dublin in particular, were quite large in membership terms. The Belfast union was the only Irish one that had more than one branch.

However, the organisational position in the trade in Ireland differed in one important respect to that of England, Scotland or Wales. There was no real attempt at federation, co-operation or even contact between the Irish unions in the trade. No

by Charles Callan

result of such an initiative in 1893 was recorded. Irish local painters unions were active in and played a crucial role in the establishment of many trades councils and wider trade union bodies, but did not apply the same principles to their own trade.

For a brief few years in the late 1870s, the Dublin, Cork and Newry local unions were affiliates of the Manchester or General Alliance of House Painters. The Belfast union had formally decided to have no part in the Alliance. The Alliance had been a loose federation of local unions formed in Manchester in 1855. It grew in strength and by the late 1870s it had over seventy affiliates with some 7,000 mem-

APPRENTICES

THE following Scale of Wages for Apprentices was agreed on between the Limerick Employers' Federation and the Irish National Painters and Decorators (Limerick Branch) and signed on March 30th, 1922:—

		£	s.	d.	per week
1st year	2d. per hr.	7	10		
2nd	4d.		15	8	„
3rd	6d.	1	3	6	„
4th	8d.	1	11	4	„
5th	11d.	2	3	1	„
6th	1/1	2	10	11	„
7th	1/3	2	18	7	„

And that this scale, applicable to Apprentices, will not be affected by any rise or fall in the Men's wages. The existing Apprentices to drop 1d. (one penny) per hour as from 1st April, 1922.

Signed.

M. NEALON, Branch Sec.

bers. By the early 1880s it had almost collapsed through defections and it was from that Alliance that the Manchester NASOHSPD emerged.

The British Amalgamated Unions

Established in Manchester in 1886 through the fusion of many local independent painters' trade unions, the NASOHSPD grew to over 10,000 members in 169 branches by 1900. Its headquarters were in Manchester and the majority of its members and branches were in the north of England. By 1900 it had one branch in Scotland, two in north Wales and eight in Ireland.

An entirely separate painters and decorators Amalgamated union existed in Scotland. The Scottish Amalgamated never attempted to extend its organisation to Ireland. Wages and working hours in Scotland at that time were way ahead of those in England, Wales or Ireland.

In the south and midlands of England and south Wales the Amalgamated Society of House Decorators and Painters (ASHDP) organised the trade with about 4,000 members in almost ninety branches. The London ASHPD never made any serious attempt at extending its organisation to Ireland. In 1872, the year in which it was founded, the ASHPD had a branch in Waterford² and for a short period in the mid 1890s it had a branch in Larne, County Antrim.³

In 1893 the Manchester Amalgamated made its first appearance in Ireland. The local unions in Newry, Drogheda, Dundalk, Sligo and Kilkenny, apparently willingly, immediately became branches.

In the same year following an acrimonious dispute on the issue within the Dublin Metropolitan House Painters Trade Union (DMHPTU), many of its leading figures and a minority of its members seceded and established an Amalgamated branch.

The Belfast Operative House & Ship Painters Trade Union (BOHPTU) also maintained its independence. An Amalgamated branch was established in Belfast in 1895 but had to be wound-up a few years later through lack of support and the hostility of the BOHPTU. In the late 1890s the Londonderry and Coleraine local unions became branches of the Amalgamated. By then there were five remaining independent local Irish unions in Dublin, Belfast, Cork, Limerick and Waterford. Cork, Limerick and Waterford were the only cities as yet without an Amalgamated branch.

In 1904 the Manchester-centred NASOHSPD and the London-centred ASHPD merged together under the name of the Manchester union. It had about 300 branches with about 14,000 members. The obvious strength implicit in such a large, well-structured organisation was not exercised in the industrial relations area. The main attraction arose from the friendly society benefits it could provide. The major weakness of the Amalgamated was that it made no attempt to either

Working Rules of the Master Painters' Association in Ireland

LIMERICK BRANCH

March 1st, 1913.

<p>Wages 1—The Wages to be at the rate of 8d per hour.</p> <p>Working Hours. 2—The number of hours per week to be 57, divided as follows— from March 1st to October 31st for the first five days from 8 a.m. till 1 p.m. and from 2 p.m. till 6 p.m. From 1st November to 28th February for the first five days from 8 a.m. till 1 p.m. and from 2 p.m. till 3 p.m. for outside work. The hour from 1 till 2 to be the dinner hour. On Saturday from 8 a.m. till 2 p.m.</p> <p>Overtime. 3—From 6 p.m. till 10 p.m. Wages to be 8d per hour; from 10 p.m. till 6 a.m. 1/- per hour.</p> <p>Country Money 4—Country Money be paid at the rate of 8d. per day outside the usual wages. The men to have the option of working two hours per day extra if season be suitable. At completion of work travelling time to be allowed after 6 p.m., and paid as overtime, viz.—8d. per hour.</p> <p>Boundary. 5—Any man working three miles outside the city to be paid as for country, viz. 8d. per day extra.</p> <p>Unauthorised Overtime 6—No workman to work overtime, or part or whole of his dinner hour without distinct instructions from his employer.</p> <p>Working 7—All workmen to possess a full set of tools to consist of at least a hammer, a putty knife, trowel, scraper, and if a paper hanger, a scissors, plumb-bob, and a roller in addition to foregoing.</p> <p>Appliances 8—Any deficiency in above to be supplied by Employer at standard prices, and payment for same stopped at next pay day</p> <p>Keeping Time 9—No workman to leave the job on which he is engaged on any account whatever, without acquainting his Employer and giving his reasons for leaving work. Should a man have any cause for absentsing himself from work he must give reasonable notice of his intention. In the case of a day's absence he must give notice the day before, and if a portion of the day, he must give notice before starting work. On no consideration can more than one man be absent from a job at the same time, unless in the case of a funeral of a member of his craft.</p> <p>Conduct at Work. 10—Any workman found under the influence of drink during working hours shall cease work for that day, and only be paid the number of hours the work done is valued at by the Employer</p>	<p>Taking Petty Contracts 11—No workman shall undertake any work after hours while employed by a member of this Association without his employer's knowledge and consent.</p> <p>Smoking 12—No Smoking allowed at the Work.</p> <p>Spoiled Work 13—Should any workman through neglect, carelessness, or any other cause spoil or injure work which he offered himself as competent to do, his employer shall be entitled to charge him with the costs of re-doing, and deduct same from any wages due.</p> <p>Employment of Men 14—No workman can be employed by a member of this Association unless fairly discharged by his late employer, who must in all cases be communicated with before his re-employment.</p> <p>Time Sheet 15—A Time Sheet to be used by the men and handed to the employer properly filled in daily or weekly as may be required</p> <p>Pressure of Work 16—When all the members of the Local House Painters' Association are fully engaged, should any employer find that he has not men enough to meet his demands, the local society of House Painters shall be required to supply him with men, or allow him to get them.</p> <p>Apprentices. 17—Apprentices to be boys of good character, not under 14 or over 16 years of age. Preference to be given to the sons of Painters. The minimum number of apprentices in each shop to be Two, and the maximum number of Apprentices shall be not more than one to every three men, taken on the average over the year. The following to be the rate of pay—</p> <p>Wages of Apprentices 18—First year 4/-, Second year 6/-, Third year 8/-, Fourth year 11/-, Fifth year 14/-, Sixth year 17/-, Seventh year 20/-.</p> <p>Should any difficulty arise in the working of the above Rules the matter in dispute shall be placed before the Board of Conciliation consisting of two Members of the Master Painters' Association, and two members of the Guild of House Painters, with a Chairman to be mutually selected. The finding of this Board to be final.</p> <p>The undersigned representing Master Painters and Guild of House Painters, bind themselves to these rules for a term of three years, from this 1st day of March, 1913. Any alteration after the three years must be made by notices from either side of three months, said notice to be given not later than November 30th</p>
<p>Signed on behalf of Master Painters' Association</p>	<p>Signed on behalf of Guild of House Painters</p>
<p>ALTERATIONS OF RULES <i>Agreed to between Master Painters' Association (Limerick Branch), and Limerick Operative House Painters' Society.</i></p> <p>Overtime Extensions of Rule from 10 p.m. to 8 a.m. Wages to be paid at rate of One Shilling per hour.</p> <p>Country Money To be paid at rate of One Shilling per day outside usual wages.</p> <p>Pressure of Work That no application for men, under above rule, be made later than September 1st in any year, and any men employed under said rule, their services be dispensed with, not later than October 1st in any year. Such men to be discharged first in the whole city.</p> <p>The above Alterations of Rules were agreed to and signed on this the 6th day of March, 1907, between the Master Painter's Association (Limerick Branch), and the Limerick Operative House Painters' Society, for a term of two years from above date</p>	<p>Signed on behalf of Master Painters' Association</p> <p>Signed on behalf of House Painters' Society</p>

CITY PRINTING CO., next Town Hall, LIMERICK

Working rules of Limerick Master Painters' Association, 1913.

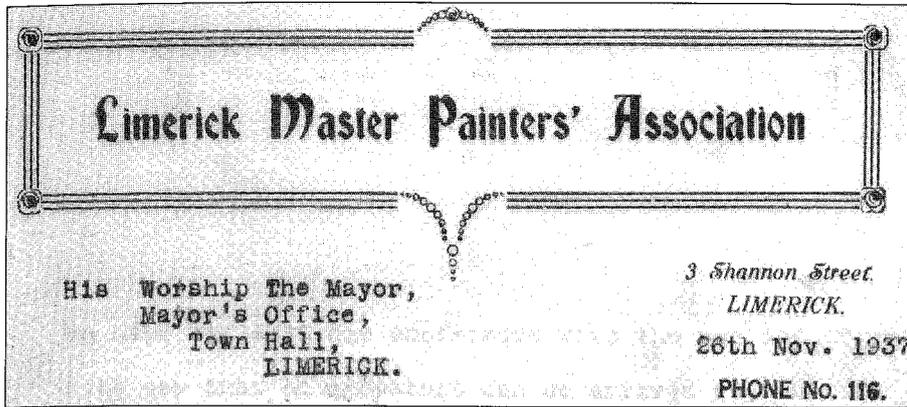
(Limerick Museum)

establish or enforce a standard regarding pay rates, working hours or other important conditions.

Such led to major difficulties. Where local unions existed they had standard rates, hours and working and other conditions. In the major cities, Dublin, Belfast, Cork, Limerick and Londonderry, an hourly rate applied whilst in many other places, including Waterford, Newry, Sligo, Dundalk and Drogheda, a weekly wage applied. The hours worked per week differed from place to place. Where the hourly rate applied the number worked

varied with the seasons, with fewer hours worked in winter due to weather conditions and also the level of artificial light. A consequence of this, for those fortunate enough to be employed, was that earnings were less during the most expensive part of the year. A higher winter hourly rate, to make up to some extent for lost earnings, was not achieved anywhere in the trade in Ireland until 1914. Where a weekly rate applied it is not known if this was paid irrespective of the hours worked, summer or winter.

A very important provision in the life of



Billhead of Limerick Master Painters' Association 1913. (Limerick Museum)

the working painter was the standing practice whereby, if a painter had to stay away from home whilst working on a job, a travel and accommodation allowance was paid and a minimum sixty hour working week was guaranteed. Amalgamated practices tended to undermine these established conditions as it insisted only that no less than the local wage rate apply.

Struggles for Survival

The Amalgamated endeavoured to absorb local unions as branches through a variety of blandishments. However, where such overtures failed it was ruthless in its efforts to undermine and destroy local opposition. In pursuing its expansionist policies it was not very principled in the methods it adopted.

A fierce struggle against the presence of the Amalgamated was waged in Belfast and Dublin. The BOHPTU ensured that the Amalgamated's delegates, including its general secretary, George M. Sunley, was excluded from the British Trade Union Congress at Edinburgh in 1897 due to the activities of the union.⁴ It also ensured it was excluded from the Belfast Trades Council when it re-established a branch there in 1903.⁵ Both exclusions were based on the claim that Amalgamated members were working under the standard rate and in shops that had been 'blackened' on foot of earlier disputes.

There was one belated attempt to create a federation of Irish painters unions in 1893 uniting the Dublin, Belfast, Cork, Limerick and Waterford unions.⁶ This resulted from a visit by Peter Cassidy, president of the Dublin MHPTU, to the Belfast OHPTU whilst he was attending the TUC conference in Belfast. Such a federation had a potential membership of about 1,200 and the strength to stave off Amalgamated encroachment. Nothing is known to have come of the initiative. In Dublin, after initial resistance from the DMHPTU, a reluctant tolerance of the Amalgamated's presence became the norm.

In 1904 when the two English Amalgamated unions merged, seven other local painters unions (six in England) also became part of the new amalgamation. One of the seven was the Cork House Painters' Society with about 180 members.

By the year 1905 there were only four local Irish unions remaining that catered for painters, Belfast, Dublin, Limerick and Waterford.⁷ In that year the Belfast union was all but destroyed by a lengthy and expensive court action which was taken against it and its officials by the secretary of the NASOHSPD Belfast branch. The person concerned, Daniel McCrory, claimed £500 in damages against the Belfast union. He won the case and was awarded the lesser, but nevertheless enormous, sum of £150. The Belfast OHSPTU, which had a membership of

between 400 and 500 over the decades up to 1905, was reduced to about sixty members in 1906. It was to be 1920 before it recovered its former membership.

The success of McCrory's case arose from the ambiguity in the law that arose from the Welsh Taff Vale Railway Co.-v-Amalgamated Society of Railway Servants court case, which was finally decided by the House of Lords in 1901. On foot of that judgement trade unions could be held liable for damages arising from trade's disputes. McCrory's legal action, with an extensive legal team headed by the solicitor-general, was a potentially expensive venture for a working man and who financed the action was never revealed.

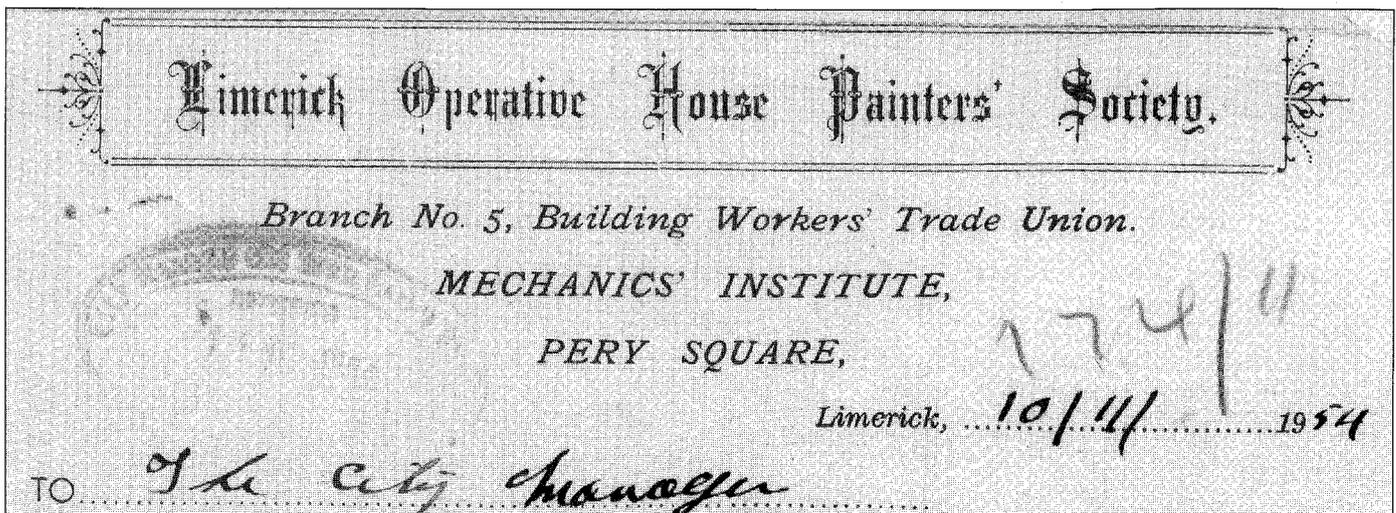
Employers and Industrial Relations

The employers of Belfast were organised from the 1870s, probably in response to the strength of the Belfast union. Twenty years later it was said, undoubtedly expressing the underlying motivation of all the employers groups, that

It was compulsory upon them when they were met by a body of men banded together for their own protection that they should, as master painters, join hands so that they might be able to defend themselves against any interference with their rights and liberties.⁸

No other employers' organisations in the trade have yet been uncovered in other Irish towns if such existed. In 1896, probably prompted by the coming into force of the Conciliation (Industrial Disputes) Act, 1896, the main employers in the capital organised themselves as the Dublin Guild of Master Painters.

In the same year a lock-out, affecting virtually all the Dublin building trades, commenced on May Day and was only settled by the intervention and arbitration of the Roman Catholic Archbishop, Dr William Walsh, throughout August. The outcome of the lock-out did not achieve the Master Builders Association's (MBA) objectives, which differed from trade to



Billhead of Limerick Operative House Painters' Society, 1954.

(Limerick Museum)

28 CHARLOTTE QUAY,

OPPOSITE CUSTOM HOUSE

ESTABLISHED 1907

Limerick, September 24th 1940

M. C. Stenson B.E. City Engineer

JOHN O'RYAN,

(LATE DOCKRELL, SON & CO., DUBLIN)

Practical House Painter and Decorator.

SIGN WRITING A SPECIALITY.

Fitzpatrick & Sons, Printers, Limerick.

Billhead of John O'Ryan, 1940.

(Limerick Museum)

trade. However, the lock-out virtually broke many of the unions in the trades.

The painters of Dublin, both the DMHPTU and the small Amalgamated branch, weathered the storm fairly well and the DMHPTU was even able to lend money to the bricklayers and the plasterers unions. Fortunately for the painters, and undoubtedly to the chagrin of the painters employers, the DMHPTU had concluded a new set of working conditions with the main employers individually that were better than those conceded by the MBA. Discretion proved the better part of valour and the painters unions did not attempt to achieve the same agreement with the builders. As a result, no agreement existed between the painters' unions and the MBA from then until 1913. The rate in the builders firms was 1d. per hour less than those in the painting firms and there was no agreement regarding the exclusive employment of trade union labour.

In early 1899, at the initiative of the Dublin Guild of Master Painters, supported by the Belfast employers association, the National Association of Master Painters of Ireland (NAMPI) was formed. In 1899 a lockout in seventeen Dublin painting firms commenced in early June and continued for six weeks. About 500 men were locked out. The lockout centred on one issue, that of the employment of trade union labour only. The employers insisted on the right to employ whom they pleased. The enforced outcome was that the employers established the right to employ up to 15 per cent non-union labour and more if the unions could not provide men as required.

There were several causes of the defeat of the unions. The employers were well organised and determined to succeed. They sent delegates to employers associations in England and Scotland requesting

British firms not to employ Dublin men. Scabs were imported from Britain and there was also a lack of local trade union solidarity. Inexplicably, the Dublin Trades Council & Labour League refused to support the painters, opting instead to call for conciliation.⁹

Within a short period the NAMPI¹⁰ had members in all the main cities. The emergence of the NAMPI and the outcome of the Dublin lockout had an impact in Limerick that led to the court action by John O'Ryan. By the early 1900s, although when it dated from exactly is unknown, there was a Master Painters Association in Limerick.

The Limerick Operative House Painters' Society

The painters of Limerick City were organised in their own union probably from the 1790s, but certainly from the 1820s. The exact titles their organisation adopted over the years is unclear and it appears that the union, unlike most of the other Irish unions, was never registered as a either a friendly society or a trade union.

The Limerick OHPS was amongst the earliest affiliates of the Irish Trade Union Congress. They were represented at the second annual conference held in Cork in 1895 by J.Hynes. At the following two conferences in Limerick and Waterford in 1896 and 1897 the union was also represented, but the delegate's names were not recorded. Between then and the Dublin conference of 1907 the union was not represented at the ITUC and in that year their delegate at Dublin was Joseph Bruckner.¹¹ Bruckner and a W. Allen represented the union at the ITUC Limerick conference in 1908.¹²

The position of painters and decorators in Limerick City undoubtedly improved over the twenty years 1891-1911 and the

Limerick OHPS undoubtedly played a role in achieving these improvements.

The number of painters, decorators, paperhangers and glaziers in Limerick City increased from 109 to 121 and to 150 in the census years 1891, 1901 and 1911 (Table 1). In 1861 the number in the trade, including employers, had been 143.

The working painters of Limerick City were almost all Roman Catholic in religious affiliation. The number of Church of Ireland adherents fell from three in 1891 to one in 1911. The number returned as being illiterate had fallen from six to one over the same period. Those in the trade were well distributed in terms of age groups. Those aged twenty years and under, that roughly equating to apprenticeship, remained at fifteen. At the other end of the age range, those aged sixty-five and older increased from three to nine.¹³

In 1907 the weekly working hours in the trade in the city were fifty-one and the hourly rate was 7½d., which would have delivered a weekly wage in summer of 31s.10½d. The hourly rate was less than that in Belfast, Cork or Dublin but was more than in any other Irish city or town (Table 2).

Although the hourly rate remained the same the hours worked in winter, for those fortunate enough to be in employment, were much less due to weather and lack of daylight.

The lot of the working painter would have been one of five nine hour days, probably worked from 6.00 am to 6.00 pm with two meal breaks of one hour each. Saturday hours were probably from 6.00 am to 1.00 pm with a one hour meal break. When the time spent in travelling to and from work is included the working day in reality probably amounted to twelve hours. Conditions and equipment were primitive, many of the materials used were toxic and earnings were lost through inclement

Table 1

Painters & Decorators, Limerick City, 1891-1911³³

Years	Age ranges						Religious affiliation			Illiterate	Totals
	-15	-20	-25	-45	-65	65+	RC	Cofl	Other		
1891	2	15	15	56	18	3	106	3	-	6	109
1901	2	19	20	56	20	4	121	-	-	-	121
1911	-	15	24	77	25	9	149	1	-	1	150

Table 2

Painters Trade Unions, Rates, Hours and Wages, 1907³⁴

	Numbers		Trade Union	From Year	Member-ship	Rate Hour	Weeks Hours	Weekly Wages
	1901	1911						
Armagh	27	51	Amal	1907	18	6d	-	-
Belfast	1589	1909	BOHPS	1845	c50	8d	54	36s
			Amal 1 1903	1897	136			
			Amal 2	1907	32			
Coleraine	46	80	Amal	1899 ³⁵	-	6d	-	-
Cork	341	263	Amal	1905	124	8d	51	34s
Drogheda	34	49	Amal	1894	26	6d	60	30s
Dublin	1865	2033	DMHP	c1790	c400	7 1/2d	54	33s.9d
			Amal 1	1893	180	&		&
			Amal 2	c1897	214	8d		36s
Dundalk	67	78	Amal	1894	26	6 1/2d	-	-
Kilkenny	40	41	Amal	1893	26		54	30s
Kingstown	123	133	Amal	c1894	17	7d	-	-
Limerick	121	150	LOHPS	c1820	c55	7 1/2d	51	31s10 1/2d
L/derry	133	148	Amal	1898	24	7d	56 1/2d	32s11 1/2d
Lurgan	36	46	Amal	c1907	19	-	54	30s
Newry	35	58	Amal	1894	17	-	54	30s
Sligo	43	61	Amal	1894	28	-	-	30s
Waterford	85	78	W[HPS] ³⁶	c1820	c30	-	-	30s.

weather. Whilst weekly wages, at almost 32s., were substantial when compared to those of many other workers, long periods of unemployment and shorter winter working hours greatly reduced wages. For most in the building trades the average weekly income over a year was probably in the region of 20s. to 22s. Seasonal unemployment affected most manual workers and even 20s. or more was far in excess of the wages paid to most.

The rule regarding the employment of non-union men applicable in Limerick was similar to that imposed in Dublin through the lockout of 1899. The local employers' rule (rule 16) provided that

When all the competent members of the local House Painters Association are fully engaged, should any employer find that he has not men enough to meet his demands, the Local Society of House Painters shall be required to supply him with competent men or allow him to get them.

The Limerick OHPS had mitigated, to an extent that may have been unique, the worst effects of that rule. They had established a local agreement, which provided

That no application for men under the above rule be made later than September 1st in any year, and any men employed under said rule their service be dispensed with not later than October 1st in any year.

Such a provision ensured that work was available in wintertime was to be confined exclusively to the members of the Limerick OHPS as long as any of its members were unemployed. The Limerick OHPS had also instituted a rule, although this was disputed, whereby its members could not belong to any other trade union.

In March 1907, a Limerick painter named John O'Ryan migrated to Dublin in search of work.¹⁴ O'Ryan had been a

member of the Limerick OHPS for about eight years and earned 7 1/2d. per hour. Whilst in Dublin he joined the Amalgamated union. On his return to Limerick in October 1907, O'Ryan secured a job with one of the city's leading employers, John MacNamara¹⁵ & Sons, painting contractor, of Catherine Street. In that year 1907-1908, MacNamara was also President of the NAMPL.

Following O'Ryan's employment, the Limerick OHPS officials, Michael Mayne and Joseph Buckner, president and secretary respectively, visited MacNamara and demanded that O'Ryan be dismissed due to his not being a member of the union. MacNamara sought the union's demand in writing. This was provided on the 19th October and in the style of the times, it read

I beg to inform you that John O'Ryan, in your employment, has refused to comply with the rules of our society,

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WALLPAPER
WAREROOMS
PICTURE AND
DADO RAILS.

≡≡≡

— **Daly & Sons,** —

DECORATING CONTRACTORS,
18 Lower Cecil Street, Limerick.

≡≡≡

ECCLESIASTIC
AND INTERIOR
DESIGNS,
ETC., ETC.

≡≡≡

and if he fails to comply with them up to the 21st, our men will cease working with him on that day.

O'Ryan was dismissed the same day by MacNamara. O'Ryan commenced proceedings against the Limerick OHPS and its named officials seeking damages of £50 at the Limerick Quarter Sessions in early 1908 before County Court Judge Mr Law-Smith KC. Those joined¹⁶ in the action by O'Ryan were:

Michael Mayne, (president), Little Frederick Street
Joseph Buckner (secretary), Gerald Griffin Street
Michael Anderson, 3 Richmond Street
John Reeves, Garryowen
William Reeves, Garryowen
John Allen, Rutland Street
John Neville, Little Glentworth Street
Pat McCoy, Church Street, Kings Island
Thomas Murphy, Halpin Lane, off Castle Street, and
William Nealon, 41 Edward Street

The sum sought, then the equivalent of more than eight months wages in the trade, combined with legal costs, would have effectively destroyed the Limerick union had O'Ryan won the case. The claim against the Limerick OHPS was based on an alleged conspiracy by the defendants to procure the dismissal of plaintiff from the employment of John M'Namara & Sons and for the loss of his employment on the 19th October.¹⁷

That O'Ryan was aided and abetted in his action by the Amalgamated's Dublin official appears beyond doubt, although such was never specifically stated or admitted.

A similar case had occurred in Plais-tow in London in 1903 when a painter named William McGuire had successfully sued the ASHDP for £25 when he was dismissed in similar circumstances.¹⁸ The main difference in the London case was that it was the then London Amalgamated that was acting against a small local union.

As noted above, the officers and others of the Limerick OHPS were joined in the action by O'Ryan for damages. All were described as 'painters of the Limerick Operative House-painters Society'. Joseph Buckner was also president of the Limerick Trades & Labour Council in 1908.¹⁹ The John Neville joined in the action may have been the same person who also served as Trades Council president in 1907.²⁰

The case was heard in April 1908. Although the judge expressed the view that the case put forward by O'Ryan was justified, he dismissed the case as being 'debarred by section 3 of the Trades Disputes Act, 1906' and did not award costs.²¹ The Counsel engaged by the union²² expressed the view that the Limerick painters were fully justified in protecting themselves.²³ The report of his representations read

4 McDonnell's Cottages, Garryowen,

Limerick, June 1st 1916

M^r J. O'Connell, Engineer

Water Works

Dr. to J. Reeves & Sons,

PAINTING and DECORATING CONTRACTORS.

M. Glendon, Printer, Limerick

Billhead of James Reeves & Sons, 1916.

(Limerick Museum)

The local men are quite in earnest in trying not to be dominated by the Amalgamated Society. This kind of thing occurred in Limerick some six or seven years ago, when at the order of the English Society the Limerick tailors went on strike, and thousands of pounds went over to England while the tailors were walking about the streets idle. The desire of the employers was to disrupt the Society; the plaintiff [O'Ryan] was their agent, and the defendants were within their rights in trying to defend themselves from being swamped by the English Society. The father and brothers of the plaintiff were and remained members of the [Limerick] Society, and that helped to show the surrounding (*sic*) of the defence.²⁴

O'Ryan's counsel²⁵ countered Kelly's claims by stating he denied there was any grounds for Mr Kelly's contention...the plaintiff was not backed-up by anyone and he came into court to get justice. The case rested on malice and the object of the defendants was to punish plaintiff and disqualifying him from membership preventing him from getting work in Limerick and forcing him out of the city.²⁶

The case was appealed and heard before 'The Lord Chief Baron' in early July 1908.²⁷ During the hearing valuable information was revealed by several witnesses that illustrate some of the issues and conditions of the time. O'Ryan was again represented by Phelps and the Limerick OHPS by Kelly. O'Ryan, MacNamara, Mayne, and Buckner gave evidence, but only the first two were cross-examined.

It was claimed that O'Ryan, in joining the Amalgamated, had foregone his membership of the Limerick OHPS in that the Amalgamated rules provided that members could not belong to any other society. O'Ryan claimed that he knew nothing of such a rule. He countered by claiming that no such rule existed in the Limerick OHPS and that he was still a member of the local union, albeit in arrears to the extent of 24s. As the Limerick OHPS weekly contribution was 6d., he was forty-eight weeks in arrears.

O'Ryan claimed he had paid £2.9s.4d. fees to the Dublin Amalgamated branch and was not able to pay the Limerick society.

O'Ryan denied, under questioning, that he had been 'the means of leading to a lockout' at MacNamara's in 1906 but admitted he was 'an active opponent' of MacNamara. The records of the Limerick union were then quoted

Proposed by John O'Ryan, and seconded by John Reeves, that 'we give George Burrows until Saturday to conform to our rules, and should he not comply, all men to cease work with him'.

O'Ryan admitted that such was the case and that it was 'in accordance with the rules and constitution of the society'. He was then asked 'are they doing anything to you under their rules that you did not propose to do to Burrows?' When it was put to him that 'This amalgamated society is of English origin, and these people are trying to dominate the trade societies of this country?', O'Ryan replied 'I don't know anything about that'.

MacNamara, the employer, when examined by O'Ryan's counsel, stated that he remembered Buckner and Mayne calling on him demanding O'Ryan's dismissal as he did not comply with their rules and went on to state he

Knew the cloak of the thing, and said he thought they were making a mistake. Two of their men had left to go to Dublin where they expected to get work as a matter of course. John O'Ryan had joined the Amalgamated Society in Dublin, numbering 1,900 men, and he was a blackleg when he came back according to their action. Another member went up to Dublin and worked as a non-union man, though he was a member of the Limerick Society, and he came back to Limerick and resumed work there without any objection to him. He quoted for the delegation the case of McCrory against the Belfast Painters Society, being an action for damages caused by loss of one and a half years'

work. The venue was changed to Dublin, and the case was tried before Judge Kenney and a special jury. The trial lasted five days and there was an eminent Bar...the result was that McCrory was awarded £150 damages and costs. The case had the effect of breaking up the Belfast local society, and they all then joined the Amalgamated Society.

Although McNamara admitted that the rule regarding the employment of Limerick OHPS members had been agreed he went on to state under cross examination that

His object was not to flood the town with amalgamated men so as to give employers larger selection of men and reduce wages, because amalgamated men could come down and work side by side with the local branch. They did it in Dublin – amalgamated and local men and non-union men worked side by side in Dublin [but he] did not want non-union men.

McNamara also stated that when the rule regarding the employment of Limerick OHPS members was proposed, although they had agreed to it, the employers objected saying that 'if at any time the Amalgamated Society wished to contest their rights we disassociated ourselves from any costs or liabilities in the matter'.

McNamara was incorrect in at least three respects in his views. Firstly, the Amalgamated union had 941 members in fifteen branches in Ireland at that time, not 1,900. Secondly, the Belfast union was not broken-up by the legal action, although its membership fell drastically from about 500 to sixty. Thirdly, the virtual collapse of its membership did not lead to its members joining the Amalgamated union. The result of the damage done to the Belfast union created a situation whereby most Belfast painters became non-union men. Despite the establishment of a second Amalgamated branch in Belfast following the action its total membership increased from ninety in 1907 to 195 in 1908, leaving about 1,750 painters outside any union in the city.²⁸

The position adopted by the union was that O'Ryan was not a member of the Limerick OHSP, was a member of another union and that they were simply enforcing an agreement with the employers. They were prepared to admit O'Ryan to the local union provided he ceased to be a member of the Amalgamated union.

Although the decision of the court went against O'Ryan, the judge did not conceal his own views in the matter. He stated that the

action of the defendants was malicious in the way they attempted to get rid of the plaintiff, but on the construction of the 3rd section of the Act he had to dismiss the case.

No costs were awarded. Under the provisions of the Trades Dispute Act, 1906, where losses were sustained as the result of an industrial dispute the parties involved could not be held liable for damages. The Trades Disputes Act, 1906, which negated the impact of the Taff Vale Railway -v- ASRS judgement of 1901, had been passed by the Liberal government at the urging of the then new parliamentary Labour Party.

Aftermath

The outcome of the court case led to a reconciliation between O'Ryan and the Limerick OHPS, in that he resigned from the Amalgamated and rejoined. What subsequently became of O'Ryan is unknown. However, from the few scant references there are to the affair in trade union sources, the hard-nosed cynicism of the Amalgamated is clear.

Around 1907 the secretary of the NASOHSPD Dublin No 2 branch, John Graydon, was appointed on a full-time basis. He seems to have operated as their organiser throughout Ireland. Graydon was also a member of the Amalgamated's National, UK wide, Executive Council.

In 1910, two years after the court case, Graydon raised the matter at the Executive Council. The general discussion on the issue revealed some of the attitudes held by its leading officials.²⁹ Graydon claimed that the Limerick OHPS had gone

on strike against O'Ryan's employment. Graydon had visited O'Ryan in Limerick at the time and claimed that O'Ryan had taken the court action himself. The Amalgamated's General Office had refused to take any action in the matter although Graydon had submitted a report to it. As a member of the Dublin No 2 branch, O'Ryan had been paid victimisation benefit of 10s. per week plus unemployment benefit. After O'Ryan's unemployment benefit was exhausted, his victimisation benefit was increased to 20s. per week. It appears that O'Ryan was supported over the winter 1907-1908 and benefit was then stopped. The position adopted by the General Council was that he should leave Limerick to seek employment. Graydon's appeal that he was a Limerick man who supported his parents did not evoke a sympathetic response. Graydon further pointed out that removal expenses available under the rules in the case of victimised members had been refused. What rankled with many who spoke was that the local union had succeeded. As one stated

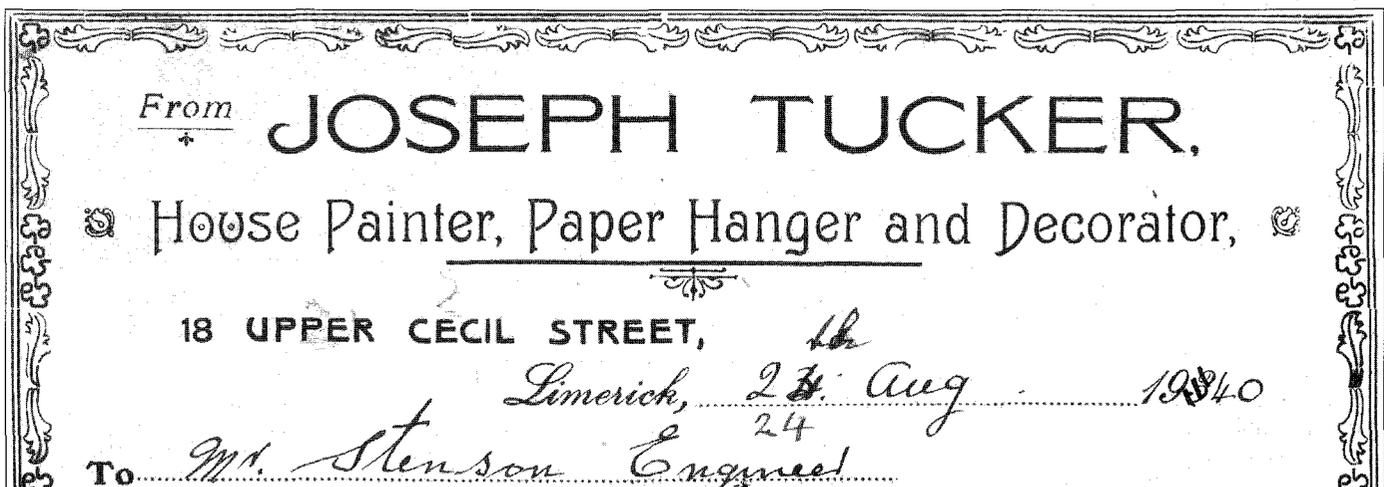
The point, to his mind, was that the Limerick Society had more power than their own society, and that they, as an amalgamated society, allowed some local society to dictate to them what their members should do.

Graydon expressed the view that

if they had fought the this particular case the employers would have been with them hand in hand, because they would have been very glad to have men of our society to work in Limerick.

What precisely Graydon meant by his statement is less than clear. However, it more than suggests that amalgamated members would have been prepared to work under conditions that were less than the established local norms and undermine the Limerick LOHPS itself. The chairman offered the view that

if the man had been supported he might have been the means of establishing a branch there which might



Billhead of Joseph Tucker, 1940.

have been a rallying ground. That was often the way in which branches were made in amalgamations.

The general consensus of the meeting was that the union had failed O'Ryan, that work was never found for O'Ryan and that 'if they had removed him to Dublin he would have got a job and the society's money would have been saved'. No consideration was given as to O'Ryan's desire to stay in his home town, no regret was expressed regarding the undoubtedly difficult position O'Ryan had put himself into and no concern for his wellbeing or future was recorded.

By 1908 the Amalgamated had fifteen branches in thirteen Irish cities and towns with a total of 886 members. Four local Irish unions in Dublin, Belfast, Limerick and Waterford had about 550 members between them.

Limerick City is unique in that it is the only Irish city or major town in which the NASOHSPD did not succeed in establishing a branch.

In the years before the First World War the NASPHSPD went on to establish branches, some short lived, in Downpatrick (1909), Galway, Queenstown (1911), Bray, Clonmel, Newtownards, Waterford (1912) and Banbridge (1913).

The Amalgamated union went through several name changes over the decades. In the 1940s it became known as the National Society of Painters, although it had been known as that since around 1920. In 1963 it amalgamated with the Scottish amalgamated painters union and two years later it absorbed the last remaining local painters trade union in Britain, the Birkenhead society. In 1968 it amalgamated with the Amalgamated Society of Woodworkers.³⁰ Following a further amalgamation it became part of UCATT when it was established in the early 1970s.

The Limerick Operative House Painters Trade Union continued in existence. In 1912 it made tentative move to become linked with the Dublin MHPTU for the purposes of the administration of the National Insurance Act of that year but nothing materialised.

In January 1919, following the call from the ITUC to trade unions to re-organise and consolidate themselves, the DMHPTU transformed itself into the Irish National Painters & Decorators & Allied Trades Union (INPDATU). The transformation of the union happened in the same month as the establishment of Dail Éireann, although whether such was by coincidence or otherwise is unknown.³¹ The INPDATU attracted the existing glaziers and the whiteners unions into its ranks. The Sligo, Kilkenny and Waterford branches of the Amalgamated union also joined the new Irish national union. The Limerick OHPS also became a branch between 1921-1924. The early 1920s, with rising unemployment, a series of reductions in wages and severe employer and state retrenchment, did not lend itself to new organisational endeavour. In 1924 the

Limerick OHPTU re-established itself as an independent trade union.

In 1942, in the wake of the Trade Union Act, 1941, it became a constituent branch of the Building Workers Trade Union (BTWU). The constituent unions that operated under the umbrella of the BTWU for the purposes of negotiations continued to function as independent organisations.³² Following the building strike of 1964 (which won the forty-hour, five-day week) the INPDTU left the BTWU and acquired its own negotiating license. In 1966 the Limerick OHPTU and the Cork House Painters Trade Union merged with and became branches of the INPDTU. In 1991 the union became a trade group within SIPTU.

NOTES & SOURCES

- 1 Sarah Ward-Perkins, *Select Guide to Trade Union Records in Dublin*, Dublin, 1996 For registration and other details on many of these unions, passim.
- 2 R.W.Postgate, *The Builders' History*, London, 1923, p299 footnote †.
- 3 *British Parliamentary Papers: Reports from Select Committees and Other Reports on Wages (Government Contracts) and on Profit Sharing [etc] 1890-97*, Vol. 22, Shannon, 1970 Evidence, E.C.Gibbs, general secretary, ASHDP, p828, paragraphs 153-154.
- 4 J.D.Clarkson, *Labour and Nationalism Ireland*, New York, 1925, pp95-96.
- 5 John W.Boyle, *The Irish Labor Movement in the Nineteenth Century*, Washington DC, 1988, p95.
- 6 National Archives (NA), Mss. 1017/1/2, Dublin Metropolitan House Painters Trade Union (DMHPTU) Minutes Sep. 1893.
- 7 Evidence of others may yet be uncovered.
- 8 *Journal of Decorative Art (JDA)*, Vol. 19, 1898, p88
- 9 Labour History Museum & Archives, Dublin (LHMA), Dublin Trades Council & Labour League Minutes, June 1899.
- 10 Chris McLoughlin (ed.), *A Century of Painting and Decorating - National Association of Master Painters and Decorators of Ireland, 1899-1999*, Dublin, 1999, pp9-24.
- 11 Also spelled 'Bruckner' in some sources.
- 12 Irish Trade Union Congress Annual Reports 1895, 1896, 1897, 1907, 1909.
- 13 *Dublin Evening Telegraph*, 1 Oct. 1908. A stark reminder of improvements in life expectancy since then. Although figures for Limerick were not cited it was estimated that 187,314 'septuagenarians' (c41/4% of Ireland's population) would be eligible for the new Old Age Pension, when inaugurated in 1909.
- 14 *Journal of Decorative Art & British Decorator (JDABD)*, Vol. 29, 1908, pp163, 270. Gives 1906 as the year of O'Ryan's sojourn in Dublin. The

Limerick Leader of 8 July 1908 gives 1907 as the year of O'Ryan's sojourn in Dublin.

- 15 Various Macnamara, MacNamara, McNamara and M'Namara.
- 16 Many of the surnames listed occur over the subsequent decades in the trade, and in the union, in Limerick.
- 17 *Limerick Leader*, 8 July 1908.
- 18 *JDA*, Vol. 25, 1904, p141.
- 19 *Limerick Leader*, 27 April 1908.
- 20 *Limerick Leader*, 29 April 1907. The John Neville who was president of (or at least presided at the April 1907 meeting) the Limerick Trades & Labour Council in 1907 may have been the same person.
- 21 *Limerick Leader*, 6 April 1908.
- 22 P.Kelly BL, instructed by P.J. O'Sullivan, solicitor.
- 23 *JDABD*, Vol. 29, 1908, May, p163.
- 24 *Limerick Leader*, 6 April 1908.
- 25 'Mr' Phelps BL, instructed by J.S.Gaffney OS.
- 26 *Limerick Leader*, 6 April 1908.
- 27 *JDABD*, Vol. 29, 1908, August, pp270-271.
- 28 Modern Records Centre, University of Warwick, Coventry (MRC) Mss 78/NASOHSPD (National Amalgamated Society of Operative House & Ship Painters & Decorators) 4/6/1-63 Annual Reports for the years cited. See, Charles Callan *They Stopped to Conquer. Saothar*, Vol. 25, 2000, pp45-55 for an account of the Belfast legal dispute.
- 29 MRC Mss 78/NASOHSPD/4/6/4 Annual Report, 1910, pp20-21.
- 30 The NASOHSPD changed its title to the National Amalgamated Society of Painters.
- 31 NA. Registry of Friendly Society files INPDATU (290T) Annual Return, 1921. The military seized the DMHPTU/INPDATU records in November 1920 during the war of independence.
- 32 The BTWU constituent unions included: Ancient Guild of Incorporated Brick & Stonelayers Trade Union of Ireland; Irish National Union of Woodworkers; Irish National Painters & Decorator Trade Union; Stonecutters Union of Ireland; Limerick Operative House Painters Trade Union.
- 33 *Census' of Ireland General Report 1861*, pp lxxxiv-lxxxvii, 266-267, 444. The 1861 Census did not distinguish between employers and workers. *Munster Report, 1891*, p624. *Munster Report, 1911*, p90. The occupational category included paperhangers and glaziers.
- 34 MRC Mss 78/NASOHSPD/6/4/1-8 Annual Reports 1907-1914. NLI *JDABD* Vols. 22-35, 1901-1914. *Board of Trade Labour Gazette*, Vols. 9-22, 1901-1914.
- 35 The Coleraine branch ceased to exist sometime between 1899-1907 and was re-established in 1919.
- 36 The local Waterford union became an Amalgamated branch in 1912.