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**Working Paper**

## Violence, rent, improvement and distress on the Frankfort estates in Kilkenny during the eighteen forties

Centre for Economic Research Working Paper Series, No. WP02/13

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*Suggested Citation:* Norton, Desmond A. G. (2002) : Violence, rent, improvement and distress on the Frankfort estates in Kilkenny during the eighteen forties, Centre for Economic Research Working Paper Series, No. WP02/13, University College Dublin, Department of Economics, Dublin, <https://hdl.handle.net/10197/1305>

This Version is available at:

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*CENTRE FOR ECONOMIC RESEARCH*

*WORKING PAPER SERIES*

*2002*

**Violence, Rent, Improvement and Distress on the  
Frankfort Estates in Kilkenny during the Eighteen Forties**

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WP02/13

March 2002

**DEPARTMENT OF ECONOMICS  
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## **VIOLENCE, RENT, IMPROVEMENT AND DISTRESS ON THE FRANKFORT ESTATES IN KILKENNY DURING THE EIGHTEEN FORTIES**

Desmond Norton

In the late 1980s and early 1990s, the author acquired about 30,000 letters written mainly in the 1840s. These pertained to estates throughout Ireland managed by James Robert Stewart and Joseph Kincaid, hereafter denoted SK. Until the letters - called the SK correspondence in what follows - became the author's property, they had not seen light of day since the 1840s. Addressed mainly to the SK office in Dublin, they were written mainly by landlords, tenants, the partners in SK, local agents, etc. After about 200 years in operation as a land agency, the firm in which members of the Stewart family were the principal partners - Messrs J.R. Stewart & Son(s) from the mid-1880s onwards - ceased business in the mid-1980s.

Since 1994 the author has been researching the SK correspondence of the 1840s. It gives many new insights into economic and social conditions in Ireland during the decade of the great Irish famine, and into the operation of Ireland's most important land agency during those years. It is intended ultimately to publish material on several of the estates managed by SK in book form. The proposed title is *Landlords, Tenants, Famine: Business of an Irish Land Agency in the 1840s*, a draft of which has been completed.

A majority of the letters in the larger study from which the present article is drawn are on themes some of which one might expect: rents, distraint (seizure of assets in lieu of rent), "voluntary" surrender of land in return for "compensation" upon peacefully quitting; formal ejectment (a matter of last resort on estates managed by SK); landlord-assisted emigration (on a scale more extensive than most historians of Ireland in the 1840s appear to believe); petitions from tenants; complaints by tenants, about both other tenants and local agents; major works of improvement (on almost all of the estates managed by SK); applications by SK, on behalf of proprietors, for government loans to finance improvements; recommendations of agricultural advisers hired by SK, etc. Thus, most of the SK correspondence is about aspects of estate management. Apart from a small tract of land near Graiguenamanagh owned by Sir Charles Burton (most of whose lands were in Co Carlow), it seems that the only estates in Kilkenny managed by SK in the 1840s were those of Viscount Frankfort. Although the files on his estates are much less extensive than some of those investigated in the draft of *Landlords, Tenants, Famine*, they do refer to most of the core aspects of estate management mentioned above. But in the case of the Frankfort properties, the material on some of those themes is very thin.

## **The Second Viscount Frankfort**

Lodge-Raymond de Montmorency, the only son of the first Viscount Frankfort, was born in 1806. He became second Viscount Frankfort in 1822<sup>1</sup>. In 1876 he owned 636 statute acres in Carlow, 1,045 acres in Cavan and over 4,600 in Kilkenny<sup>2</sup>. The SK correspondence contains only six letters from him. Each of them came from England. They suggest that he was ignorant of the extent of distress during the famine years. As reported by William Nolan, the Frankforts were absentees who resided in Essex<sup>3</sup>. Nevertheless, a publication of 1845 indicates that they had a demesne near Urlingford, Co Kilkenny. This was on Frankfort townland, otherwise known as Ballykieran<sup>4</sup>. SK commenced as the Viscount's agent in Kilkenny in 1841. The correspondence contains little on the Cavan estate<sup>5</sup>. On Frankfort's behalf, in 1846 SK contributed to the dispensary at Freshford<sup>6</sup>, and sent £10 for relief of the poor on Frankfort's Rathrush estate in Carlow<sup>7</sup>.

Stewart regarded Frankfort as odd: in November 1843 he wrote to Kincaid: "Frankfort is becoming as oblivious in Matters of business as he is insane in other Matters". SK were aware of Frankfort's idiosyncrasies when the Dublin firm first agreed to act as his agent; however, Stewart emphasised that personality should not be confused with business. In this context, in January 1841 he had written to Kincaid: "You were quite right to accept Lord Frankfort [as a client]. I would far rather be agent to a Particular man or even an odd man than a distressed one".

Frankfort's largest Kilkenny property was in the townland of Coolcullen near Castlecomer. He owned almost all of the 3,234 statute acres<sup>8</sup> there. According to Nolan, "the Frankfort interest in Coolcullen derived from the marriage in 1835 of the Viscount to Miss Georgiana Henchy, the female heir to the property"<sup>9</sup>. His local agent there was Major Diamond, who was also one of his tenants. At a salary of £25 per annum<sup>10</sup>, Diamond had been one of Frankfort's agents on Coolcullen for some time prior to SK's commencement of the agency. A person named Devereux had also acted on Frankfort's behalf on Coolcullen up to the early 1840s.

## **Violence on Coolcullen**

Among rural townlands in the south of Ireland, a striking feature of Coolcullen in the 1840s was the large number of Protestant tenant farmers. Some of these families came in the early eighteenth century; others arrived from Co Wexford around 1800<sup>11</sup>. Traces of their former presence in Coolcullen are easily found. There are some fine period houses. There is also the Church of Ireland place of worship, Mothel parish church. Opposite the former rectory there is a thoroughfare called Protestant Road.

Prospect Hall on that road was the home of William Tyndall, grandfather of the scientist John Tyndall, FRS (1820-93)<sup>12</sup>. Today the decline in the Protestant population is reflected in the fact that only about 15 persons attend Sunday services at Mothel<sup>13</sup>.

Coolcullen was subject to violence in the 1840s. The most serious case was the murder of Matthew Brennan in 1844. Along with his brother, he had in the early 1840s taken a holding, near Mothel church, previously occupied by Thomas Purcell who had been ejected. It seems that this ejection was executed very shortly before SK commenced the Frankfort agency. In the SK correspondence, the earliest mention of the murder is in a letter from Matthew's brother Michael, written at "Milfall"<sup>14</sup>, and postmarked Leighlinbridge, 26 November 1844. The letter complained that "the murder was plotted" locally at the house of Michael Purcell, brother of the ejected Thomas; that the locals knew "the guilt of the parties" but would not give evidence "to convict them" on account of "the bad feeling of the majority of the tenants ... whose native feeling is for the assassins"; that "very few attended the funeral"; that "the demons rejoice"; that he did not believe that "their thirst for blood is yet satisfied" as he heard "trets daily"; that "the land is under continual trespass" and that he could not "go there [from "Milfall"] without the police under the sneers of every person I meet"; that the matter did not seem to bother Frankfort<sup>15</sup>.

Where the Brennan brothers had originally come from is uncertain. That they had not hailed from some other part of Coolcullen is suggested by Michael's observation, in his letter of 26 November 1844, that "the courpse [corpse] was delayed in Coolcullen for one night". Furthermore, the fact that the letter is postmarked Leighlinbridge rather than Castlecomer suggests that they may have been Carlovians. The murder of Matthew Brennan is still remembered in the folklore of Coolcullen. However, although some locals can point out the location of Michael Brennan's house, and exactly where the murder of Matthew took place<sup>16</sup>, it seems that nobody in the district knows when the murder was committed - merely "a long time ago".

Background to the enmity against the Brennans is revealed in a letter to SK on 1 October 1845 from Thomas Purcell, who had been ejected circa 1840 "by the late Agent Mr Devereaux". Thomas referred to

that farm in Coolcullen out of which Mr Devereaux ejected me, at which time my father lay on his death bed, being feeble, and worn out with age. He was then dragged from his bed, and laid on the dunghill ... to perish .... I was obliged to carry him on my back to the first cabin I could find shelter in, and then to another, and in a few days death relieved him of his

suffering .... My Father ... before his death settled his children leaving me ... the Coolcullen farm .... My [subsequent] arrears were not more than that of very many of my neighbours ... some of which were ejected and dispossessed as well as me, but they were allowed compensation for the improvements they made, while ... I received no allowance whatsoever. But Mr Devereaux held out the promise of giving the land to me again .... After "Brenan" got possession of my land, Mr Devereaux ... requested of Brenan to give up the land to me .... My request of you is that you will ... do me justice in restoring to me my farm .... If not, I request of you to give it ... to another tenant which I will propose.

Note that these complaints of the evicted tenant, Thomas Purcell, were dated 1 October 1845, and that this was close to a year after Michael Brennan had informed SK that "the four Purcells were together the night before the murder at Michael Purcells house" and that they were implicated in the murder. The essence of Thomas Purcell's letter was that if the lands were not to be returned to him, then they should not be left in Brennan's hands. This reveals a sense of hatred, or merely local unity against aliens who sought to rent land which had previously been held by a local who had been ejected. But Michael Brennan's problems did not cease with his brother's murder.

The fact that one of the Purcells - Michael - held land which was surrounded by Brennan's holding (the former holding of Thomas Purcell) accentuated enmities between Brennan and the Purcells, and led to further confrontations. On 14 December 1844 Diamond wrote to Kincaid stating that Michael Brennan (who did not yet reside on the holding under dispute) had recently complained to him: "He lost a two year Heiffer in value about £6 off his farm .... He also states that his fence is thrown down [and] gates thrown open & broken. [He] can get no man to Herd on the farm. He says if Michl. Purcell is allowed to live as he is in the centre of his lands he cannot hold the farm as it was in his house that the murderers of his brother lodged the night before .... [They] are daily lurking after his own Life". Diamond's suspicions on the identity of the murderers were similar to those of Brennan. Diamond also saw that Frankfort's authority might be undermined if intimidation or murder were tolerated. On 31 December 1844 he wrote to SK:

Respecting the murder of Mattw. Brenan there is nothing publickly known althou the parties concerned are well known to all in our Neighborhood and are Backed by manny on the Estate .... It is reported that Ed. Holbrook made an offer to you of ten shillings per acre of Willoughbys Bog and he is in great fier of his person on account of such Report, as

Samuel Willoughby is in the habit of keeping lower company .... Serve Ml. Purcell with a Notice [to quit] .... It will show your determination to support Ml. Brennan and to maintain Lord Frankfort's Rights .... I do not go out without being prepared to meet friend or foe .... Ml. Brennan has got a Gun and has a Police Man with him when he visits his farm.

On 8 January 1845 Diamond wrote to Kincaid that the sergeant at Coolcullen police barrack had gone to Borris in Carlow, and had taken Patrick Purcell to Castlecomer where, when "Capt Roberts [Justice of the Peace<sup>17</sup>] read his inditement, Purcell fainted in the office". Diamond added that "Patk. Purcell is Lodged in Kilkenny Goel for the murder of Mattw. Brennan". On the following day Diamond informed Kincaid that "Ml. Brennan had engaged a man to Herd ... his farm and before the man came he was served with a Notice not to go on pain of his Life, the figure of a Coffin on the Notice and marked with blood".

Two people -- Patrick Purcell and a "servant boy" -- were arrested in connection with the murder. The Kilkenny solicitor, John Maher, was anxious to obtain convictions, but Frankfort's lack of interest disgusted him. Like Diamond, he saw that such indifference was contrary to his Lordship's interests. On 7 February 1845 Maher informed SK: "I wrote a very strong letter, to Lord Frankfort, about this murder .... The Tenantry, seeing Lord Frankfort takes no notice of it ... are glad it occurred in the hopes that no one else will interfere with ground, if they should refuse to pay rent". In a letter to SK dated 16 February, Maher noted that "Frankfort has not answered my letter". On 28 February he expressed his frustration to SK: "Capt. Roberts ... has been doing all man could do, to get Information, but when persons see the Lord of the Soil, Indifferent, to such cold blooded murder ... they all become the Same .... Roberts has the two men in Custody, who committed the murder, but none of the 9 men, that were looking on, will speak". In fact, the unwillingness of witnesses to give evidence led to abandonment of the case. On 4 March 1845 Maher wrote to SK: "Capt. Roberts was obliged to discharge Purcell, and the other Prisoner, charged with the Murder of Brennan".

Michael Brennan again had problems with one of the Purcells during the Summer of 1845. Recall that Brennan's holding surrounded that of Michael Purcell. This led to conflict in regard to access. Thus, on 12 May 1845 Diamond reported to SK: "Ml. Purcell summoned Brennan to Court for not allowing him to pass through the midst of that field [on Brennan's holding] that Mtt. Brennan was murdered in. Ml. Brennan summoned me and I took him to an attorney and asked him to have it left to an arbitration. It was left so, and Mr Gordon [an important tenant] was named by Purcell and I by Brennan .... We could not agree and called John Comerford [also a tenant on the estate] who ... said that he was

in fier to speak his mind freely and beged leave". Both Brennan and Purcell swore that they would abide by any decision which the two arbitrators, Diamond and Gordon, might ultimately reach. On 26 May, Diamond informed SK: "We allowed Purcell to take his manure through that field that Mat Brenan was murdered in through a part that was not ploughed .... [But] when Purcell came to draw his manure he took it through the potato land and not in the place we apointed regardless of his Oath".

At the end of May 1845 Brennan had not yet moved into the house on his holding, but he intended to do so soon. Fear for his life meant that he wanted police protection, which SK seem to have arranged. Thus Diamond, in his letter of 26 May 1845 to SK, continued: "Brennan has not got his House in full repair .... He was very thankful to you for your goodness to him. He has spoke to Capt. Roberts who will send the Police .... Capt. Roberts also told him to summons Purcell for the breach he made in breaking his oath". What happened next is indicated in a letter from Brennan to SK, 30 July 1845, in which he reported: "Some time since I took the liberty of writing to you ... of my intention to live here [on the holding once occupied by Thomas Purcell] ... I have two police with me .... I have to find them only with fuel and candle light .... As to the difference with Purcel it was arranged by the Magistrates that he should not trespass on my land again but he ... continued to do so, for which he was fined or in default thereof to go to jail for one month which he chosed and on tomorrow he returns home. Two of his brothers are ... employed by John Clear on my bounds .... The Police and me are apprehensive of an attack from them".

The SK correspondence provides no more references to intimidation or violence against Michael Brennan, who was apparently alive on the estate in 1850<sup>18</sup>. As already indicated, both Diamond and Maher feared that Frankfort's indifference to the murder of Matthew Brennan, and failure to convict, would weaken his authority and that of his agents. This seems in fact to have been the case. Thus, on 1 September 1846 Diamond reported to SK: "Last night Richard son to James Comerford came to me for arms to protect his Fathers House & I gave him three Pistols loaded". On 7 November 1848 Matthew Sankey, an employee of SK, wrote that he hoped that Diamond's "fears for his personal safety are only imaginary". Earlier in the same year (1848) William Sherriff, another employee of SK, had written<sup>19</sup> from Coolcullen: "I was but a short time here when I was led to think the Tennantry ... were regularly combined against the full payments of Rents .... Since the Murder of Brenan, at which revolting deed many of them still rejoice, they seem to think Coolcullen their own".

It seems that SK got rid of some of the Purcells in 1848. Thus, in one of his few surviving letters to SK, dated 21 March 1848, Frankfort wrote "relative to the Purcells. I assent to your recommendaytion for giving £50 to get rid of them". The Griffith



*Valuation* of 1850 lists two Purcells on Coolcullen. They were William and Michael. The latter was probably the Michael Purcell with whom Michael Brennan had been in conflict.

## **Other Developments on Coolcullen**

### Improvements

In the SK correspondence, the earliest letters from Diamond date from the Summer of 1844. Their main concerns were assignment of turf banks to the tenantry and repair of bog roads. Diamond reported that some of the tenants with large families were cutting as much turf as possible, not only for their own use, but also for sale. However, with the prospect of payment of rents in mind, on 3 July he wrote to SK: "If you are pleased to allow the tenants to sell turf this season all will go well". Improvements on Coolcullen in 1844 were negligible.

Early in 1845 SK sent to the estate an agriculturalist named William Cathro. He stayed for three months, supervising small-scale drainage works. On 15 January he wrote to SK: "I have been through most of the ground but I find it in a very bad state [state] with water". The implements for drainage work were sent by SK and were given on loan to the tenants, who received work allowances toward in their rents<sup>20</sup>. Diamond was worried that some of them might be stolen. On 29 January he informed SK: "I am troubled very much by a grope ... that lives near the Bog. All thieves & Beggars". Some implements were missing a few months later. On 28 April, Diamond wrote to SK: "I have went through the tenantry and cannot make out all the Draining tools". On 14 August he reported to SK: "There was four Picks given out that I could get no account of".

Apart from drainage, Cathro also sought improvements in the crops sown by tenants. On 7 February 1845 he wrote to SK: "I have proposed to the tenants that I would get an Early Kind of Oats for them .... They are all anxious for them. I wrote to Mr Drummond [seedsman in Dublin] about them". Cathro had turned his attention to turnips by 10 March, when he wrote to Kincaid: "The tenants ... have all Promised to sow Turnips. I have got a Box made for them that will sow turnips for them very handy. It is impossible for them to farm there [their] land [properly] as they have nothing to work it with .... I hope you will allow them Turnip seed from Dublin". On 9 April 1845 Diamond informed SK that "Cathro [is] now making ready to go [off from Coolcullen] and he asked me to say something of him .... He knows his business well [and] in every part pleased the people well".

During the Summer and early Autumn of 1845, Diamond supervised roadworks on the bogs as well as small-scale drainage work<sup>21</sup>. It seems that the tenants were still remunerated for labour by means

of rent allowances<sup>22</sup>. However, following the failure of the potato in the Autumn of 1845, the small number of men working on a private road were paid in cash. Early in November they were paid ten pence per day. The hire of work-horses cost three times as much - two shillings and six pence each per day.

Cathro returned to Coolcullen, for a few months, in March 1846. One of his main tasks was construction of useful roads. On 22 March he complained to SK that "they will not work for me if they are not payed every week". At the beginning of May the workers hired by Cathro were paid one shilling per day. Cathro also sought to encourage the tenants to improve their husbandry. Thus, his letter of 22 March informed SK: "Most of them will sow turnips if you Incurage them by sending down seed .... Pleas to send down the quicks [for hedgerows] as fast as possible".

Cathro left Coolcullen, and the private road works were suspended, in July 1846<sup>23</sup>. The SK correspondence does not reveal why the works were stopped at a time when they were needed most. But there is evidence that Frankfort felt that he could not afford such works. It does not seem that any private or public works were in progress on Coolcullen during the last five months of 1846. Thus, distress was extreme in the weeks immediately before the usual period for harvesting and, following the potato failure, throughout the remainder of 1846.

At the time of the cessation of private road works during the Summer of 1846, Rev Graves of Mothel Rectory had written to SK "on behalf of the tenants and labourers on Lord Frankfort's estate", requesting that those useful works be recommenced<sup>24</sup>. On 5 October, Samuel Gordon, one of Frankfort's most important tenants, wrote to SK: "Public works can be had for Coolcullen ... if timely application be made by proper agents .... It is therefore hoped you will not disregard this important business, and if such grant be obtained, ... a continuation of the line of road made last summer by Mr Cathro ... would open a communication thro' some hundred acres now nearly barran for want of means of improvement" (firstly, access).

On 17 October 1846 Graves informed SK that "a sum of twenty thousand pounds was presented [i.e. proposed] at the [Presentment] Sessions<sup>25</sup> of Castlecomer, yesterday, for the purposes of drainage and other agricultural improvements, in addition to a very large sum for public roads". He continued: "You are aware of the steps to be taken by each proprietor, to avail himself of the benefit of this presentment .... Your application should be made as soon as possible".

On 2 December 1846 Gordon wrote to SK: "Distress prevails here to such extreme that my neighbours came to me for work and if I did not give employment ... intimating [that they] would take my cattle .... I am forced to employ to make drains .... We have

lost some fowl and most likely, [they] shall take our cattle as they have already done to our neighbours .... We have not yet been nor likely to be favoured with [public works] employment". Another important tenant, James Woodcock, wrote to SK on 26 December 1846:

There will be an extraordinary presentment Sessions held in Castlecomer on the 31st .... You should deem it prudent to present to move at the same Sessions for the drainage of the land, which of course would benefit the Landlord & Tenant, and also the unemployed who are on the verge of Starvation .... They are not Tolerated to work out of the Townland, being opposed by other Labourers, and as there has been no Public Work commenced here yet, Property is not save [safe] .... It is therefore requisite that Public Works be presented for at the ensuing Sessions to avert this impending danger .... Those works may prove of very little benefit to the landholders, who are to feel the Smart [i.e. cost] of it by & by .... Drainage is what will prove advantageous .... I have been influenced by the feeling of humanity to give money out of my Pocket every day to prevent persons from falling victims to hunger.

From the foregoing, in the Autumn and early Winter of 1846 (a period in which no private works of significance were in progress on the estate), it seems that SK failed to press for publicly financed works on Coolcullen. This may have been because Frankfort was concerned about the local property tax implications of public works, if they were to be implemented.

The SK correspondence provides no evidence of improvements on Coolcullen in 1847. But the year which followed probably saw more improvements on the estate than in any previous year. William Sherriff came in 1848 to supervise those works, which were completed in September. On 19 February he wrote to SK about the neglected state of Coolcullen: "I was quite ignorant of the wretched state of misery and privation of both labourers and occupiers .... It would be most desirable that the men would be paid weekly as their want of the necessaries of life so much require it .... Never have I ... witnessed the existence of such a state of neglect and want of improvement as the entire of Coolcullen lands".

At first, Sherriff found difficulty in hiring labour. This he attributed to combination, and to the adverse effects of outdoor relief (i.e. local authority relief of distress, given outside the workhouses under the Poor Law as recently revised) on incentives. On 12 February 1848 he reported to SK: "I cant get enough of labourers to do the Work. There is employment for 50 Men at present. Several of them tryed it, and when they found

that they could not get money without working hard for it, walked off .... I will give notice to the person who gives out the relief money to give no more to any one in Coolcullen". A week later Sherriff informed SK that he had "got the Combination broken up completely .... At first I was inclined to think that the cause of the labourers not pressing on to the work proceeded from a lazy disposition, but I now find ... they are inclined to work, and prove good labourers".

The improvements on Coolcullan in 1848 consisted of drainage and sub-soiling. They were financed mainly by a loan of £550 under the Landed Property Improvement Act. But the extent of the work should be placed in context. There are over 3,200 acres in Coolcullen, and Frankfort owned almost all of them. The sum spent -- about £570<sup>26</sup> -- probably had an overall impact that was not substantial. The Board of Works inspector allowed from £3-15-0 to £4-11-0 per acre of improved (mainly drained) land<sup>27</sup>. Thus, not much more than 150 acres of Coolcullen could have been directly affected by the improvements of 1848.

#### Rent Receipts

Griffith's *Valuation*<sup>28</sup> of 1850 lists the names of about 70 of Frankfort's tenants on Coolcullen. Very many of those names appear in the correspondence of 1844-48. The letters contain no references to distraint on Coolcullen. Until 1848, they provide no evidence that SK ejected any tenant from the townland.

On 2 June 1845 Diamond wrote to Kincaid: "You may not expect ... good payments in future from many of the tenantry for ... many would wish to run further in arrears, as the[y] say that there is an act to pass for no tenant to be evicted". On 12 June he reported: "I visited every house on the Estate and told those who did not pay me what the[y] might expect". On 18 June he informed SK: "I will do all I can to get the Rents but I am of opinion that I will get but littel until the Piggs and Butter is selling". He was optimistic on 14 August, when he wrote that "the tennants are all prepairing to pay their Rents .... Potatoes never looked so well since I came to this country". But late in September he stated that "the Potatoes are in many places blasted".

There is no clear indication of how successful SK were in collection of rents from the Coolcullen tenants in the Autumn of 1845. On 15 December, however, Diamond informed SK that he would "meet the tennants in Kilkenny [City] as they come home from the fair of Bennets Bridge and will send in all the Rent".

The potato failure of the Autumn of 1845 began to have a significant impact on rent receipts in the first half of 1846. This is apparent in the earliest letter from Frankfort in the SK

correspondence. Thus, on 2 July 1846 he wrote to SK: "I am ... short of money and find you have made but two remittances on the 2 of Feb & 27 of April .... Remitt as soon as possible & make good the regular periodical two monthly remittances". The decline in rent receipts, which had become obvious by mid-1846, probably explains why the private works, supervised by Cathro on Coolcullen, were abruptly suspended in July 1846. This was presumably in response to instructions from Frankfort.

On 5 August 1846 Diamond reported to SK: "Our Potatoe Crops are almost all distroyed". Rent receipts further deteriorated following the potato failure of 1846. On 24 September, Frankfort complained to SK: "The usual remittances for this year have all been long after the periods agreed .... Also they have fallen short of the averages of last year".

On 10 November 1846 SK informed Frankfort: "We have very recently been on your Estates in Cavan and Kilkenny & ... in both the rents were very badly paid. This time twelve month we got in Kilkenny £800 this time only £300". On 12 November, Frankfort responded by asserting that "the tenants must not be allowed to Humbug [i.e. to deceive] -- it is only the Poorest that are suffering & that not so bad as is stated". Thus, his Lordship did not understand what was happening in Ireland.

On 9 September 1848 Sankey wrote to SK: "With respect to the 3 Tenants in Coolcullen against whom we have ejection decrees, I do not think any of them will be able to hold & would therefore advise your giving them the following sums: Mrs Clear £15, Ja's Brennan £10, Peter Quirk £10". In Griffith's *Valuation* of 1850, neither James Brennan nor Peter Quirk are listed as tenants to Viscount Frankfort on Coolcullen. The *Valuation* does, however, list a person named Anne Clear on the estate. That Peter Quirk was in fact ejected is indicated in a letter to SK dated 6 November 1848 from Rev Delany, the Catholic curate responsible for Coolcullen, who wrote as follows:

I am directed by the Rev Mich'l Birch P.P. Mucalee [Muckalee] to request of you to inform him thro me, if Quirk ... who had been lately put out by the sheriff, would have any chance of his land again by paying up all arrears & cost of ejection process. Quirk has stated that he proffered the money required by a Mr Sankey & that he still w'd not be allowed to continue the possession .... Mr Birch is not inclined to believe him tho he produced a slip of writing ... requiring the sum of 9£ 19s 3d. It appears to us that there must be more arrears due, as Viscount Frankfort & you his agents enjoy (from the industrious portion of the tenantry ...) the character of humane & tenderhearted gentlemen.

Calculations entered on this letter, following its receipt by SK, suggest that at the time of his ejection Quirk was almost £22 in arrears. The letter also suggests that any tenants ejected from Coolcullen during the late famine years were in substantial arrears, and were not considered viable in the long run.

On 7 November 1848 Sankey wrote to SK: "I think that Dimond should try & make those who are now left as caretakers leave the Estate and pay the money agreed upon [as compensation either for improvements or for peacefully leaving]. The case of Shirley ... should also be considered .... Unless his Rent is reduced he has determined to leave .... Being a Protestant & a respectable man he should be encouraged" to stay.

At least one important tenant on Coolcullen, Samuel Gordon, was in serious difficulties in January 1849, when Stewart wrote to Kincaid: "Get rid of old Gordon or come to some settlement with him". The Griffith *Valuation* of 1850 indicates that Gordon was then still a tenant to Frankfort, on 61 acres in Coolcullen.

The SK correspondence contains only two references to emigration from Coolcullen. In March 1846 Diamond informed SK that "Leary says that he will go to America". Griffith's *Valuation* lists no person named Leary on the estate in 1850. On 13 May 1847 Stewart wrote to Kincaid: "Has Major Diamond ever reported if Crowe will give up and go to America. If not we should Eject him". This passage indicates that "voluntary" surrender of tenure, combined with financial assistance to emigrate, were not independent of a decision to seek ejection. No tenant named Crowe is listed on Coolcullen in the *Valuation* of 1850.

### **Other Frankfort Properties in Kilkenny**

Apart from Coolcullen, Frankfort owned other properties in Kilkenny City and County. Thus, he owned buildings in the city as well as land at Keatingstown, a couple of miles to the north.

Keatingstown is 733 statute acres in extent<sup>29</sup>. In 1845, and at a salary of £12 per annum<sup>30</sup>, Mark Shearman was the local agent on the townland. He was assisted by his son Robert, who became local agent in 1847 or 1848. One of the earliest letters in the SK correspondence which appears to pertain to Keatingstown, refers to an attempt to obtain an ejection decree against a middleman. In this letter to SK, 28 July 1845, John Maher wrote as follows: "I sent you a newspaper, where the report of the Tryal of this Ejection was reported of Lord Frankfort against Costello. Mr O Gorman rated one Service of the Copy of the Ejection to be bad, because, the person served was a Sister of one of the undertenants, and as she was served outside the Dwelling House, and Shearman not been able to swear whether the woman resided in the house or not, the Barrister ... held the

Service ... to be bad".

On 5 October 1846 Sankey informed SK that "several of the Keatingstown men asked if you would allow for drains as they intend spending their time at that work having no potatoes to dig .... A large number of labourers collected in Kilkenny [City] on Friday demanding work".

The Shearmans experienced severe distress during the famine. On 23 November 1846 Robert Shearman wrote to SK requesting use of influence at the Board of Works "for me to get Employment ... as one of the clerks or gangers on any of the roads here as I am totally Idle". On 16 December he informed SK: "My father and family are in great want .... Unless Gentlemen your so kind as to send some relief to us or a Quarters Salary [in advance] we must starve". SK immediately sent £3 to Mark Shearman. On 20 December 1846 he wrote to SK expressing his thanks. In the same letter, he stated that his son Robert had just obtained employment as an overseer on the public works. In this context also, he thanked SK. How long Robert Shearman was employed on the public works is unknown. However, they were phased out in 1847.

On 7 April 1848 Robert Shearman wrote to SK stating that he had "3 quarters of an acre of lands without Crops. I trust you will consider me & assist me with a quarters Salary for provision and Seed .... I am totally idle ... not Earning one Shilling but Depending on a Small Salary". SK quickly responded by sending the Shearmans £1 to purchase seed. On 12 April the Shearmans explained to SK that this money would have to be used to buy food for the family "consisting of seven", some of whom "had to forfeit their clothes to get food". A further letter to SK, dated 19 April and signed by Mark and Robert Shearman, requested advance payment of "the quarters Salary to the 1st August" in order to enable them "to get some Seed potatoes". SK's response is unknown. However, it seems that Robert Shearman did survive the famine. Griffith's *Valuation* of 1849 lists him as a tenant to Viscount Frankfort on Keatingstown.

There was some distraint on Keatingstown in 1847. Thus, on 1 September 1847 Robert Shearman reported to SK: "I send you an Inventory of the Stock & Crops distrainted on 30th ...: James Houghrahan [Hourigan], 2 Cows, 1 Heifer & 27 Stacks of wheat ..., 12 stacks of oats .... John Bergin, 9 cows of grazing stock which were removed on the night of the 31st". Both Hourigan and Bergin are listed as tenants on Keatingstown in the Griffith *Valuation* of 1849. Properties of at least one of Frankfort's tenants on Keatingstown, and of at least one in Kilkenny City, were distrainted<sup>31</sup> in 1848.

Some ejectment decrees against tenants on Keatingstown were obtained in 1848. Whether they were executed is unknown. In one

case an attempt to obtain a decree failed on a technicality. On 12 July 1848 Robert Shearman wrote to SK: "The process cases went on well here .... All were decreed. Except Lawrence Nearys .... On his Attorney producing all his mothers receipts & even the last one being in his mothers name, the Barrister on this dismissed the process on the grounds that he was not the real tenant but his mother which is dead since March last. He .... boasts now that he will not pay a penny rent out of this [year's] crop. So what is to be done now. He has 2 cows, 2 Horses & 5 pigs, besides 3 Acres of wheat & 4 of oats". On 16 September 1848 Robert Shearman informed SK: "I have distrained Lawrence Nearys property". It seems that Neary managed to remain on the estate: he is listed on Keatingstown in the Griffith *Valuation* of 1849.

There was some emigration from Keatingstown in 1848. On 17 February, Robert Shearman wrote to SK that "John Kavanagh ... & Patt Campion is ... going to America. Kavanagh is offered 40£ for his good will & Campion is offered 80". On 14 August, Shearman informed SK that Campion and his family had left the estate. On 25 September, Shearman reported to SK: "Kavanagh has given me possession of his Land ... He has scarce as much as will pay his passage". It is not known whether SK provided Campion or Kavanagh with any assistance to emigrate. Nobody of those names was a tenant to Frankfort on Keatingstown in 1849.

### **Closing Observations**

Taken in conjunction with the material on the many estates throughout Ireland managed by SK, discussed in the draft of *Landlords, Tenants, Famine*, the foregoing leads to the following conclusions.

First, intimidation and violence on Clooncullen in the 1840s was probably more frequent and more serious than on a majority of the other estates then managed by SK. The SK correspondence on other estates managed by the firm does contain references to threatened murder of individuals deemed to be "land-grabbers". It also contains many letters referring to actual or threatened physical injury to other parties. The SK correspondence, combined with research into police reports of 1847-8 and maps, have in fact led this author to conclude that both the police and modern historians have erred in regard to the location of the most famous murder of a landlord during the famine years - that of Major Denis Mahon in Co Roscommon in 1847<sup>32</sup>. But although the shot which killed him may have been fired from land for which SK was agent, that firm was not agent to Mahon. Within the SK correspondence, the files on the Frankfort lands in Kilkenny are alone in their references to a case in which a person to whom SK had some responsibility was definitely murdered in the 1840s. Compared to Frankfort's Coolcullen, it seems that intimidation was relatively more frequent on only two of the estates managed



by SK - those of Daniel Ferrall and of the Marquess of Westmeath, both in Roscommon.

Second, until 1847-8 SK's response in Co Kilkenny to tenants in arrears of rent was in one respect similar to that applied on estates elsewhere managed by the firm. On those other estates until 1847, the firm usually sought to distrain assets rather than seek formal ejectment decrees and have them executed. Until 1848 there is no evidence that anyone was ejected by SK from Frankfort's Coolcullem estate. Surprisingly, there is no evidence that any of those tenants had assets distrained during those years. On estates throughout Ireland in 1847-8, many tenants who were hopelessly in arrears were insolvent: they had virtually no assets which could have been distrained. SK therefore decided to get rid of many of them. Even then, the firm usually sought "voluntary" surrender of land in return for "compensation" upon peaceful departure, rather than formal ejectment terminally executed. This saved the firm both time (several months from service of a notice to quit until execution of a decree) and money (Court and other legal expenses). In many cases on estates managed by SK, this "compensation" took the form of a contribution, in whole or in part, toward the cost of passage to America, and sometimes contributions toward purchase of clothing to enable almost naked former tenants to travel. By way of contrast, although the relevant files on the Frankfort estates are relatively thin (compared, for example, to the huge amount of material on the Palmerston estates in Sligo for which SK were agents), it seems that there were relatively few departures from Frankfort's Kilkenny lands in the late 1840s. Very many of the family names there in the 1840s were still on those lands at the end of the nineteenth century. (Compare this situation to that on the Mount Blakeney estate of Gertrude Fitzgerald near Charleville. On her behalf, in 1847-8 SK assisted many of the tenants there, who were insolvent, to migrate or emigrate; in consequence, most of the pre-famine family names there seem to have been replaced by the early 1850s.) Unlike other proprietors for whom SK acted, there is no evidence that Frankfort assisted in famine-period emigration to any significant extent. Furthermore, "compensation" given to those departing from his lands was probably relatively small. It may of course been the case that Frankfort could not afford such outlays.

Third, unlike some of the landlords who SK represented, Frankfort does not seem to have been either progressive or particularly humane in regard to his Kilkenny tenants. Some of the SK proprietors such as Jane Coleman, who resided in England but whose Irish estate was in Co Kildare, were outright benevolent. Others such as Palmerston, or John Hamilton in Donegal, spent truly massive sums in the 1840s on improving their estates. Some of SK's clients closely monitored improvements and other developments on their estates. Frankfort, whose main concern

seems to have been with prompt extraction of rents, did not. Initiatives for implementation of improvements on some of the SK estates came from proprietors themselves, rather than from SK. Those behind the relatively small-scale improvements on Coolcullen during the 1840s appear to have come from SK rather than from Frankfort. In fact, commitment to spend monies on improvements was almost certainly embodied in SK's contracts with its client proprietors. Thus, developments on the lands of those proprietors may not have been representative of what was happening on most other estates in Ireland during the 1840s.

### **Acknowledgement**

I thank the Graduate School of Business at University College Dublin for financial assistance in the larger research project from which the present article is drawn.

### **Notes and Sources**

1. Bernard Burke, *A Genealogical and Heraldic Dictionary of the Peerage and Baronetage*, London 1892, pp. 559-60.
2. *Return of Owners of Land ... in Ireland*, Dublin 1876, pp. 4, 37, 218.
3. William Nolan, *Fassadinin: Land, Settlement and Society in Southeast Ireland 1600-1850*, Dublin 1979, p. 168.
4. *The Parliamentary Gazetteer of Ireland*, Vol. D-G, London 1845, p. 224; *General Alphabetical Index to the Townlands ... of Ireland*, Dublin 1861, p. 457.
5. A letter of early 1842 indicates that rents recently received from Frankfort properties were as follows: Cavan, £489; Carlow, £910; Dublin, £514. The letter does not mention the Kilkenny estate. See letterbook copy of SK to Frankfort, 15 February 1842, in the Pakenham archive at Tullynally Castle, Co Westmeath, documents M/33. I thank Thomas Pakenham, the present Lord Longford, for permission to consult this archive. Frankfort was not listed as owning and land in Dublin City or County in 1876: see note 2 above.
6. Jeremiah Scully to SK, 3 April 1846.
7. John Leehy to SK, and William Kinsella to SK, both dated 6 June 1846.
8. *County of Kilkenny, Barony of Fassadinin, Unions of Castlecomer, Kilkenny and Urlingford*, Dublin 1850, pp. 80-82.

9. Nolan, *Fassadinin*, p. 167.
10. H. Devereux to Kincaid, 10 October 1843.
11. Tom Lyng, *Castlecomer Connections*, Castlecomer 1984, pp. 333, 336-7; Nolan, *Fassadinin*, p. 186.
12. Norman McMillan and Martin Nevin, "Tyndall of Leighlin: Carlow's Genius", *Carloviana*, Vol. 2, No. 27, 1978/9, pp. 22-27, and "Tyndall of Leighlin", Ch. 2 in H.W. Brock, N.D. McMillan and R.C. Mollan, *John Tyndall: Essays on a Natural Philosopher*, Dublin 1981. Macmillan and Nevin indicate that the FRS was born in Leighlinbridge, Co Carlow - a few miles to the east of Coolcullen. For a general survey, see A.S. Eve and C.H. Creasey, *Life and Work of John Tyndall*, London 1945.
13. Communication by Richard Agar who resides beside the church.
14. Probably "Millfall House" in the northeast of Coolcullen at the boundary with Co Carlow.
15. Further extracts from this letter can be found in Desmond Norton, "Viscount Frankfort, Sir Charles Gurton and County Carlow in the 1840s: Part II", *Carloviana*, Vol. 47, December 1999, pp. 2-6 and 15.
16. That Matthew Brennan was slashed to death was told to me, independently, by John Agar of Coolcullen and Martin Brennan of Muckalee. According to them the murder was committed in a field about half a mile to the southwest of Mothel church. I thank Martin Brennan for showing me the foundations of the house built by Michael Brennan many months after the murder, and (a few hundred yards away) the location of the murder. Today, Martin Brennan's son John farms there.
17. I. Slater, *National Commercial Directory of Ireland*, Manchester and London 1846, Section on Leinster, p. 25.
18. *County of Kilkenny ... Valuation*, p. 81. Taken together, the SK correspondence and the *Valuation* indicate that there were two persons named Michael Brennan on Coolcullen in the late 1840s. They do not seem to have been related. The *Valuation* lists these as "Ml. Brennan (Keeran)" and "Ml. Brennan (Morgan)". It seems that the first named was the person whose brother was murdered.
19. William Sherriff to Matthew Sankey, 18 March 1848.
20. William Cathro to Kincaid, 29 January 1845; Diamond to Kincaid, 29 January and 8 March 1845.
21. Diamond to SK, 14 August 1845.

22. Diamond to SK, 12 May 1845.
23. William Cathro to SK, 4 July 1846; Sarah Cathro to SK, 2 November 1846.
24. Richard Graves to SK, June or July 1846.
25. Late in 1846 a presentment sessions was a meeting of taxpayers at which public works (not intended to benefit any particular proprietor) or reproductive works (which did benefit specific proprietors) were proposed. It was intended that the cost of such works would ultimately be financed by extra taxation levied on the districts in which public works were implemented, or by deferred payments by proprietors who benefited in the case of reproductive works.
26. Matthew Sankey to SK, 9 September 1848.
27. Thomas Butler to the Office of Public Works, 1 September 1848; Sankey to SK, 2 September 1848.
28. *County of Kilkenny ... Valuation*, pp. 80-82.
29. *Unions of Kilkenny and Callan, Valuation*, Dublin 1849, pp. 47, 48.
30. John Maher to Kincaid, 13 May 1845.
31. Robert Shearman to SK, 23 February 1848.
32. See Desmond Norton, "Where was Denis Mahon Shot?", WP01/21, Centre for Economic Research, UCD, September 2001.