

# Opposition to the Payment of Tithes in west Limerick 1821-1838



Tensions in the community with regard to payment of tithes were common in the pre-famine years. Tithes were a money charge on produce of the land for the support of the Established Church in Ireland. The 1735 Tithe Act removed the charge from pasture except for sheep farming. As a result, many landlords did not have to make any payment, so the burden fell heavily on tillage farmers and those at the lowest end of the social scale, small farmers and labourers with their potato gardens. Following the end of the Napoleonic Wars in 1815, prices obtained for farm produce declined due to a fall in demand. This caused major economic hardship, as rents remained high from the pre-1815 period. Sectarian tensions were also strong in the early 1820s, fuelled by the popularity of the prophecies of Pastorini, in printed and written handbills, that had a widespread distribution and that foretold the destruction of Protestantism by 1825.<sup>1</sup>

With ninety-six per cent of the population of west Limerick Roman Catholic, the payment of tithes caused much bitterness in these years of economic downturn, as it was to support a church that was alien to the vast majority in the community.<sup>2</sup> The Rockite Insurrection broke out in west Limerick in July 1821 and the issue of payment of tithes formed part of the unrest. These disturbances took place on the Courtenay Estate, southwest of Newcastle. The reason for the outbreak was the actions of the agent, Alexander Hoskins, who increased rents, attempted to collect arrears allowed by the previous agent and dispossessed tenants. As a result of his actions, Hoskin's fourteen-year-old son was murdered by a gang hired by some of the tenants of the estate.<sup>3</sup> The disturbances soon spread to other districts. The causes of the unrest varied from place to place, but the main grievances were occupation of the land, payment of rent, the price and distribution of potatoes, wages and employment, sectarianism and the payment of tithes. The methods adopted were assaults and murders, arson, the posting of illegal notices, the swearing of oaths, damage to property and robbery.<sup>4</sup> Large farmers were the main victims of the attacks.<sup>5</sup> The sources indicate that the Rockites were organized with local committees based on

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a district and were drilled in military formations.<sup>6</sup> They focused some of their attacks on the police and military and raids for arms. Some evidence suggests that Ribbonism had gained a foothold in the area by analyzing the actions, oaths and symbolism adopted.<sup>7</sup> As well as the severe economic climate, the lack of authority in the community was a contributing factor in the disturbances. In the hill-country of west Limerick-northwest Cork, there was no resident landlord from the Knight of Glin's estate on the Shannon to the Ayleworth estate at Newmarket, a distance of sixty kilometers, and the recently appointed constabulary, the Peace Preservation Force, had neither the numbers nor resources to control the unrest.<sup>8</sup>

A major tithe affray took place at Inchirourke, Askeaton, in August 1821, when over 200 armed men, mounted on horseback, assaulted and administered an illegal oath on John Ives, a tithe proctor 'from interfering in tithe business'.<sup>9</sup> The police were waiting nearby having received information and a gun battle ensued in which three insurgents and one policeman was killed. At Kildimo, in early September two tithe proctors were assaulted. A few weeks later, John Corneal, a tithe proctor, was murdered at Ringmoylan, Pallaskenry. According to reports, Corneal had his head severed from his body.<sup>10</sup> Illegal notices were posted at Kildimo, Shanagolden and Pallaskenry over the autumn and winter of 1821-2 with an anti-tithe focus. A notice posted at Ferry Bridge, Kildimo, in October 1821 commanded all adults to attend at Kildimo the following day on tithe business.<sup>11</sup> This period of tithe-related unrest lasted until January 1822. Due to action taken by the authorities enforcing the Insurrection Act from February 1822, the stationing of the new police force, the County Constabulary, in the district and an improvement in the operation of the legal system with the sitting of Special Sessions, outrages fell from March 1822. The number of crimes motivated by tithes showed a similar decline. A number of incidents did take place. In July 1822, a tithe proctor's house was burned to the ground near Ballingarry, while at Tinnakilla, Ballyhahill, in

October 1822, three proctors valuing tithes were assaulted and stabbed by ten men in white shirts.<sup>12</sup>

Tithe issues re-emerged in the autumn of 1823 with an outbreak of unrest focusing in the northwest of the county. At Creeves, near Shanagolden, in September 1823, a man valuing tithes was attacked and stabbed by ten men dressed in white shirts. A few days later, a large party dressed in white lay in wait for tithe proctors at Cloonlahard, Ballyhahill. The proctors received intelligence of this threat and fled the scene. A week later, the proctors returned with police and military support. A party of men that had gathered to resist fled and after a chase a man was arrested. In the years after 1823, tensions in relation to tithes declined, likely as a result of fatigue after three years of unrest and the recovery of prices for farm produce.<sup>13</sup> In November 1823, a Tithe Composition Act was passed that re-introduced tithe on pasture and attempted to fix the rate of tithe per parish for twenty-one years. This was an attempt to alleviate the tithe agitation that took place in the early 1820s.<sup>14</sup> The passing of this legislation met with some success, as by 1830 there were only twelve parishes in west Limerick that were not compounded, but it did not solve the issue.<sup>15</sup>

In late 1830, the tithe issue became a major cause of disturbance in the country.<sup>16</sup> At Newbridge, near Askeaton, in November 1830, shots were fired at a process server during the serving of a court decree for tithe arrears. In the autumn and winter of 1831, anti-tithe meetings took place in different counties in Leinster and Munster.<sup>17</sup> During 1832, the westward movement of anti-tithe meetings can be traced through County Limerick. At Kilkeedy, Patrickswell, in May, at Creora in June and in July 1832, meetings took place at New Kildimo, Kildimo and Newcastle. These gatherings fostered a popular resistance to the payment of tithes.<sup>18</sup> In August 1832, it was reported that there was 'passive resistance' to the payment of tithes at Rathkeale.<sup>19</sup> A month later at Croom, the military were called out to protect bailiffs collecting tithes.<sup>20</sup> At Rathkeale and Shanagolden in late 1832, sales took place of farm stock seized for the payment of tithes.<sup>21</sup> Resistance to the payment of tithes seems to have gained widespread support in west Limerick at this time, for

the *Limerick Herald* on 24 September 1832 published a notice from the Rev. Thomas Locke of Newcastle warning all people to pay tithes. In March 1833, civil cases were brought at Rathkeale court for the recovery of tithes; payment due was a few pence in many cases.<sup>22</sup> Such cases heightened popular support for the anti-tithe campaign. In Kenry barony during 1832-3, local protestant rectors became the focus of personal attacks. In January 1832, an attempt was made to murder the Rev. Samuel Jones at Kildimo; this was due to hostility to the payment of tithes in the locality. The Rev. Langford fled for his life at Kilbreedy, Kildimo, in December 1833 as he attempted to seize stock for tithes due.<sup>23</sup>

Due to hostility to the payment of tithes in the district, notices were posted in the *Limerick Chronicle* in January and February 1834 regarding claims for relief for the owners of tithes in twenty-seven parishes in west Limerick.<sup>24</sup> At Rathkeale on 4 April 1834, there was an attempt to break into the Court House to steal documents relating to a legal case for tithes due at Kilbreedy, Kildimo. The following week, Rathkeale court was informed that over 400 notices had been served for non-payment of tithes.<sup>25</sup> The major incident relating to tithes in west Limerick took place in April 1834. The Rev. Thomas Locke encountered great difficulty in the collection of tithes in the parish of Mahoonagh. By 1834, only two parishes in west Limerick, Mahoonagh and Cloncrew, were not compounded. Locke had been late applying for funding under the Irish Tithe Arrears Act for relief and he appealed to Dublin Castle for police protection for the collection of tithes, and on 19 April 1834, the Dublin authorities ordered the police and magistrates at Newcastle to give support to Locke and his bailiffs. On 28 April, the Rev. Thomas Locke and his bailiffs, supported by military and police, moved into the village of Feohanagh, where 1,000 people had gathered from the local community. As the bailiffs attempted to seize a cow in a field near the village, the police and military were showered with stones and opened fire. Five people were killed and over twenty injured.<sup>26</sup> On Monday 5 May, the coroner's inquest into the incident took place at Newcastle and, as the day coincided with fair day, reports stated the 'town was full of country people.' At the adjournment of the sessions on Monday evening, such was the up swelling of ill-feeling towards the police that volleys of stones were fired at the constabulary at Bridge Street. The windows of Chief Constable Grant's house were badly damaged by stones thrown by the crowd. The military forces stationed in the town were called out to restore order.<sup>27</sup>

Throughout the years 1835-6, further tithe clashes were recorded. At Dunaman, between Adare and Croom in September 1835, farm stock was seized from Michael Flaherty, described as 'a wealthy farmer' by the Rev. Edward Crozier.<sup>28</sup> At Castlemahon, in November 1835 two tithe

proctors for the Rev. Thomas Locke were attacked and fled for their safety and were given protection in the houses of a local small farmer and labourer. Two weeks later, the dwelling houses of these tenants, Patrick Lane and John Guiry, were maliciously set on fire.<sup>29</sup> The posting of threatening notices not to collect tithes resumed in 1835-7. At Ballingarry in September 1835, a threatening notice was posted on the chapel gate warning against collecting tithes. As a result local tithe proctors, John and Michael O'Grady, stopped collecting. A notice posted on the chapel gate at Cappagh in January 1836 warned that any person paying tithes would be murdered. A threatening notice at Kilcornan in December 1837 warned Ralph Drew, cattle driver for the Rev. F. Langford, not to collect tithes.<sup>30</sup> Tensions were high in these years in the parishes situated between Adare and Newcastle. In February 1837 at Gurteenabrack, Cappagh, three men dressed in women's clothes called to the house of Roger Sheehy and inquired if he had seen tithe proctors on the lands. A month later, a group of men assembled at Graigue, Cappagh, to prevent cattle being distrained for tithes. However, the proctors did not appear.<sup>31</sup> At Grange, Knockaderry in January 1838, goods seized for the payment of tithes were taken to Newcastle under military protection. At Newcastle in March 1838, there was a tithe sale of a horse seized by the Rev. Curtis of Rathronan from farmers named Haugh. The town of Newcastle was described as 'densely crowded' and seventy police were present and the military were on standby in case of disturbance. In May 1838 at Carrowmore, Cloncagh, four people were arrested for assaulting three men serving tithe processes.<sup>32</sup>

In July 1838, the Irish Tithe Bill, which converted the tithe to a charge payable in the rent to the landlord, was passed through parliament.<sup>33</sup> This brought about an almost complete cessation in incidents regarding tithe. However, the statute of limitations for civil cases of monies due had not passed and an incident did take place at Shanagolden four years later in January 1842. Four cows were seized from Mortimer Hishon by the bailiff for the lay proprietor of Kilmoylan parish for tithes due from the years 1832-4. The cows were driven to Shanagolden for sale and, as the news spread, thousands of people gathered in the village. The word 'tithes' was painted in large letters on the bodies of the animals and the place was described as a scene of considerable excitement. The bailiffs, no doubt under severe pressure, stated that Hishon 'was acquitted of the debt' and the cows were returned to him.<sup>34</sup> In the following years, with tithes removed from being a direct payment to the Established Church, it was no longer an issue that caused tensions in the community.

The part played by the catholic clergy in the anti-tithe campaign was considerable. In 1832, the parish priests of Crecora, Kildimo and Newcastle were

present at the anti-tithe meetings held in those parishes, while the meeting at Patrickswell was held in the catholic church. At Rathkeale in June 1836, Thomas Hogan, the parish priest, chaired a meeting calling for the abolition of tithes.<sup>35</sup> Another matter that needs to be examined is who were the main activists of the anti-tithe campaign. This is difficult, as rarely do reports give any hint as to the occupation of those involved. However, some information can be obtained from the sources. Looking at the affray at Askeaton in 1821, with over 200 men mounted on horseback, it seems likely that many were from the farming community. But as some in the party were described in reports as 'misguided wretches,' this suggests these were members of the lower classes. With such numbers present, the party likely composed a cross section of the community.<sup>36</sup> In a tithe incident near Ballyhahill in September 1823, a man arrested named Maurice Joy was from a farming household of 289 acres.<sup>37</sup> Moving into the 1830s, details survive in the parliamentary papers of the landholders in the parish of Mahoonagh, who resisted payment and were in tithe arrears. Of the seventy-eight landholders that can be identified, fifty-two were members of the farming community.<sup>38</sup> The information suggests that farmers were the instigators of much of the tithe unrest in west Limerick in the pre-famine period. As tithe was based on the produce of the land, farmers as a group had more to pay than any other class.

The occupations of the victims of tithe-motivated crime were nearly always stated in newspaper and police reports. Proctors, on thirteen occasions, and process servers, in five instances, those at the frontline of the tithe collection, bore the brunt of the attacks. Farmers were the focus in five instances, protestant clergymen were the victims four times, cattle drivers twice and a small farmer and a labourer once each. These small holders, who held ten acres and four acres, were being good Samaritans in giving refuge to the Rev. Locke's cattle drivers at Shanrath, Mahoonagh, had their houses set alight a few weeks later. Of note was that there was no reprisal against the parish priest of Mahoonagh for giving shelter to Rev. Locke's process server, in the same month, November 1835, suggesting the strong standing of this particular priest and of the catholic clergy in the community.<sup>39</sup>

Crimes motivated by tithe in west Limerick were confined to the years 1821-3 and 1832-8 in the pre-famine era. In the 1820s, incidents regarding tithes were not found outside of the years of the Rockite Insurrection and were primarily local grievances, while in the 1830s, tithe issues were part of a national pattern of resistance to payment. In the 1820s, the unrest was mainly to be found in the district running along the river Shannon, while in the 1830s, the main area of unrest ran from Feohanagh to Kildimo. In the 1820s,

no explanation emerges why this was so, but in the 1830s, the parishes most affected were generally those that were not compounded or that had a robust protestant population.<sup>40</sup> The payment of tithes caused more unrest in September than any other month. These were the weeks that crops were valued and at that stage the issue of the amount of payment became important.<sup>41</sup> Tithe affrays were more violent in 1821-3 and the early 1830s, with more offences of murder and attempted murder. From 1834, tithe offences were of a more minor nature, such as assault and resistance to legal process. This decline in serious crime likely indicates that much tithe was not collected, as due to local resistance most tithe owners had applied for relief. To summarize, serious unrest relating to tithes was not found throughout the pre-famine period. Therefore the issue of tithes was not of great importance to the community. Land occupation, employment, the price of provisions and the payment of the rent were of greater importance, as these issues were at the forefront of grievances that caused much more social tensions during these years.

#### REFERENCES

- Patrick O'Donoghue, 'Causes of the Opposition to Tithes 1830-38', *Studia Hibernica* No. 5, p. 9, British Parliamentary Papers, *Disturbances in Ireland*, vol. 7, 1825, p. 23, evidence of Francis Blackburne [cited hereafter as BPP].
- BPP, *Commission of Public Instruction, Ireland*, 1835. West Limerick is defined as the area bounded by counties Cork and Kerry on the south and west. The parishes of Kildimo, Adare, Kilfinny, Ballingarry and Kilmeedy are the eastern bounds of this district.
- Limerick Chronicle* 28 July 1821, 19 June 1822, [cited hereafter as L.C.]; Donal McCartney, *The Dawning of Democracy*, (Dublin 1987), p. 90. The Courtenay or Devon Estate was the largest estate in west Limerick covering 33,000 acres.
- Illegal notices were hand written notices generally posted in a public place threatening harm on a person or group of people if they did not conform to the writers views. The swearing of oaths was where a person was forced against his will to swear that he would conform to the views outlined by his attackers.
- Large farmers were the main victims of crimes. Arms raids were the dominant crime category in this period and as farmers held arms more than any other class they became the main victims. Land occupation issues were also at the forefront of grievances. The majority of victims were farmers who had taken over land from which a tenant was ejected. Employment and the rate of wages were further important issues and as farmers were the major employers of labour they bore the brunt of such motivated unrest.
- State of the Country Papers 2/2296/44, Charles Burke, 23 Nov 1821, [cited hereafter as SOCP2].
- SOCP2/2728/5, T.P Vokes, 29 Jan 1825. Ribbonism exhibited a strong catholic sectarianism and was a secret oath-bound underground movement extending mainly over northern counties of Leinster, north Connaught and Ulster.
- BPP, *Disturbances in Ireland*, vol. 7, 1825, p.225, evidence of Richard Griffiths; Stanley H. Palmer, *Police and Protest in England and Ireland, 1780-1850*, (Cambridge 1988), p. 231.
- L. C. 18 August 1821. A proctor was an agent employed to collect tithes.
- L.C. 8 Sept 1821, 26 Sept 1821.
- L.C. 17 Oct 1821, 15 Aug 1821, 19 Jan 1822.
- L.C. 16 Feb 1822; SOCP2/2354/7, Richard Willcocks, 28 July 1822; L.C. 23 Oct 1822; Palmer, *Police and Protest in England and Ireland*, pp 245-6.
- L.C. 3 Sept, 6 Sept, 12 Sept 1823.
- Noreen Higgins, Tipperary's *Tithe War 1830-1838, parish accounts of resistance against a church tax*, (Tipperary 2002), p. 61. Under the 1823 tithe act composition had to be agreed between the tithe owner and 25 landholders in each parish. The amount agreed was to be reviewed every seven years. Parishes whose tithes were fixed following the 1823 tithe composition act were known as compounded parishes.
- Official Papers 690, 1831, the parishes that were not compounded by 1830 were Ardcanney, Morgans, Tomdeely, Dunmoylan, Robertstown, Rathronan, Kilmoylan, Loghill, Cloncrew, Mahoonagh, Clounagh and Clonelty.
- Patrick O'Donoghue, 'Opposition to Tithe Payments in 1830-31', in *Studia Hibernica* No. 6, p. 69. Tithe motivated unrest broke out in Kilkenny and Carlow and soon spread to other counties in Leinster and Munster.
- Patrick O'Donoghue, 'Opposition to Tithe Payment in 1832-3', in *Studia Hibernica* No. 12, p. 81; *Limerick Evening Post and Clare Sentinel*, 12 Nov 1830 [cited hereafter as L.E.P. &C.S.].
- L.C. 9 May, 13 June, 4 July, 7 July, 14 July 1832.
- L.C. 15 Aug 1832.
- L.C. 26 Sept, 24 Nov 1832. Resistance to the payment of tithes was not found in all areas of the county. At Glin there seems to have been some support for payment, as in November 1832, the Knight of Glin's tenantry assisted the tithe collector in his rounds
- Limerick Herald* 17 Sept 1832, 8 Nov 1832. [cited hereafter as L.H.]
- L.E.P.&C.S. 29 March 1833.
- L.H. 12 Jan 1832, 5 Dec 1833.
- L.C. 1 Jan, 15 Jan, 1 Feb, 12 Feb 1834. These claims were under the Irish Tithe Arrears Act of 1833 that advanced a one million pounds loan to distressed clergy for arrears due for the years 1831,32 and 33 to be funded by a land tax. These notices advertised the police stations and the hours of opening where the schedule of claims for each tithe owner could be examined by the public.
- L.C. 5 April, 9 April 1834.
- L.C. 30 April, 3 May 1834
- L.C. 7 May 1834. Grant was chief of police at Newcastle.
- L.C. 30 Sept 1835.
- Outrage Reports 20 Nov 1835, 2 Dec 1835. [cited hereafter as OR.], *Griffiths Valuation* 1852.
- OR 23 Sept 1835, 19 Jan 1836, 10 Dec 1837.
- OR 20 Feb, 14 March 1837.
- L.C. 10 Jan 1838; *Limerick Standard*. 20 March 1838; OR 20 May 1838. The Haughs were factionalists that were involved in faction fights at fairs and other community gatherings in the 1830s and as a consequence had wide support in the community.
- L.C. 28 July 1838.
- Limerick Reporter* 11 Jan, 14 Jan, 18 Jan 1842. A lay proprietor was not a protestant clergyman, but a member of the protestant community who held the rights to part or all the tithes in a parish.
- L.C. 9 May, 13 June, 4 July, 7 July, 14 July 1832; L.C. 15 June 1836. The parish priests were Thomas Coll, Newcastle, Edmund Connery, Kildimo, William Downes, Patrickswell and James Moore, Crecora.
- L.C. 15 August 1821.
- L.C. 12 Sept 1823; Tithe Applotment Books, Kilmoylan Parish 1833.
- BPP, *Correspondence....Tithes Payable to Mr. Locke*, vol. 47, 1835; *Griffiths Valuation*, 1852.
- OR 30 Nov, 19 Nov 1835. In *Griffiths Valuation* 1852, John Guiry held 10 acres and Pat Lane 4 acres at Shanrath, Mahoonagh. The parish priest of Mahoonagh was Michael Sheehan who was responsible for the building of new churches at Castlemahon and Feohanagh. In all instances of farmers being victims these were by way of a threatening notice not to pay tithes.
- BPP, *Commission of Public Instruction, Ireland*, 1835. The parishes of highest protestant population were situated in a triangular area between Rathkeale, Adare and Pallaskenry. These were Kilsannell 26 per cent protestant, Nantinan 14, Adare 13, Kilcornan 10 and Iverus, Ardcanney and Rathkeale 8 per cent each. Ardcanney and Mahoonagh were not compounded when tithe motivated crime broke out in those parishes.
- An analysis undertaken of the monthly occurrences of tithe crime in 1821-38 shows that all months except June recorded a tithe motivated crime and highlights that September recorded the highest number of tithe incidences with seven crimes.