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**THE IMPACT OF THE WYNDHAM LAND ACT 1903
ON COUNTY GALWAY**

By

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Synopsis of thesis

This thesis examines, how a conservative British government introduced a scheme of land purchase in Ireland in 1903, which effectively abolished the landlord system on the island. The work is focused on how this affected one region, County Galway, during the period 1903-21. Divided into five parts, the thesis, in its introduction, outlines the background to the 'land question' in Ireland and lists earlier attempts to solve it and their shortcomings. It also looks at the current historiography covering the topic and discusses the primary and secondary material available to a student undertaking a study of this kind.

In chapter one, the topography of County Galway is discussed and a short study of farming practice at the turn of the century undertaken. The landlords who owned most of the land in the county are identified and their lifestyle examined, the intention being to build up a profile of the 'status quo', before Wyndham introduced his land act in 1903. There then follows by contrast, an examination of their tenantry and how they lived at the time, including a discussion on those of them who hoped to benefit most from any new land legislation, the tenants in congested districts.

In chapter two, the financial nuances of the new land act are detailed, early reaction to the legislation in the county is discussed and the different attitudes thrown up by the measure are examined. The first tentative steps taken by landlords and tenants, in what was frequently a complicated negotiation process, are described as they occurred on the ground in the months after the land act was introduced.

In chapter three, the hard negotiating positions adopted by both sides are discussed and this leads on to a chronological tabulating of sales for the entire period extracted on a per annum basis from the quarterly reports of the Estates Commissioners to parliament, during the period 1903-21. A further analysis of these figures is undertaken using computer generated averages, to point up trends in the data. A discussion on the amending Birrell Land Act of 1909 is included in the tabular analysis. Chapter three also includes a lengthy discussion on the dissension which arose in the county as a result of the activities of 'graziers' and the social attitudes and resistance they engendered, which culminated in the 'ranch war' in the county.

The thesis ends with a general summary of the impact of the Wyndham Land Act at national level and then focuses again on Galway by showing how some of the larger estates, which had earlier been mentioned, were distributed among the tenantry. The importance of the work of the Congested Districts Board within the county is also discussed and the thesis comes to a close by detailing the benefits which the 1903 act and its sister act of 1909 brought to the new owners of the land of Galway and of Ireland.

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INTRODUCTION

Throughout the second half of the nineteenth century in Ireland, the 'land question' was positioned high on every political agenda of the day. In the 1840s, the Young Irelander, Fintan Lalor had considered that 'the land question contains and the legislative question does not contain, the material from which victory is manufactured'.¹ The aims of the Tenant League in the 1850s were declared to be the winning of fixity of tenure, lower rents and legal protection for Ulster tenant right. Its leaders hoped to achieve these aims through parliamentary pressure at Westminster. That they failed to realise that an Irish party was only effective in the House of Commons when backed up by a clamouring agrarian movement at home, was ultimately the reason for their failure as a movement. This connection was to be made by Parnell and Michael Davitt a generation later, who demonstrated just how effective such a marriage of parliamentary lobbying and agrarian agitation might prove in the gaining of reforms.

Earlier in 1870 Gladstone's Land Act had begun the process of creating a form of 'dual ownership' of the land when it prevented landlords from evicting their tenants for any reason other than the non-payment of rent. It also contained what became known as the 'Bright clauses', inserted into the legislation at the insistence of John Bright, permitting tenants to borrow from the state two-thirds of the monies required to purchase their holdings repayable at 5% annuities over 35 years.

Gladstone followed this up with the land act of 1881 which gave tenants the famous three Fs; fair rent, free sale and fixity of tenure and also established the Land Commission, a body charged with the task of fixing the level of rents. Neither act was successful in so far as land purchase was concerned, for tenants found it impossible to

raise one third of the purchase price of their holdings as laid down by the former and the latter was so complicated as to lead to protracted litigation which succeeded mainly in depressing the entire agricultural sector within a short period. In addition the workings of the fair-rent provisions of the 1881 act were progressively grinding to a halt and thousands of cases were back-logged in the courts.² Taken together, though, these early land acts did raise tenant expectations and did also 'undermine the traditional role of landlordism lending credibility to tenant beliefs about its irrelevance in Irish agrarian society.'³ They also created a form of tenant protection which locked landlords into a system where economic pressures, which had heretofore been dealt with by either increasing rents or by eviction, could not now legally be eased by resorting to either of these methods. This led to a loss of investor confidence in land and a concomitant reduction in its capital value. It was primarily because of this phenomenon that it became Conservative government policy to end 'dual ownership' and put land purchase for tenant occupiers at the top of its Irish political agenda. This policy formed part of what became known as 'constructive unionism', a doctrine which suggested that Irish nationalist aspirations might be diluted by vesting ownership of the soil of Ireland in the hands of the peasants of Ireland who worked it. This doctrine became known as 'killing Home Rule with kindness'.

In pursuit of this policy, the Ashbourne Act 1885 and its successors in 1888, 1891 and 1896 were the means employed to effect the policy of changing the ownership of the land of Ireland. None of them were overly successful in achieving their aim. The acts of 1885 and 1888 taken together, advanced ten million pounds for land purchase at 4% annuities repayable over 49 years. Some 25,000 tenants purchased their holdings as a result of these two acts. In 1891 the amount was increased to 33 million pounds but

only 13 millions of this was taken up. Landlords were unhappy with this act, because they were to be paid in Land Bonds and not in cash. As the value of these Land Bonds fluctuated on the market so also did the volume of land sales. There were many complicated regulations attaching to the process and tenants were not easily encouraged by it. However, some 47,000 tenants did purchase their holdings but much of the problem remained. As one economic historian noted: 'After 1885 the tenant's terms were so favourable that they could scarcely afford not to buy; it remained to place the landlords in an analogous position'.⁴

In 1900 George Wyndham became chief secretary for Ireland and was, to quote one historian 'a very different man from either W.E. Forster or Arthur Balfour'.⁵ A man of some vision, he set about preparing an attack on the land problem in Ireland. His first attempt in 1902 failed, but the following year he was greatly assisted by an initiative taken by Captain John Shawe-Taylor, son of a Galway landlord who owned 7,500 acres at Ardrahan, who proposed the setting up of a Land Conference of landlords' and tenants' representatives to discuss the whole problem of land purchase and endeavour to settle the long dispute over land tenure in Ireland. This was not a new idea. In 1887 Archbishop William Walsh had suggested such a forum⁶ and in 1895 Horace Plunkett had issued a proposal that the 'parties should sink their differences and jointly promote such beneficial legislation as was acceptable to all'⁷ Wyndham publicly encouraged this initiative and although Shawe-Taylor is often regarded as an 'innocent catalyst' in these events, he was privately backed by Wyndham and both landlord and nationalist leaders were aware of this.⁸ The Conference sat for a mere two weeks and produced a unanimous report on 3 January 1903. The chief secretary incorporated its recommendations into a new land bill which became law in August 1903. The terms

under which land purchase would be funded were grandiose when compared with previous land purchase acts. One hundred million pounds was made available through the treasury for land purchase. This was repayable at 3¼% annuities over a term of 68½ years. In addition while there was no compulsory element within the scheme (this followed in an amending act in 1909), a further twelve million pounds was set aside to provide a bonus to landlords who sold their entire estate. There was a flood of tenant applications to purchase and the legislation facilitated the completion of the most comprehensive social change in modern Irish history, and placed 'the coping-stone on the whole edifice of constructive unionism'.⁹ George Wyndham was himself convinced that, following his land act, the 'government was the only popular force in Ireland'.¹⁰

While it could be argued that the experiment of constructive unionism lasted 20 years¹¹ the historiography almost entirely concentrates on the first five years.

Moreover, it focuses at a national level on the conjunction between agrarian agitation and the parliamentary way forward and deals predominately with the post-Wyndham polarising of nationalist and unionist positions on the whole island. The fact that a third force appeared to raise its head in Irish political life through the Landlord Conference and Wyndham's subsequent land legislation, raised hopes for some, that a new force of consensus politics between unionist landlord and Catholic tenant might be sustained in Irish politics. The earl of Dunraven, who chaired the conference and William O'Brien of the Irish National League, had hopes that the same approach might be brought to bear on other contentious issues of the day.

Historiography has tended to focus on the political implications of Wyndham for William O'Brien, John Redmond and John Dillon and the impact the 1903 act made on the Irish National League, the Irish Parliamentary Party and Irish nationalism generally.

Andrew Gailey's *Ireland and the death of kindness 1890-1905* (Cork, 1987) is a general study of constructive unionism. Paul Bew's *Conflict and conciliation in Ireland 1890-1910* (Oxford, 1987), covers the period well at national level. Both works have the wider political picture firmly to the forefront and *The modernisation of Irish society 1848-1918* by Joseph Lee (Dublin, 1973) employs a broad canvas also. *The land question and the Irish economy 1870-1903*, by Barbara Solow (Cambridge, Mass. 1972) is a good economic study of the period immediately before Wyndham and there are several good collections of essays covering the period such as Conor Cruise O'Brien's *The shaping of modern Ireland* (London, 1960). S.J. Lynch's 'Land purchase in Ireland, a retrospect and a forecast' in the *Journal of the statistical and social inquiry society of Ireland*, vol. xiii (Nov. 1912) is recommended by F.S.L. Lyons in *Ireland since the famine*, (London, 1963) a general work which devotes considerable space to the post-Wyndham period. Also recommended is Terence Dooley's unpublished Ph. D. thesis (Maynooth, 1997): 'The decline of the big house in Ireland', which defines in great detail the role of landlordism, its zenith and its decline. Another unpublished thesis by Mary Hayes, 'The operation of the Land Commission on two estates in S.W. County Meath 1883-1966 (M.A. Maynooth, 1995), provides a focus on the role of that body in the transfer of land ownership for the period under discussion in this study. Finally the activities of graziers and 'land-grabbers' are dealt with by Jim Gilligan in a recent Maynooth monograph, *Graziers and grasslands 1854-1914*, (Dublin, 1998), and by David Seth Jones in *Graziers, land reform and political conflict in Ireland*, (Washington, 1995). Contemporary accounts include Lord Dunraven's *Past times and pastimes* (London, 1922), a somewhat wistful look at the entire exercise, Michael Davitt's *Fall of feudalism* (London, 1904) which is less than enthusiastic about

the land settlement generally and openly hostile to what Davitt saw as the malign implications for Irish nationalism arising out of it, and by contrast W.L. Micks's *A history_of the congested districts board* (Dublin, 1925), which took an optimistic view of the future in 1925.

This present study will remain cognisant of the very great implications the Wyndham Land Act of 1903 had for Irish national politics and for the future of Irish nationalism but it will not adopt a 'national focus'. It will rather, concentrate on how Wyndham's measures impacted on County Galway and its people, landlords and tenants, businessmen and landless men. The west of Ireland posed special problems for the implementation of Wyndham's proposals and the activities of graziers and 'land-grabbers' were already seen to be widespread before his legislation. What impact the new land purchase act had on a single county will be dealt with in some detail. A profile of land ownership for the county will be produced for the pre-1903 period and subsequent sales of estates will be detailed chronologically showing the numbers of tenants who availed of the new measures on a year to year basis throughout the operation of the scheme in the county. The acreage and destination of these new holdings will be compared where possible with the previous holdings rented by the tenants and the question of the distribution of untenanted land exposed and discussed. Where landlords themselves bought back part of their own lands or demesnes this will be highlighted. The location of 'the big houses' large and small in the county will be identified and their fate during the period under discussion highlighted to point up the changes which took place locally after Wyndham. Finally the social unrest which inevitably followed such a revolutionary upheaval will be discussed. The phenomenon of 'cattle-driving' in the county will be looked at, as will the incidence of other

'outrages' which can be linked to the ownership of land. Where these can be shown to be directly attributable to the new measures this will also be highlighted and if local election results prove germane to the study, these will be examined and discussed.

Primary source material for the study of all of this is very good. A pre-1903 picture of County Galway can be assembled from the Census of 1901 backed up by an up-dating of *Griffiths Valuation* by referring to the Valuation Office in Dublin. This will provide a profile of landlords and tenantry to begin the study. The '*Returns of advances made under the 1903 and 1909 Land Acts*' where the Estates Commissioners reported to parliament quarterly throughout the period on the sales it had sanctioned, provide details of the break-up of each estate sold, the names of purchasers, the acreage allotted to each and the sale price of the holding. These quarterly returns will allow the changes in ownership to be plotted until the scheme was wound up in 1922. A final report by the Estates Commissioners summarising its work for the period is also available in the Parliamentary Papers. These two sources will provide the raw data necessary to highlight the changes which took place year by year in the county. To isolate the figures for County Galway from the national figures in both of the above cases is made easy by the lucid presentation of the Estates Commissioners' reports, which also highlight sales of demesnes to landlords. Primary source material for a discussion on the social unrest which occurred during the period is also good. There are four boxes of Police Reports for the period in the National Archives. The reports for County Galway may be easily isolated. They deal in the main with shootings and cattle-driving and include an opinion of the local District Inspector as to the probable motive for the outrage. This facilitates the extraction of relevant land-associated incidents. There are several contemporary local newspapers both nationalist and unionist, available for study in the National

Library which will offer further insight into social unrest for the period. Estate papers are available in Galway County Library for several of the larger estates in the county as is a collection of contemporary photographs which will facilitate a discussion on the different classes of housing in the county.

CHAPTER 1

The Old Order

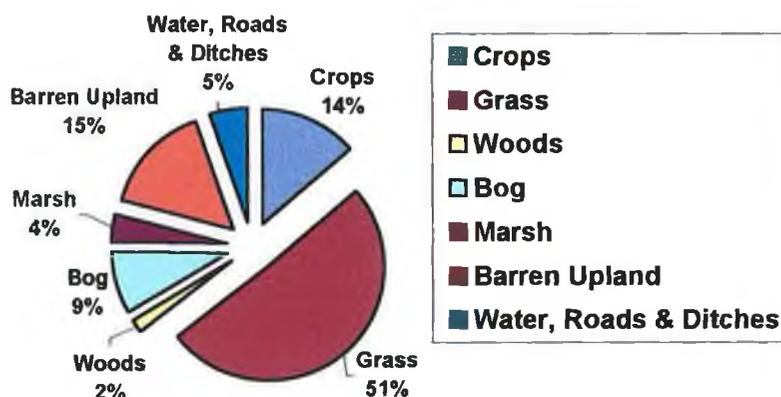
(i) The Land

In 1903, the year the Wyndham Land Act was introduced into Ireland, the county of Galway was, as it is to-day, divided into two distinct parts, roughly bisected by Lower Lough Mask and by Lough Corrib, the 'great lakes' of the West which drain into the River Corrib at Galway Bay (*See Plate 1*). In fact the Royal Irish Constabulary were still policing the county as two ridings in 1903.¹² The west riding was administered from Galway city itself and the east riding from the town of Ballinasloe. In the east riding the land is, for the most part, flat and arable and suitable for either tillage or grazing, while in the west riding which included all of Connemara, the terrain is 'mountainous and rugged, poorly inhabited and in parts almost desolate, but capable of cultivation at modest expense'.¹³ As a consequence, farming practice and population distribution in each riding reflected these topographical differences. In the west, which is a network of lakes and mountains bounded by an inhospitable coastline, sheep-farming and goat-rearing were the mainstays. In the flat terrain of the east riding only one mountain range is found in the very south of the county, the Slieve Aughty mountains, on the border with County Clare. In the plains of east Galway farming husbandry was varied with mixed-tillage, cattle-rearing and sheep-rearing, with an increasing tendency toward cattle fattening, popularly known as 'grazing'.

This latter practice in 1903 was already proving contentious in the county, as it was on the plains of County Meath and would form a source of social unrest later in the decade as large tracts of land came into the possession of the 'graziers' while other

individuals (often evicted tenants) had no land at all. The following table shows a topographical profile for the county as a whole:

Table A: *Percentage of land usage in County Galway in 1903*



Source: *Return of Agricultural Statistics* 30 [CD 2196], H.C. 1904, cv, 398.

The administrative county of Galway covers an area of 1,519,699 statute acres or 7.3% of the country as a whole. There were some 250,000 cattle on the land while at 600,000 there were more sheep in County Galway than in any other county in Ireland.¹⁴ In addition there were valuable fishing rights in the county. Salmon weirs were located from Killary in the north of the county south to Kylemore, Ballyconneely, Ballynahinch, Inver, Screeb and at Galway city itself. The riparian rights on Lough Corrib also constituted a valuable resource and the hunting and shooting rights within the county were confidently guarded by those who owned and enjoyed them — the landed gentry. Retention of the sporting rights by vendors of the land under Wyndham's Act was later to become a negotiating factor when prices were being agreed between the parties contracting under the act. It is time now to look at the first of these parties, the landlords. Not all of the landowners in the county had tenants. The Land Purchase

Acts, mentioned in the introduction above, had enabled some tenants to buy out their holdings during the last quarter of the nineteenth century and while some of these did sublet, and could then be classed as landlords, many did not. In addition, many of the smaller landlords who had not acquired their lands under previous land acts simply farmed their own lands and did not sublet and were unaffected by the act until the ranch-war in 1906.

(ii) The landowners

Owners of land of one acre and upwards,¹⁵ lists 903 landowners in the county, owning almost 1.5 million acres in 1873 when the figures were compiled. A comparison of this list with *Thom's Irish almanac 1903*, reveals that a considerably smaller number of owners were the key landlords in the county. Richard Berridge owned 160,000 acres of land in Connemara where his seat was at Ballynahinch. Sir Arthur Guinness held 20,000 acres in north Connemara with a castle and demesne at Ashford Castle at the head of Lough Corrib. Henry Hodgson owned 18,000 acres on the western shores of the lake. In the east of the county Lord Clonbrock (*See Plate 2*) held 28,000 acres at Ahascragh near Ballinasloe where the earl of Clancarty (*See Plate 3*) owned 24,000 acres and Allan Pollock held 29,000 acres. In Loughrea Lord Dunsandle held 33,000 acres in the centre of the east riding and Sir Henry Burke owned 25,000 acres with a mansion and demesne at Marble Hill, Loughrea. The Persse family of Loughrea held 12,000 acres. In the same region the earl of Leitrim held 18,000 acres, the Daly family of Athenry owned 15,000 acres, and the earl of Westmeath 14,000 acres. Robert French of Monivea Castle near Athenry owned 10,000 acres.

In north-east Galway a branch of the St. George family of Headford owned 7,500 acres, and Martin McDonnell of Dunmore near Tuam, owned 10,000 acres. Sir Henry Grattan-Bellew of Mountbellew, near Ballinasloe, also held 10,000 acres. Walter Blake of Ballyglunin, just south of Tuam, owned 10,000 acres while in Woodlawn, Lord Ashtown owned 8,500 acres. In the south of the county Daniel Lahiff owned 11,000 acres at Gort and Christopher St. George owned 15,000 acres near Clarinbridge and the largest landowner in the east riding was the earl of Clanrickarde who owned 49,000 acres around Woodford and Portumna. The mansion, dating from 1618, was

described as 'probably the finest and most sophisticated house of its period in Ireland'.¹⁶ This was the estate where the Plan of Campaign was launched in February 1887.

These, then, were the largest landowners in Galway in 1903. Between them these twenty families controlled over half a million acres of land in the county, a little more than one third of the total acreage. A further eighty individuals owned holdings of between 3,000 and 10,000 acres representing more than 400,000 acres and the balance of the land in the county was divided between a further 800 landowners who owned holdings ranging from 1 — 3,000 acres.¹⁷ It can be shown therefore that while the population of the county in 1901 was 192,549 persons,¹⁸ the land was in the possession of some 900 individuals and their families. Allowing for all those who did not make their living directly from agriculture, this leaves a substantial body of persons to whom we shall presently turn, their tenants. Landed estates were run as business enterprises. The estate owners rented plots of land to their tenants and these rents made up the income of the estate. Most estates had what was described in contemporary reports to parliament as 'a mansion and demesne' or 'the big house' as it was usually known locally. Many of them were built and the demesnes laid out, late in the eighteenth century by the ancestors of the current owners and some such as Portumna, were earlier. Most were built in the Palladian style, three stories over basement, with stable yards and outhouses and with a garden and orchard attached. A fine example was Dunsandle, owned by the Daly family at Athenry, which was described as 'until recently the finest eighteenth century house in County Galway, containing elaborate plasterwork in the saloon, a coved rococo ceiling in the morning room and an Adamesque ceiling in the drawing room'.¹⁹ Others which were built later, like Ashford Castle were rather ugly. It is described as a 'vast and imposing Victorian baronial castle rebuilt in the

1870s of rather harsh rough-hewn grey stone in a superb position at the head of Lough Corrib with magnificent gardens, large fountains, a vista up the hillside with steps and a castellated terrace by the lake.’²⁰ A few, such as Currareevagh near Oughterard, the home of Henry Hodgson, were more modest both in scale and design.

These large landowners were men of influence within the county. Of the sample twenty noted above, ten were both deputy lord lieutenants for the county as well as magistrates. Seven of them were former high-sheriffs of Galway. Lord Clonbrock of Ahascragh near Ballinasloe was lord lieutenant for the county. They led a rather English life style. One writer has noted that ‘the Anglo-Irish adopted and exaggerated the full panoply of English Victorian custom.’²¹ In summer they played cricket among themselves and hosted tennis parties. They fished for salmon and trout in the rich lakes and rivers where they themselves owned the riparian rights. In winter they hunted to hounds (there were at least five major hunts active in the county)²² and held shooting parties. Most of the large houses employed a game-keeper who was responsible for the hand-rearing of the game and the organisation of the shooting parties. Most landlords were members of private clubs both in Dublin and London. They brought daughters of marriageable age to Dublin in February and March each year to attend the vice-regal balls, and to London during the ‘season’ which ran from May to July.

They frequently intermarried within the county. In 1898 the Burkes of Marble Hill had joined in marriage with the Dalys of Dunsandle.²³ In 1893 William Trench of Woodlawn married the only daughter of Walter Shaw-Taylor of Castle Taylor near Ardrahan,²⁴ who himself had married into the Persse family of Roxboro near Loughrea in 1864.²⁵ Frederick Trench of Woodlawn married his cousin Ann le Poer Trench, daughter of the Earl of Clancarty of Garbally Park, in 1867.²⁶ These marriage alliances,

and others besides, indicate a strong network of powerful families living in County Galway in 1903 and it is clear that if these landlords were to embrace the terms of George Wyndham's land purchase act and sell their entire estates to their tenants then it would take an ingenious piece of legislation to persuade them to do so. In other words, the price would have to be right if the landlord system was to be successfully dismantled. Previous land acts had never been fully successful where land purchase was concerned. Conversely, the tenants, the 'owners in waiting', had clearly much to gain if this was to come to pass. Who were the future landowners and what was their life style when George Wyndham was introducing his land purchase measures in 1903?

(iii) The landowners in waiting

There were 35,299 families living in the county in 1901 and this figure includes those who lived in the 'big house' discussed above.²⁷ There is no elegant tome written to celebrate the homes of the tenantry and few contemporary photographs survive to depict the farmhouses and cabins of rural county Galway at the turn of the century. The one shown in *Plate 5* depicts a 'middling farmer's' house with slated roof and three other examples of contemporary housing. There were 36,219 houses in the county in 1901. Of these some 33,883 (93.5%) were officially termed second or third class housing. Third class housing was designated as a house of 1 — 4 rooms with windows, while a second class house had 1 — 9 rooms with windows and according to the census was 'what might be described as a good strong farmhouse' (*See Plate 4*). There were 2,809 one-roomed tenements in the county (*See Plate 6*) and 758 fourth class houses. These latter are described as being little more than a 'mud cabin'. First class houses, described simply as 'anything better than class two', are listed at 2,121 which included all mansions and the finer houses in Galway city and the larger towns.²⁸ Here is how the population of the county declared their occupations to the Census enumerator in 1901:

Table B: *Showing by classes and gender, the occupations of the population of County Galway in 1901*

		PERSONS	MALE	FEMALE
1.	Professional class	3,994	2,769	1,225
2.	Domestic class	5,666	828	4,838
3.	Commercial class	1,308	1,265	43
4.	Agricultural class	53,226	47,573	5,653
5.	Industrial class	11,023	7,573	3,450
6.	Indefinite and non-productive class	117,332	37,915	79,417
	TOTALS	192,549	97,923	94,626

Source: *Census of Ireland 1901*, [CD 1059], H.C. 1902, cxxxviii, 136.

As will be seen from the above, in excess of 50,000 people made their living directly from the land. The following table gives a breakdown of these according to occupation.

Table C: *Classification of those directly involved in Agriculture by occupation*

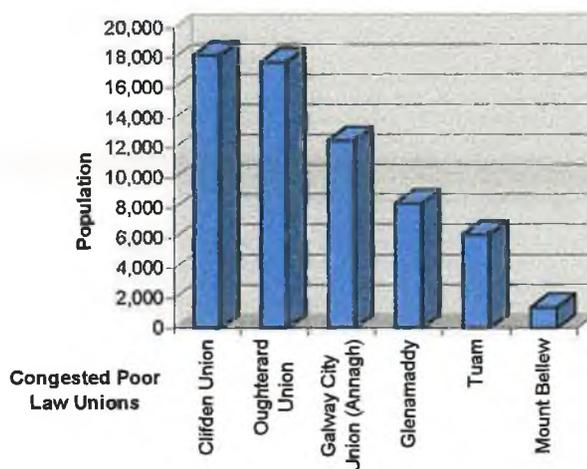
		MALE	FEMALE
1.	Farmer / Grazier	21,601	5,021
2.	Son, brother etc.	16,957	
3.	Farm Bailiff	65	
4.	Labourer	4,031	244
5.	Shepherd	1,104	40
6.	Indoor servant	2,539	306
7.	Others	46	18
8.	Woodman	11	
9.	Gardener	99	
10.	Horse dealer	5	
11.	Groom	45	
12.	Vet. Surgeon	7	
13.	Dealers	38	
14.	Drovers	8	
15.	Gamekeepers	95	
16.	Fishermen ²⁵	922	
	TOTALS	47,573	5,629

Source: *Census of Ireland 1901*, [C 1059], H.C. 1902, cxxviii, 140.

There were ten Poor Law Unions in the county. Six of these were designated as 'congested' areas in 1901. The Congested Districts Board (established by Arthur Balfour in 1891) had responsibility for improving agriculture (which included fisheries) and small industry in these areas. It was also charged with purchasing and re-allocating lands to prevent overcrowding on an estate. Overcrowding was a problem in many parts of the county. Some landlords had 'allowed partition and subdivision to go on by endless mutual arrangements'.³⁰ The board's powers were limited. It was dependent on the vendor to accede to the sale of lands. It was not granted compulsory purchase power until 1909. It prefaced its annual report by repeating that it had insufficient funds at its disposal to properly fulfil its function. A congested estate was defined in the 1903 land act as an estate, not less than half of the area of which, consisted of holdings not exceeding five pounds in rateable valuation, or of mountain or bogland, or not less than half the area of which was held in rundale or mixed plots. The six congested areas in County Galway with population figures attached were Clifden Union (18,185) and Oughterard Union (17,732) in Connemara, Annaghdown, which was part of Galway city Union (12,489) and Glenamaddy (8,328), Mount Bellew (1,385), and Tuam (6,217) in the east riding. Thus some 65,000 persons lived in these areas where subsistence farming was the norm and where few surpluses were produced and the potato was still an important staple. Almost 8,000 holdings in these districts had a valuation of less than five pounds³¹ and as the average family size for the county as a whole was 5.25 persons,³² some 42,000 persons were very poor indeed. Any new land legislation was patently going to impact positively on these deprived areas of the county. These congested tenants were poor but they were, at least, 'on the rent roll'. Members of society who were even worse off were the evicted tenants. Wyndham

sought a report on the numbers of evicted tenants in Ireland who had not been reinstated in their holdings and this was presented to parliament in February 1903. The figures for County Galway reveal that 355 tenants in the east riding and 387 in the west riding previously held tenancies and had not been reinstated. These figures do not refer to families but to actual tenants, so that the total number of displaced persons with an expectation that they might obtain parcels of untenanted land within the county, under the aegis of the new land act, was considerable.³³ As the terms of the act became known, this expectation was also held by the sons and other relatives of evicted tenants. All these individuals then were the ‘owners in waiting’ when the Wyndham Land Act passed into law on the 14 of August 1903.

Table D: *Showing the congested districts in County Galway in 1901*



Source: *Census of Ireland 1901*, [CD 1059], H.C. 1902, cxxxviii, 1.

CHAPTER 2

The Winds of Change

(i) The mechanics of the Wyndham Land Act

'An Act to amend the Law relating to the occupation and ownership of land in Ireland and for other purposes relating thereto and to amend the Labourers (Ireland) Acts'.

3 Edw.VII, c.37 [14 August 1903]

One of the features of the 1903 land act which set it apart from previous land purchase schemes introduced by the government was the fact that the key elements of this legislation had been worked out in advance between the representatives of the parties directly involved; the landlords and their tenants. The difficulties which had arisen in previous acts had been taken into consideration and this resulted in a scheme for land-purchase which reflected the interests of both sides. Both the scale and the detail of the 1903 act were designed with this in mind. One hundred million pounds was made available to fund loans to tenants repayable at 3¼% over a term of 68½ years. If threequarters of the tenants on an estate agreed to purchase, the landlord might enter into negotiations with them. Landlords selling their entire estate would receive a bonus of 12% on top of the price agreed. Landlords were to be paid in cash and not in land stock which had proved unattractive to them in previous land purchase schemes. It was stressed that every effort should be made to keep this capital within the country, and to this end there was provision for landlords to 'buy back' their houses and demesnes after the sale of the estate was completed.

The scheme was administered by the Irish Land Commission which was already in position since Gladstone's second land act of 1881. Three members of that commission were designated 'Estates Commissioners' who were given powers to survey estates, purchase them from the landlords and then sell off individual holdings to tenants and other qualified persons who would receive loans from the fund for the purpose. Certain parameters were laid down in the legislation, in relation to the prices which might be asked by landlords and paid by tenants and these parameters were based on the original rents payable by the tenants. These rents fell into two categories. The first, known as 'first-term rents', were those payable on an estate before the 1896 Land Act and the second, known as 'second term' rents, were those rents fixed after that date. The parameters laid down in the legislation, which became known as 'zones', dictated that the annuity to be paid by a tenant formerly paying a 'first term rent' should be not less than 10% and not more than 30% *below* the existing rent. In the case of 'second-term' rents, (which were fixed at a lower rate) the annuity should be not less than 20% and not more than 40% *below* the existing rent. These percentages translated into multiples ranging from 18½ to 24½ years purchase on first-term rents and from 21½ to 27²/₃ years purchase on the lower second-term rents. Where landlord and tenants agreed between themselves on a sale falling within either of these 'zones', then the sale would be automatically approved by the Estates Commissioners and would go through immediately. Any agreement struck outside the guidelines would require the Estates Commissioners to be satisfied that the land in question was of sufficient quality to provide good security for subsequent loans to be sanctioned and to justify the increased consideration being paid for the estate. This entailed a survey of the estate inevitably resulting in a delay in finalising matters. Thus it was in the interest of both

buyer and seller to agree on a price within the defined parameters and expedite the sale straight away. In 1903, there was no compulsory element in the legislation. If a landlord, approached by three-quarters of his tenantry, did not want to sell his estate he need not do so. This aspect changed later in the decade with the 1909 Land Act introduced by Birrell, which greatly strengthened the provisions of the Wyndham act and introduced a limited element of compulsory purchase into the scheme. The act more than doubled the area of 'congested districts' and strengthened the constitution, powers and income of the Congested Districts Board.³⁴ The reason for this was that only a relatively small area of untenanted land was available for redistribution in the original congested areas, whereas much untenanted land was included in the area added under the 1909 act. A landlord, whose estate was being acquired compulsorily under the new act, had the right of appeal to the judicial commissioner of the Land Commission and both the landlord and the Congested Districts Board, each had the right to appeal that commissioner's decision to the House of Lords. Additional financial arrangements were put in place by the treasury to settle arrears owing to landlords under the 1903 act. Five million pounds per annum was allotted in an endeavour to remove what had become known as 'the Block' which was holding up the vesting of estates in the land commission even where agreement had been reached between landlord and tenant.³⁵ Landlords who would not, or whose financial position could not, permit them to wait until cash was available, were offered the option of accepting government stock instead.

The Estates Commissioners were also given wide latitude in respect of advancing loans to tenants in congested areas, where the element of viability might be relaxed on their recommendation by the lord lieutenant. They were also given powers to

advance loans to persons who had been evicted during the land war and to purchase untenanted land for redistribution where they deemed it necessary. The Wyndham Land Act has been described as 'compared to previous legislation, a real and generous attempt to provide a solution to the land question'.³⁶ How was it received in Ireland and in particular in County Galway when its terms were published in March 1903? Given the history of the land war it was going to be difficult to satisfy the aspirations of all concerned.

(ii) Early reaction to the act in Galway

After the Land Conference had reported in January 1903, the mood in Galway was cautiously optimistic. The *Galway Express* reported that 'what does appear encouraging is the fair field that the chief secretary now has, upon which to effect something approaching a settlement acceptable to both parties'.³⁷ That was in January. By March they termed it 'an honest attempt to provide by legislative means what is wanting in the social peace and material prosperity of Ireland'. The *Tuam Herald* was less restrained, deeming it 'a momentous and epoch-making proposal'.³⁸ Both of these newspapers had a slight ascendancy bias. Shortly after the proposals emerged and before the bill was passed into law, the staunchly nationalist *Connaught Telegraph* was cautiously in favour of the legislation, deeming it a 'stride in advance of last-years measure and a great improvement on all former measures of a similar character'. Twelve months later the same editor was calling for an amendment to the act to abolish the 'zones' and readjust the bonus: 'The exorbitant prices demanded by the landlords has retarded to an incalculable extent, the sale of property'.³⁹ At a well-attended public meeting held under the auspices of the United Irish League a letter was read out from William O'Brien, urging tenants to work the new act and a resolution was passed that 'we approve of the findings of the Irish Land Conference as affording a basis for a just settlement of the land question'.⁴⁰ At a meeting of the Clifden Board of Guardians a discussion took place on the merits of the new land act and the following resolution was adopted:

That as representatives of tenant farmers of this Union we, anxious to see the land question settled, direct that our clerk will communicate with the landlords of this Union to ascertain if they are desirous to meet their tenants with a view of availing themselves of the Land purchase act of 1903.⁴¹

These were fairly typical examples of local reaction to the proposals although there was the occasional resolution condemning the proposals such as the one coming from Tuam District Council.⁴² The question of grasslands and graziers was already a live issue within the county as can be judged from another Tuam reaction to the proposals. The Catholic clergy of Tuam Deanery had reservations and adopted several motions calling for amendments. They resolved that, while they recognised that the land bill was a 'great necessary' and 'an earnest effort to finally settle the land question in Ireland' they were concerned that the great evils of congestion and emigration would not be resolved unless the 'grazing ranches be broken up' and divided among the agricultural tenants. They further resolved that: in order to prevent the danger of consolidation of farms, it would be desirable that landlords should not be allowed, with public money, to purchase lands, their demesnes, nor graziers be allowed facilities to purchase non-residential farms. They were also of the opinion that the provisions outlined in the bill for the reinstatement of the evicted tenants were 'inadequate and unsatisfactory'.⁴³ There may have been an orchestrated campaign to have such sentiments embodied in resolutions formally adopted in bodies such as these, for two days later, it was reported that Clifden Deanery had called for the 'breaking up of the large grass farms and their sub-division among the people'. Mount Bellew Rural U.D.C passed a resolution, with Lord Clonbrock dissenting, that they were 'unhappy with the provisions in the proposals in respect of grazing and urged the government to confer compulsory powers on the Congested Districts Board'.⁴⁴ At a national level the 'running criticism which had accompanied the passage of Wyndham's legislation through parliament became louder and more precise once the act passed into law'.⁴⁵ Nationalist leaders were divided on the matter. William O'Brien, who had been responsible for the negotiations

between the sides since the outset, urged that tenants work the legislation and get together to buy out their holdings. Michael Davitt thought the terms much too generous to the landlords as did John Dillon. The *Freeman's Journal* supported this latter view and for a time, tenants were confused which road they should choose. In a letter to the *Pall Mall Gazette* reprinted in the nationalist *Connaught Telegraph* just after the bill was published, Davitt protested that he could not be 'in revolt against Mr O'Brien's dictatorship' as suggested by their Dublin correspondent as he was 'not aware of any such dictatorship on the part of the popular member for Cork city and that he could not therefore rise in insurrection against him on that ground'. He did however leave his readers in no doubt where he stood on what he called 'The Dunraven Treaty'. 'I believe the landlords will, as usual, get far too much, and that the tenants will, as they generally do, get much too little. Mr O'Brien does not take that view and I am free to admit that the country, instead of taking my view, seems more inclined to take his'.⁴⁶ Davitt's summation was a fair reflection of public opinion.

Some two weeks after the Bill became law Dillon delivered a speech at Swinford, County Mayo, where he condemned the whole O'Brien policy of conciliation and consensus while allowing that the new act did bring some positive reforms and that it should be given a fair chance to show whether or not it could work.⁴⁷ The differences between O'Brien and the United Irish League on the one hand, and Dillon and Davitt supported by the *Freeman's Journal* on the other, with John Redmond playing a conciliatory middle role, came to a head on 6 November 1903, when O'Brien announced his resignation from parliament and from the League. He was to be the first casualty of the policy of consensus and conciliation which heralded the passing of the Wyndham Land Act, but he was not to be the last. Despite these tensions and divisions

at national level most people at local level felt the act deserved a chance, that it did present a new opportunity and tenants began to get together to explore its possibilities in the Autumn of 1903.

CHAPTER 3

The Coping Stone

(i) Negotiations begin on the ground.

Landlords in the county met regularly under the umbrella of the Galway branch of the Irish Landowners Convention. Some of these meetings are reported, as when they welcomed the approval given to the land act by their national body early in 1903. They met in the Railway Hotel, Athenry, on the 10th March 1904. Twenty of the most prominent landlords were present and regrets tendered by another thirteen. Lord Clonbrock of Ahascragh was in the chair. It was resolved that:

it is in the interests of all landowners in Ireland to support the Landowners Convention, and that the necessity for such an organisation in the future appears to be as great as it was prior to the passing of the Land Purchase Bill 1903.⁴⁸

General resolutions such as this often appeared in the local ascendancy newspapers. Specific matters, such as which landlords were considering selling and at what price, were never made public. Many of their discussions would also have been held informally and these also remained private. This was in contrast to the meetings held by tenants. These meetings began as early as October 1903, six weeks after the act was passed. At these meetings 'estate committees' were elected, usually chaired by the local parish priest. Resolutions were passed instructing the Chairman to open negotiations with the local landlord. Reports of later meetings would reveal progress and sometimes outline the terms which the tenants were offering and those which were being sought by the landlord or his agent.

On occasion, the local Board of Guardians took it upon themselves to get negotiations started. In November 1903 the *Tuam Herald* reported that both the Tuam and Glenamaddy Board of Guardians had circularised the landlords of their respective unions as to whether they would sell their land. Fifteen replies were received and the responses were mixed: James McDonnell of Tuam replied that he would be 'pleased to sell my property to my tenants provided they pay me a price which, when invested, will secure my present income'. Major James O'Hara who owned 3,000 acres at Lenaboy near Salthill replied 'he would be pleased to consider selling'. John J. Smyth of Loughrea was 'quite willing'. Stephen J. Roche of Athenry replied that he would 'sell if the terms were fair'. Major R.W. Waithman of Moyne Park Ballyglunin replied that 'he thought the inquiry foreign to the duties of your council, the tenants are not desirous to purchase and I am not wishful to sell'.⁴⁹ Matters continued along these lines up to Christmas and into the new year. These early soundings were tentative and as yet none of the very large estates were involved. The pattern continued in January and the question of price, where mentioned in general terms, often revolved around whether the capital, when invested, would assure the landlord his present net income. Mr A. St George Caulfield intimated to his tenants through his agent that 'if tenants on his Dunamon and Kilbegnet properties offer him such terms that when the purchase money is invested it will bring him a return equal to his present income, he is open to negotiate'.⁵⁰ Negotiations moved forward, usually involving numerous meetings between the sides, with tenants meeting to consider the latest position, sometimes rejecting the latest offer but improving their last one. Often the details were quite subtle hingeing perhaps on a single extra years' purchase or on the untenanted grasslands or the turbary rights to be included. On the Grattan-Bellew estate at

Mountbellew tenants meeting in the local courthouse rejected the latest offer from the landlord and after 'several long hours' discussion' resolved to ask for 20 years' purchase on first-term rents and 22¼ years' purchase on second-term rents. In addition, all of Bourne's farm at Caltra, to be divided among the tenants. They also objected to the sale of some bogs and the retaining of others by the landlord. They were satisfied that Sir Henry should retain as much bog as would be required by Mount Bellew House. Timber and game rights were to be vested in the tenants.⁵¹ Both sides were keen negotiators. On the Lambert estate of 3,500 acres near Craughwell, which was in liquidation, negotiations took place and the tenants made an offer which was not acceptable. The receiver of the court wrote to some of the tenants seeking a second meeting to increase their offer for the grasslands, stating that 'he was about to meet some outsiders' with a view to getting offers from them for the grasslands.⁵²

By April the local press were reporting that terms had been agreed on several estates. Both the *Tuam Herald* and the *Galway Express* reported that Hugh Henry had agreed to sell his estate and the *Express* printed the full conditions.

1. Sale to take place through the Estates Commissioners.
2. 1,100 acres of grazing lands at present let under the eleven-month system to be sold to the Estates Commissioners for distribution among the tenants.
3. Tenants to pay 23 years' purchase on second-term rents.
4. Sporting rights to be vested in the tenants.
5. All the grazing land to be taken from the graziers on 1st May and handed to the tenants.⁵³

This would have been seen as a satisfactory result for both sides as 23 years' purchase fell a little more than a year and a half below the median of 24½ years. On the other hand 23 years' purchase might be regarded as some 2 — 3 years too generous for the grazing, but at least the tenants were getting rid of the graziers. The Wyndham Land

Act was seen to be capable of working in practice. The nationalist *Connaught Champion* reported : 'Having regard to the reports of negotiations that are being carried on all over the country, the act is fulfilling all reasonable expectations'.⁵⁴

(ii) Chronology of Sales in County Galway, 1903-1921

The first ad interim report of the Estates Commissioners appeared early in 1905 and documented the sales and advances made by them during the previous year and for November and December 1903. Thereafter their fiscal year ended on 31 March each year and they reported faithfully on their proceedings annually, detailing the number of advances made to purchasers for the various categories under which they were permitted to advance loans. Thus direct sales, where tenants and landlords had agreed on terms within the permitted zones, were treated separately from sales to the commissioners themselves. Loans to purchase untenanted lands were distinguished from advances made to purchase tenanted lands and re-sales of demesnes to landlords and sales of congested lands were also given separate reportage. It is clear from this first interim report ⁵⁵ that not a few landlords had applied to have portions of their lands declared a 'separate estate'. This was a legitimate request where part of an estate might lie in another county away from the main block of lands but applications to exclude untenanted lands (which might be let on the eleven-month system to graziers) from any given sale, were refused by the commissioners. They were also experiencing early difficulties in purchasing a congested estate. The act required the consent of the owner before any estate could be declared 'congested'. The commissioners note :

It could not be reasonably expected that owners will consent to this unless they are secured against loss in the subsequent sale. The commissioners had to give a guarantee that they would pay the price which the owner would get if selling direct to his tenants. ⁵⁶

They were patently very busy men during this first year. When they took office in November 1903 they transferred eleven purchase inspectors and thirty office staff from the Land Commission. By the end of March 1905 the number of inspectors had more

than doubled at twenty three and in addition they had taken on an additional three assistant inspectors plus nine surveyors and draughtsmen.⁵⁷ The records show that in that early reporting period of 16 months to 31 March 1905, a total of one hundred and fifty seven purchasers were advanced £94,112 to buy out seventeen estates in county Galway. In the following year 1906, eight hundred and sixty seven purchasers borrowed £360,000 to buy out a further eighteen estates in the county. The following tables show, year by year, up to 1921 how the people, landlord and tenant, espoused Wyndham's legislation and the amending 1909 act in County Galway.

Table E: *Showing from the commencement of the Wyndham Act 1903, the number of estates sold, the number of purchasers and the total amount of money advanced for each year ended 31 March during the period 1905-21.*

Year Ended 31st March	No. of Estates	No. of Purchasers	Amount Advanced
1905 (16 mths.)	17	157	94,112
1906	18	867	359,619
1907	19	318	113,944
1908	32	1,421	359,749
1909	32	966	262,444
1910	35	1,341	348,019
1911	34	1,594	391,912
1912	37	1,526	367,233
1913	26	1,290	306,042
1914	35	1,020	296,190
1915	24	809	205,899
1916	3	129	17,805
1917	8	194	52,113
1918	7	218	47,773
1919	3	51	20,704
1920	4	17	6,649
1921	7	185	46,571

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Source: *Annual reports of the Estates Commissioners for the period 1 November 1903 to 31 March 1921*, as cited in Bibliography hereunder.

Sales in the county under the amending Birrell Act of 1909 began in 1911 and the Estates Commissioners implemented both pieces of legislation side by side, from then

until 1921. See Table F below:

Table F: *Showing from the commencement of the Birrell Land Act 1909 the number of estates sold, the number of purchasers and the total amount of money advanced for each year ended 31 March for the period 1911-21*

Year ended 31 March	No. of Estates	No. of Purchasers	Amount Advanced
1911	6	193	28,520
1912	16	213	60,157
1913	15	208	69,956
1914	20	645	109,617
1915	18	1,059	183,799
1916	26	1,823	361,633
1917	113	4,957	870,773
1918	21	1,664	249,746
1919	8	259	41,381
1920	11	551	96,921
1921	14	310	51,817

Source: *Annual reports of the estates commissioners for the period 1 April 1910 to 31 March 1921 as cited in Bibliography hereunder and (I.F.S.), Dáil Éireann, 1922, L.I. 36.*

Table G: *Showing by percentage, the number of estates sold, the number of purchasers and the amounts advanced under the Wyndham Land Act. 1903*

Y/E 31Mar	ESTATES	%	PURCHASERS	%	ADVANCES £	%
1905	17	5%	157	1%	94112	3%
1906	18	5%	867	7%	359619	11%
1907	19	6%	318	3%	113944	3%
1908	32	9%	1421	12%	359749	11%
1909	32	9%	966	8%	262444	8%
1910	35	10%	1341	11%	348019	11%
1911	34	10%	1594	13%	391912	12%
1912	37	11%	1526	13%	367233	11%
1913	26	8%	1290	11%	306042	9%
1914	35	10%	1020	8%	296190	9%
1915	24	7%	809	7%	205899	6%
1916	3	1%	129	1%	17805	1%
1917	8	2%	194	2%	52113	2%
1918	7	2%	218	2%	47773	1%
1919	3	1%	51	0%	20704	1%
1920	4	1%	17	0%	6649	0%
1921	7	2%	185	2%	46571	1%
	<u>341</u>		<u>12103</u>		<u>3296778</u>	

Source: Tables E and F.

Table H *Showing by percentage, the number of estates sold, the number of purchasers and the amounts advanced under the Birrell Land Act 1909*

Y/E 31Mar	ESTATES	%	PURCHASERS	%	ADVANCES £	%
1911	6	2%	193	2%	28520	1%
1912	16	6%	213	2%	60157	3%
1913	15	6%	208	2%	69956	3%
1914	20	7%	645	5%	109617	5%
1915	18	7%	1059	9%	183799	9%
1916	26	10%	1823	15%	361633	17%
1917	113	42%	4957	42%	170773	41%
1918	21	8%	1664	14%	249746	12%
1919	8	3%	259	2%	41381	2%
1920	11	4%	551	5%	96921	5%
1921	14	5%	310	3%	51817	2%
	<u>268</u>		<u>11882</u>		<u>2124320</u>	

Source: Tables E and F.

A further tabular analysis of these figures (*See Tables G and H above*) reveals that the transfer of holdings under the 1903 act was slow to commence in County Galway where, in the first three years, only 16% of those estates sold under the scheme changed hands. Of the total number of estates sold under the scheme, 74% changed hands in the eight years that followed, 1908 – 15. The tenants who purchased during this period represented 83% of all those who purchased under this act and of the total amount of monies advanced under the scheme, some 77% was lent during this period. By 1916 the percentage of estates changing hands had slowed to a trickle at one and two per cent per annum during the period 1916 - 21. This reflected the unwillingness of the treasury to release funds to keep pace with demand. The annual average number of purchasers during the entire period 1903-1921 was thirty five, they each borrowed on average £272 and the average sum advanced per estate was £9,668. A very similar concentration of buying and selling activity is discernible under the amending Birrell Act of 1909, although here the period differs as the amending act began to take over from Wyndham's Act. (*See Table G*). Under Birrell the intense buying and selling took place

in the period 1914 - 18 where 74% of all estates sold under the act, changed hands. The number of tenants who purchased in this period amounted to 85% of all those who purchased under this act and 84% of all monies advanced. In 1917, following the upheaval of the previous year, one hundred and thirteen estates were sold under the Birrell Act. This was the highest number sold in any one year since the scheme was introduced in 1903 and it may be surmised that the events of Easter week 1916 encouraged many more landlords to accept stock and finalise the transaction, rather than wait to be paid in cash in the changing political climate of that year. The sales noted in 1917 represent 42% of the total sales for the eleven years the Birrell Act operated to 1921 and 42% of all purchasers during the period. Forty one per cent of all monies lent under the act were advanced in the same period. While normal sales to tenants were taking place during the period, the plight of evicted persons was also receiving attention. The commissioners received five hundred and forty eight applications for land from evicted persons in the county up to 31 May 1907. Of these, one hundred and eleven applicants were restored to their former holdings, twenty one applicants were given new holdings. The names of a further one hundred and ninety were noted as being suitable for, and should be given land. A further two hundred and twenty six were refused for 'various reasons'.⁵⁹

(iii) Dissension, graziers and outrage

The Wyndham Land Act was not responsible for the introduction of 'grazing and graziers' to county Galway but in a climate where land was actively changing hands and tenant expectation of acquiring it had been heightened and where graziers were available to purchase it if they could, antipathy towards the practice reached a new peak. The shift to pasture farming and especially to the raising of dry cattle and sheep had begun again in the 1850s. Stephen Gwynn, Nationalist M.P. for Galway city, described Athenry as 'the most notorious centre of land trouble in Ireland'. He went on to relate that in the 1850s two Scottish speculators named Pollock had bought 'a tract of land about forty miles in length and proceeded to clear the population off it'.⁶⁰ At the time Gwynn was writing, the Pollock estate at Lismany comprised 13,000 statute acres. It was, however, untypical in size and in its consolidation, for a grazing farm in the county. Most graziers farmed large expanses of pasture, often in excess of 300 acres and it was rare to have all the land in one holding.⁶¹ Many did not own much of this land but held it under the 'eleven-month system'. Under this system untenanted land (which may have been subjected to clearance of tenantry within folk memory) was put up for auction to the highest bidder and held for eleven months when it was again auctioned and held for the same period. It was difficult to compete for this land against the fiercely competitive bidding of the graziers and a widespread antipathy emerged towards them. Little employment was generated on the grasslands as a single 'herd' or shepherd could look after a large herd of cattle or flock of sheep. Because of the scattered nature of the lands held by graziers most of them were not 'owner occupied'. Usually, a herd lived in a small dwelling on the grazing lands. These lands were often found adjacent to congested areas and with the increased optimism abroad after the

Wyndham act was introduced and the increasing realisation that not only was it desirable to acquire a holding but an economic one at that, people cast a jealous acquisitive eye on the rich pasture lands held under the 'eleven-month system' by the graziers.

The United Irish League was prominent in encouraging these aspirations. Graziers were disliked for social reasons also. They were somewhat aloof as a class, with notions of upward social mobility. They did not assist their neighbours in the traditional annual *meitheal*, the practice of all neighbours getting together on one farm at critical times of the year on a free reciprocal basis to save the hay, or later in the year at harvest time. They had no need of such services and as a consequence remained socially divorced from their neighbours. They looked up to the landlords, aped them in their sporting pursuits and the landlords, as a result, looked down on them. The United Irish League had been active in opposing the graziers since 1899 in the west of Ireland and in the rich lands of Meath and Kildare. From 1906 on, public meetings denouncing grazing and advocating the break up of the lands for mixed farming, were held and some of these meetings were addressed by leading members of the League throughout 1907 and 1908 when the meetings became larger and the language employed more inflammatory. One meeting was addressed thus: 'would it not be a fine finish to the trials and sufferings and sacrifices of the past thirty years if the land purchase act ... only resulted in handing over the people's inheritance to fatten the graziers and fasten that scourge more firmly in the land'.⁶² Boycotting of graziers and 'all belonging to them' had long been employed as a dissuading tactic. In the 'United Irish League Notes' in the *Connaught Champion*, a piece appeared complaining that one of the 'scabs' who had helped a 'grabber' in Loughrea was afterwards employed to repair the

town sportsfield. He was about two hours working there when he was sent about his business after 'representations' had been made.⁶³ The practice of boycotting was believed to be widespread in the county but a police report to parliament reveals that in November 1905 there were only three cases of what the inspector deemed 'minor' boycott affecting only nine persons in all in the east riding. There were none registered in the west riding. By January 1906, however, one person was 'wholly' boycotted, there were three cases of 'partial' boycott affecting a further seven persons and twenty-seven cases of 'minor' boycott affecting a total of ninety persons in the east riding. In the west riding, there was one case of 'partial' boycott involving a total of four persons and ten cases of 'minor' boycott involving in all forty two persons.⁶⁴

More serious action was to follow when 'cattle driving' was used as an intimidatory measure against the graziers. At the first mass-meeting of the ranch war held outside Mullingar County Westmeath in October 1906, Laurence Ginnell, nationalist M.P. for Westmeath North and a leading figure in the United Irish League, addressed the crowd in the following terms: 'if the graziers found their ranches empty some fine morning and you persisted in it until Christmas, the ranchers would lose their taste for the people's land'.⁶⁵ His utterances at these meetings often went beyond what his party found politically acceptable⁶⁶ and a large force of police as well as a government note-taker were usually present at meetings at which he spoke. These meetings were colourful and highly charged. When he spoke at Kells on 30 November 1907, a brass band paraded the streets beforehand.⁶⁷ He advocated that open derision be shown to graziers and those who assisted them and in these land-hungry years the people listened to him. In November 1907 the cattle of a grazier named Hughes were driven off a farm in Ballyforan near the Roscommon border. Three men were arrested

as a result of this cattle-drive and released on bail. A week later a large crowd of men, women and even children, assembled at Muckloon House to prevent the 'herd', escorted by a strong guard of police, from driving the cattle back onto the farm. The crowd blew horns, beat drums, groaned and jeered at the terrified animals and their escort which eventually forced a way through. Several people were arrested during this demonstration.⁶⁸ This kind of sport, encouraged by Ginnell, took on a life of its own and sometimes proved effective when the grazier agreed to vacate the land. When Launcelot McManaway, who held 50 acres on the eleven-month system at Fohenagh, cleared his stock off the land, the people of the district 'did not forget to give him a good send-off with horns etc.' The victory was celebrated later the same evening at Ballintubber with a great torch-lit procession led by Ballintubber and Ballymoe bands. The *Roscommon Herald* headlined the affair: 'Surrender of Fohenagh grass farm'⁶⁹ There was also a perception abroad that graziers were managing to buy land under the Wyndham act. It reached a point where anybody who already held land and managed to purchase additional land from the Estates Commissioners became an immediate target for neighbourly derision and possible intimidation. The *Connaught Leader* reported that, in the Commons, the chief secretary was asked why a large grazier holding 400 acres at Shrule, near Headford, was given 18 acres by the Estates Commissioners. Mr Birrell told him to name the grazier and the matter would be looked into.⁷⁰

The morality of the 'grazing system' was raised at a public hearing of the royal commission on congestion in Ireland which took submissions in Counties Galway and Roscommon in October 1907. Henry A. Burke, J.P., who grazed 600 acres himself, told the commission that graziers bought young cattle from the smaller man who could not fatten them himself because he had neither the expertise nor the grassland to do so.

He maintained it was an integral part of the fattening chain and the cattle trade in Ireland would suffer damage if it were removed.⁷¹ The commissioners in their final report acknowledged the veracity of this but put forward suggestions to endow a potential 'mixed-farmer' with both land and skills to overcome the problem.⁷² Edward Shaw-Tener, land-agent to the absentee earl of Clanricarde, was somewhat disingenuous in his reply when Sir Anthony MacDonnell enquired of him: 'Should you say that the condition generally on the Clanricarde estate is that there is not enough grassland to enlarge uneconomic holdings'. He replied 'There is not'.⁷³ The evidence of Father Joseph Pelly, a curate from Ballinasloe, refuted Shaw-Tener's contention when he told the commissioners that three farms on the estate one of 110 acres, one of 352 acres and a third of 300 acres were outside of the walls of the demesne and were not (as suggested by the agent) 'home-farms' and 'have not been used in my memory for forty years in connection with the demesne'.⁷⁴ This evidence was given in the court-house with the public present and the full text was reproduced in the *Connaught Leader*, the local Ballinasloe newspaper, on the Saturday following. Father Pelly made a powerful moral case against the graziers. He cited the case of the Pollock estate eleven miles from the town, bought from the encumbered estates court in 1854 and cleared of its tenantry by two Scottish 'land speculators'. He told the commission that in order to earn the money for their passage to America, some tenants were obliged to tear down their former houses and build walls with the limestone around the enlarged holding before they left. 'I have here' he said, holding up the documents 'the rental and maps which show that fifty three families lived on two of these farms where there is not a single one, but two herds and the farms are rented to two graziers'.⁷⁵ This was emotive imagery, evoked in the middle of the ranch-war at the very centre of that part of the

county most affected. Father Pelly had other things to say: 'I would also take from the landlord the grassland he took into his possession for the avowed purpose of defeating the Wyndham Act.' ⁷⁶ He also told the commission that nearly all the best of the lands in the diocese was given over to grazing and that, as a rule, the agricultural holdings were cramped in quantity and poor in quality. ⁷⁷

All of this fuelled the engine of the United Irish League in the county from 1906 to 1909. The league was well organised in the county with branches throughout both ridings. The Irish correspondent of the London *Daily Telegraph* wrote

I am convinced that the machinery for the prosecution of terrorism and intimidation is better organised and more complete than it was in the worst days of the Land League, and that the little finger of the United Irish League is thicker than its predecessor's loins. ⁷⁸

In 1908 William O'Brien rejoined the Irish Party and both his and Redmond's influence led to relaxation of League support for the ranch-war which neither of them supported. ⁷⁹ By this time the financial provisions of Wyndham's Act were proving inadequate to deal with the demands made upon it and the Dudley report on congestion appeared in May 1908. It came down heavily on the side of the tenants and recommended that compulsory powers be given to the Congested Districts Board to enable them to break up grasslands. It suggested that grazing lands in the hands of mixed-farmers would produce a larger output and contribute more to the national wealth and that the people, now in a state of destitution, would become a source of strength to the country. ⁸⁰ As the League took less interest in the ranch war a new lobby group emerged in the county called the Associated Estates Committee. Its aim was the compulsory acquisition of untenanted and non-residential grazing farms exceeding 300 acres. It was able to mobilise widespread support and had some success in getting the

Estates Commissioners and the Congested Districts Board to purchase untenanted grasslands.⁸¹ Birrell's Land Act of 1909 strengthened the Wyndham Act of 1903. It gave the Congested Districts Board substantial powers of compulsory purchase and virtually trebled its income. It also amended the zones. Dissension and the grazing issue did not disappear in the county. Police reports for the east riding from 1910 through to 1913 reveal constant intimidation of those perceived to be associated with grazing and land division. The following provide a sample:⁸²

8 Oct 1910

Mr & Mrs Burke's house near Tuam fired upon. Seven or eight men ran away. [Burke holds a large farm which some adjoining tenants want divided.]

1 Jan 1911

At 8.30pm 30 or 40 shots fired into the house of Mrs A. Ryan farmer of Annaghdown. She was with her steward in the yard at the time. [Mrs Ryan refused to surrender Annagh farm for division.]

26 Dec 1912

Thomas Donohue a farmer fired at, at 3 pm. [He worked for a man — Flatley — who was boycotted for refusing to sell his land for division.]

23 Aug 1913

At midnight near Oranmore, the house of Michael Melvin 35 yrs. farmer was fired at. The bedroom window where Melvin's wife and three children slept was broken. No one was injured. [Melvin in his capacity as herd had incurred the enmity of local people named Costelloe by turning their trespassing stock off the land he herded.]

15 Sep 1913

John Broderick 35 years and Patrick Lally 35 years farmers, fired upon on the public road near Loughrea at about 9pm. Both men wounded. [Both men were members of the United Estates Committee, locally appointed to divide the untenanted lands on the Dunsandle estate. Some of the tenants were dissatisfied with the result.]

It is worth remarking that most of these 'outrages' involving firearms rarely resulted in persons actually being hit by a bullet and the Dunsandle incident cited is an exception. The aim was to intimidate and alter the course events were taking in defining land-ownership. The gun was used to intimidate when the horn blowing, drum beating and ostracizing had not satisfied the impatience of people whose expectations under the Wyndham Land Act had not yet been met. The grazier replaced the landlord as a 'hate-figure' in the community in these years up to 1914 and the dissension on the land was now firmly between 'Irishman and Irishman and neighbour against neighbour. Many of the "eleven-month" men were "excellent Nationalists"'.⁸³ Political events on a national level and the nearing goal of Home Rule were to dominate politics for the rest of the decade but the issue of open grasslands festered on and particularly so in the west.

CONCLUSION

All this then, was the legacy of the Wyndham Land Act in County Galway. The 1903 legislation, when taken together with Birrell's amending bill of 1909, was, and was seen by contemporaries to be, 'the vital breakthrough from which all other subsequent developments followed.'⁸⁴ At a national level it first of all demonstrated that consensus between nationalists and unionists could work. As Lyons points out, however, the royal ink was hardly dry on the 1903 bill when forces on both sides of the fence moved to explode this new phenomenon which O'Brien termed 'conference plus business'.⁸⁵ The result was disaster for the political careers of, first O'Brien and then Wyndham, both of whom had to resign under pressure from their respective colleagues. The financial inadequacies which became apparent as the 1903 act was implemented were compounded by the unwillingness of the treasury to meet the demands of the scheme (in 1910 it was providing only £2m per annum)⁸⁶ and this 'block' was not finally shifted until as late as 1928. The achievement of both men, however, in getting the sides together and enshrining their conclusions in legislation, marked the beginning of a momentous social change in the fabric of Irish society. When the Estates Commissioners summed up the results of almost two decades of implementing the 1903 and 1909 acts in 1920, it reported that almost £84 million had been advanced for the buying out of land since 1903 and that sales of a further £24 million were still being processed. Almost nine million acres of land changed hands during the period and a further two million acres was in the process of being sold.⁸⁷ The figures for County Galway are no less impressive in demonstrating the impact this legislation had on a local

region. The commissioners, reporting for the first time to the lord lieutenant general and general governor of Ireland, reveal that in the period 1 November 1903 to 31 March 1921, a total of 21,255 persons managed to purchase holdings in the county and were advanced the sum of £4,840,519 to do so. A further £584,426 in loans was pending. These figures represent the break-up of a total of five hundred and thirty nine estates in the county during the period.⁸⁸ The majority of the sales fell into the category of sales effected by the commissioners at 61%. In only 17% of cases did landlord and tenant in the county agree among themselves. The other 22% of sales were effected through the Congested Districts Board which before 1909 would have had the landlord's agreement but not necessarily so after that date. When the Congested Districts Boards' figures are included for the county it will be seen from Table G that 609 estates were broken up and distributed among 23,985 purchasers who borrowed £5,421,098 to effect the purchases. A new class of landowner became widespread in the county; the peasant proprietor.

By 1921 many of the larger estates had been acquired and more sales were pending. As noted earlier Hugh Henry had been one of the first of the larger landlords to agree to sell his estate in 1904, buying back his house and demesne of 200 acres by borrowing under the act. It made good financial sense for a landlord to refinance his estate borrowings at the very low interest rate of 3¼%. Hugh Henry paid the Estates Commissioners £4,245 for his house and demesne, borrowing £2,636 and putting up the balance of £1,609 himself. Many landlords who rebought their houses and demesnes through the scheme put up nothing towards the purchase themselves merely borrowing 100% of the agreed price under the scheme. There were many objections to this refinancing of landlords' mansions and demesnes as the entire scheme was under-

financed by the treasury and the 'block' was causing much frustration among the parties, but the perceived rationale was that every endeavour should be made to keep the landlords and their new investment capital within the Irish economy. For this reason, they were permitted to enter the scheme as purchasers as well as sellers and to retain their homes and the lands immediately abutting them. In 1906 the Daly family of Athenry actually repurchased two demesnes and houses they owned in the area when they sold their estates. Raford on 1,435 acres was bought back for £19,974⁸⁹ and Dunsandle on 600 acres for £6,925.⁹⁰ Their estates comprising 13,271 acres with turbary rights were distributed among four hundred tenants.⁹¹

Sir Henry Burke of Marble Hill, near Loughrea, sold his estate in 1908. The estate of 14,716 acres was distributed among six hundred and fifteen tenants. Alan Pollock sold out in 1911 and retained his house and demesne of 375 acres. His estate of 10,685 acres was distributed among two hundred and ninety three tenants.⁹² Between the years 1911 and 1914 the earl of Clancarty's lands, near Ballinasloe, comprising 7,700 acres were shared by three hundred and eight tenants⁹³ and the French estates at Monivea of 7,145 acres were distributed among one hundred and eighty tenants in 1912.⁹⁴ That the amending Birrell Act of 1909 was of great significance for County Galway is shown by the records of the Congested Districts Board for Ireland which reveal that many of the very largest estates in the county were acquired by the board including Lord Ardilaun's Guinness estate of 27,942 acres which included some 13,977 acres of hitherto untenanted land. The Berridge estate in Connemara of 145,32 acres (20,000 untenanted) was vested in the board in 1915. The Clanricarde estate near Portumna of 49,747 acres was compulsorily acquired by the board and the earl duly tested the provisions of Birrell's act all the way to the House of Lords which held for

the board. The Clanricarde estate, which had featured earlier in the Plan of Campaign, was finally vested in the board on 30 September 1915.⁹⁵

The social ramifications of having people own their own land instead of merely renting it were examined in depth by Wyndham in a report he commissioned from Mr W. F. Bailey, Legal Assistant Commissioner to the Land Commission, before the legislation was introduced in 1903. Inspectors were sent out to examine holdings which had been bought out under the earlier land purchase schemes. The inspectors examined the current state of holdings, the degree of improvement in drainage, fertilising, fencing etc. and compared them with the Land Commission records of those holdings before they had been bought out. The results were very positive. Improvements were noted in 80% of the cases studied. The inspectors also enquired of shopkeepers, bank managers and clergy as to the social and financial standing of those who had become 'peasant proprietors' and again the results were positive in about the same number of cases in the study. Unfortunately, no similar study was undertaken after the Wyndham Act but as some 47,000 tenants had purchased in Ireland before 1903, we may at least conjecture that similar results prevailed post-Wyndham. To what extent Mr Bailey and his inspectors knew that the chief secretary needed a positive report to support his proposals for such massive financial borrowings from the treasury may only be surmised, but in fairness they did report 'exceptions' to the general trend where they encountered them.⁹⁶ Bailey's view was echoed by the president of the statistical and social inquiry society of Ireland while addressing the society in 1912: 'No one will deny that in almost every part of Ireland the conditions of life especially in the rural districts have signally improved. Wherever inquiry is made it is found that the land acts, the labours and operations of the Congested Districts Board have made salutary changes'.⁹⁷

Another contemporary account eulogises: 'The change is simply marvellous. Unhealthy hovels, then broadcast in the districts, have, in most cases, been obliterated or turned into cattle sheds.'⁹⁸ The Wyndham Land Act of 1903 and Birrell's amending Act of 1909 had facilitated this change in human conditions as well as in rural consciousness, and had indeed placed the 'coping-stone' on the policy of 'constructive unionism', as Ireland entered the twentieth century.

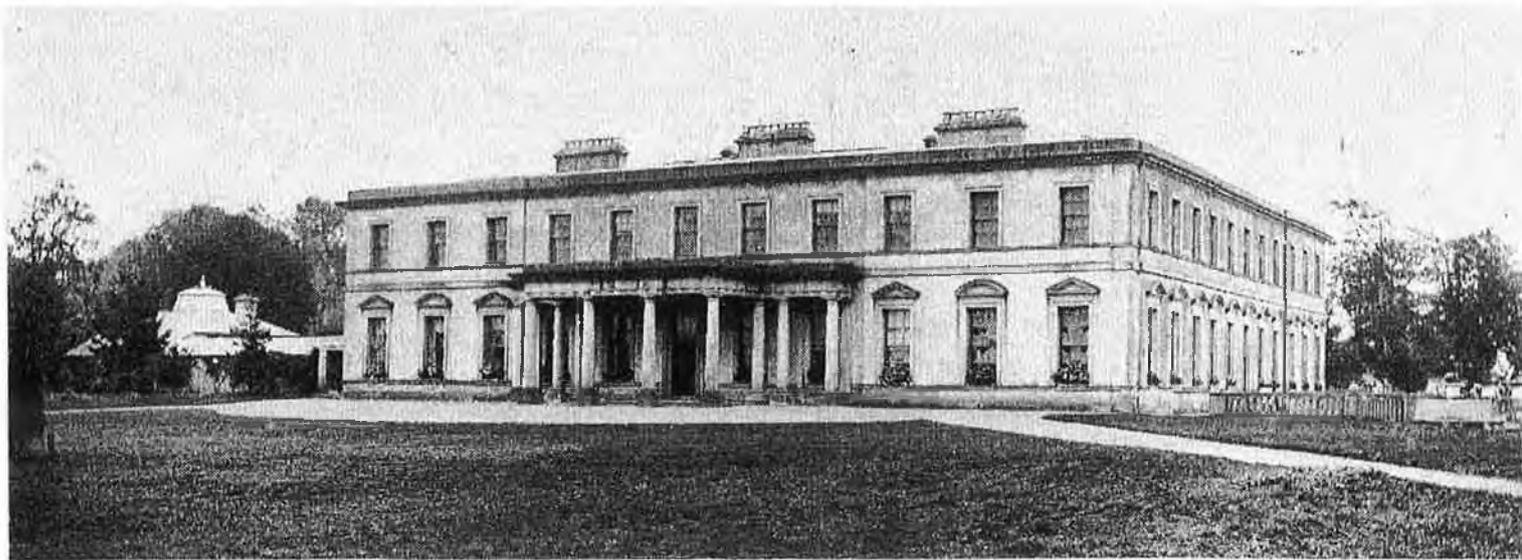
END



Clonbrock



Clonbrock: Hall



Garbally Court



Plate 4



Plate 5



Plate 6

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34. W.L. Micks, *A history of the congested districts board* (Dublin, 1925), p. 121
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