

## A Landlord Boycott In Jerretspass, 1888

### Introduction

When the executors of the failed Newry Bank sold Sir John Moore's Drumbanagher Estate in April 1818, to pay off his debts, not all of Moore's land was bought by the Close family.

At that time, when part or all of a large estate was sold, it was usually offered for sale in units of townlands. Two of Moore's townlands—Knockduff and Killmonaghan—were reported in the press to have been bought by a Major Douglas. However, this seems to have been a spelling mistake as the family (from Grace Hall, Mount Ida, between Banbridge and Dromore) had spelt their surname Dowglass or Dowglassee for some generations.

Fast forward to the late 1880s; there is a severe agricultural depression and crop failures due to bad weather. Agitation for land reform is reaching a crescendo, and tenant-farmers throughout Ireland are pressing landlords for immediate rent rebates.

The Land Courts often supported tenants in difficult years by imposing rebates of around 10%, but this was often inadequate given the tenants' dire circumstances. In general, landlords who lived on their estates, especially those with good land agents, such as the Close family, understood the hardships the farmers were facing, and many voluntarily offered rent reductions of 10% or more for several years in a row, often pre-empting requests from their tenants.

But others, especially the absentee landlords, were unyielding and uncaring. They saw the prompt payment of their bi-annual rents as a legal and God-given right. Property rights trumped human suffering every time. They were generally inured to the hardships of their tenants, and preferred to evict them, and sometimes even make their former hovel-like homes uninhabitable by destroying the roofs. As the landlords were enforcing their legal rights, evictions were often attended, and assisted, by the police and the military to make sure that the law was complied with.

On 19 September 1880, Charles Stewart Parnell gave a speech in Ennis, County Clare, to an audience of Land League supporters. He asked the crowd, "What do you do with a tenant who bids for a farm from which his neighbour has been evicted?" When the crowd responded with "kill him" and "shoot him", Parnell countered:

*"I wish to point out to you a very much better way – a more Christian and charitable way, which will give the lost man an opportunity of repenting. When a man takes a farm from which another has been evicted, you must shun him on the roadside when you meet him – you must shun him in the streets of the town – you must shun him in the shop – you must shun him on the fair green and in the market place, and even in the place of worship, by leaving him alone, by putting him in moral Coventry, by isolating him from the rest of the country, as if he were the leper of old – you must show him your detestation of the crime he committed."*

This speech articulated the Land League's powerful new weapon of social ostracism. The tactic was first used soon after Parnell's speech, against retired army captain Charles Boycott, an English land agent in Co Mayo. Within just a few months, the new verb "to boycott" was in widespread use in newspapers.

## The Unrelenting Captain Dowglass

In 1888, the owner of Knockduff and Kilmonaghan townlands was Captain George Dowglass JP (1833-1920). He lived both in London and at Gobranna, near Crumlin, and was married to Louisa Waring of Waringstown.

In December 1887, Dowglass wrote to all his tenants in the area to say that he would come to Jerrettspass, with his agent, Joseph English, just before Christmas, to collect the half-year rents that had become due in November. About 25 of his tenants met beforehand and resolved to ask Dowglass for a 40% reduction. They delegated four of their number to meet with him and negotiate; he refused to budge.

On 30<sup>th</sup> December, the tenants received another demand for the rent, less a 10% reduction that had been imposed by the Land Commission. They replied to Dowglass, restating their request, but once more he refused any abatement.

The Rev Taylor of Drumbanagher mediated, and the tenants massively reduced their rebate request from 40% to 20%. Dowglass's response was a mere additional 2%! Shortly afterwards, he issued writs against the four tenant delegates—Benjamin Thompson, Edward W Lockhart, and John and Hugh Gordon—to pay their debts immediately or have their farm stock and equipment sold off to raise money to pay the debt. John Gordon capitulated (due to particular family circumstances) and borrowed money to pay his rent; the other three refused.

As the impasse continued, to show their exasperation with what they saw as Dowglass's unreasonable stance, the tenants published their complete correspondence with him in the Northern Whig on 15<sup>th</sup> February 1888, hoping that its publication would swing public opinion behind them. It did.

The rest of this story is best told mainly by reprinting the extensive newspaper reports of the time. These are reprinted verbatim with the exception of certain passages I want to draw the reader's attention to, **which I have emphasised by bold text**.

An initial attempt to auction the farmers' possessions, on 21<sup>st</sup> March 1888, ended in a fiasco, and all three auctions were abandoned.

This account of the day's events appeared on 23<sup>rd</sup> March in the Armagh Standard, and clearly supported Dowglass.

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### INTERRUPTION TO A SHERIFF.

### EXTRAORDINARY SCENES.

On Wednesday a disgraceful scene was witnessed at a place called Kilmonaghan, within about a mile of Goraghwood station. The Sub-Sheriff of Armagh attended on Tuesday to carry out sales on the farms of three tenants of Captain Dowglass. The first of the sales was to have taken place on the holding of a substantial farmer named Lockhart, who is not pretended to be in bad circumstances. Knowing this, the Sheriff was anxious to settle the matter quietly, but with no avail. A demonstration had been arranged the previous night, and shortly before twelve o'clock—the hour arranged for the sale—there was an attendance of between four and five hundred. There were only five police present at the time.

The members of **the crowd, which almost entirely consisted of Leaguers<sup>1</sup>** from the adjacent **League townland of Glenn**, spent the time getting up subscriptions to defray expenses or in discussion of the situation of affairs. It was noticeable that **there was a complete absence of all the respectable tenant farmers** from Mullaglass, an adjoining townland, and not a mile from the scene of the operations. In the farmyard were the Sub-Sheriff of Armagh, Mr W H Moore, solicitor; Mr Locke, the auctioneer, Portadown; and Wm Riddell, the bailiff. Between that time and twelve o'clock repeated visits were paid by Mr Lockhart and the sheriff to the house, evidently with a view to a settlement. However shortly after twelve o'clock, the sheriff and auctioneers entered the haggard<sup>2</sup> with a view of disposing of a large quantity of hay which was stored under a fine wooden shed.

The sheriff said the sale was by virtue of a *fi. fa.*<sup>3</sup> at the suit of Captain Dowglass, against Mr Edward Lockhart, for the sum of £120-9s-11d, debt and costs. **The Auctioneer**—and the terms will be cash. At these words a storm of shouts and laughter burst forth. When the noise had lulled, Mr Peter Byrne, of Newry, said—Might I ask you, Mr Sheriff, if this is an ordinary debt, or is it for a rack-rent. **The Sub-Sheriff**—the *fi. fa.* does not tell me which. **Mr Byrne**—I understand it is for a rack rent. The auctioneer—how much for the hay? **A voice from the crowd**—If you give credit, you may get a bit, but no one here has any money. **Mr John Rantin**—How much of this for costs? **The Sub-Sheriff**—£5 16 shillings. (Groans and hisses.)

At this juncture the crowd commenced to hustle the auctioneer and sheriff, and as the ground sloped towards the hayshed, looked very dangerous, as if either had fallen<sup>4</sup>, he must have been trampled upon. When the hustling had preceded for two or three minutes, Head Constable McQuaid, Sergeant Atkin, Constable Kilcourse and Mr Lockhart forced their way through the crowd. Mr Lockhart, addressing the crowd, asked them to let the sale go on quietly. The sheriff had treated him very decently and fairly, and they had no right to ill-treat him.

**The Sub-Sheriff**—I have been very badly treated. **Mr Lockhart**—I am very sorry, and if I knew who did it, I would put him out of that. **The Sub-Sheriff**—I'm here trying to do my duty in the most agreeable way, and this is the return I get. If I have to come back again, I will bring a force that would clear the county. I'm only one man against four or five hundred, and it is a fine manly state of things were a crowd to kick and beat me. **Mr Lockhart**—I am sure I am sorry. It is not my fault. **The Sub-Sheriff**—you looked on and let it be done. It is a very manly thing and a thing to be proud of—four or five hundred against one man. I was nearly thrown down. **Mr. John Rantin**—you staggered. You must have been beered<sup>5</sup>.

**The Sub-Sheriff**—I saw people here whose faces I will remember and who are urging on the crowd. You, sir (addressing Mr Peter Byrne), I have noticed. **Mr Byrne**—if you accuse me, I say it's a lie. **The Sub-Sheriff**—it is very easy to use bad language. **The Auctioneer**—it is not a manly thing to try and injure a couple of men. **A Voice**—you have not been injured. **The Auctioneer**—I say we have been.

A farmer named Hanna, from Leish, here addressed the sheriff, and said he should have had a sufficient force there to have enabled the sale to be held. He was labouring under a great mistake if he thought the people of the North were going to stand quietly by and allow themselves to be robbed. They protested against being robbed. **They were there as one man to protest, and, as the law**

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<sup>1</sup> Members of the Land League

<sup>2</sup> An enclosure beside a farmhouse, in which crops are stored.

<sup>3</sup> *Feria facias* – a High Court writ of execution to enforce the payment of a debt when judgment has been entered against the debtor.

<sup>4</sup> In other words, nothing actually happened!

<sup>5</sup> Drunk.

**allowed it**, the sheriff would have to take a sufficient force to carry out the sale, as he should have done that day. (Cheers.) This sale can't be carried out now.

**The Sheriff**—the sale is adjourned. This announcement was received with tremendous cheering, and shouts of “Cheers for the Plan of Campaign”. Hanna was chaired up and down the road, and finally a move was made to Jerretspass, where preparations were made for a meeting. A mineral water van was utilised as a temporary platform, and, on the motion of Mr Hanna, the chair was taken by Mr Edward Lockhart. A number of speeches were delivered.

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### [The Poyntzpass Coercion Trial of 1888](#)

As a result of the day's events, the authorities prosecuted a number of those present at the auctions for their alleged illegal behaviour. The cases were brought under two recent laws:

- **[The Protection of Life and Property Act of 1881](#)**

Also known as The Coercion Act, this act was passed in response to the Land War. It allowed for the proclamation of certain areas as disturbed, facilitating the arrest and trial of individuals involved in agrarian unrest.

- **[The Crimes Act of 1887](#)**

Also known as the Prevention of Crimes Act, this legislation aimed to curb Nationalist agitation, and to prevent boycotting, intimidation, unlawful assembly and the organisation of conspiracies against the payment of agreed rents. It empowered authorities to arrest and detain individuals without trial for offences related to sedition or other political activities. It was the response of Chief Secretary for Ireland, Arthur Balfour, to Parnell and the Land League's [Plan of Campaign](#).

But before the accused could be tried, a second attempt was made to hold the auctions, on 10<sup>th</sup> April. The population around Poyntzpass and Jerretspass once more united in opposition to Dowglass. Once more, close to a thousand people attended, very publicly showing support for the tenant farmers, refusing to bid for anything themselves and determined to publicly shame anyone who did.

Poyntzpass district—with many Unionists and Nationalists united as never before—was operating its first very public boycott!

The following account appeared in the Newry Reporter two days later, on 12<sup>th</sup> April 1888. Unlike the Armagh Standard report, which was critical of the behaviour of the farmers and their supporters at the first auction, the Reporter's tone was very anti-landlord and pro-reform.

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### **CAPTAIN DOWGLASS AND HIS TENANTRY.**

#### **SHERIFF'S SALE.**

#### **(FROM AN EYE-WITNESS).**

It is within the recollection of all that a short time since **writs for exorbitant rent** were served on Messrs Lockhart, Thompson, and Gordon, and that a “sale” took place upon their respective holdings. **The days are gone by, even in this Orange quarter, when men were ready to bid for their neighbours' effects and strengthen the hand of their common opponent - the landlord.**

Consequently, the sale, as everyone anticipated, proved abortive. The tenants of every class and creed,

recognising the justice of the reduction asked and **the extreme apathy of the landlord to their condition**, would not bid. The claim made was excessively moderate - twenty percent in some cases - i.e. ten percent more than what the Government allows, and in other cases only ten percent and seven-and-a-half percent were asked. When it is taken into account that this year's agricultural profits - owing to bad prices and poor yield - have fallen fully fifty percent, the full hardship of the case becomes at once apparent. **It is only fair that a landlord should suffer equally with his tenantry**, even on a mild calculation. And Captain Dowglass was not even asked to do this much by those far too moderate holders of his. They only asked twenty percent on rent to enable them to meet a fall of fifty percent in profits!

But the Captain practically answered<sup>6</sup> - “**No! All the work, the trouble, and anxiety must be on your side; I shall live in London on the earnings of your toil. Part of your makings will be spent upon my pleasure - you must have no pleasure. Part of your makings will be spent up on my family - your families must be pinched. All profit must be mine, and all the loss must be yours.**” This is the philosophy of the situation in short. Fully determined to turn a deaf ear to all entreaty, to show a callous front to all misfortune, this military gentleman proceeds to the employment of force. Car-loads<sup>7</sup> of police, emergencymen<sup>8</sup>, sheriff's officers, and all the other paraphernalia of Tory Government in Ireland might have been seen early last Tuesday morning, proceeding up the Armagh road on the way to Jerrettspass. There was some difficulty in procuring cars, all the Catholic and some of the Protestant carmen refusing to convey the police for any such purpose. However, cars were eventually obtained, and all was in prime order for the sale, which commenced at 11:30 am at Mr Lockhart's place.

Mr Lockhart holds a large farm in Kilmonaghan, situated almost beside Jerrettspass, on the roadside. Everything about the holding is well kept and tidy - **no appearance here of a thrifless, idle or dishonest farmer, everything on the contrary to that, from the flower garden to the field**. Mr Lockhart's rent is £120, and he owes no arrears, only this year's rent. Yet Captain Dowglass will not share the agricultural deprivation with the joint owner - the “working partner.” The answer to any demands of that kind stood on the road and in the yard to the number of about seventy<sup>9</sup> “police” under District Inspectors Davies of Newry, Bigley of Portadown, and County Inspector Dobbin of Armagh. A few legal formulas on the side of the Captain were here read out, and the auctioneer commenced business by making the significant statement “that there would be no auction fees” - some encouragement this to the neighbours to buy on good terms.

But alas! Beyond cheering for Mr Lockhart and groaning for the police and the landlord, the trusty neighbours gave no stimulus to the proceedings. A horse and cart were brought into the yard. The people clustered around, and a police officer warned them that the baton would follow any attempts at resisting the sheriff's officer or any of those can conducting the sale. **There seemed little occasion for the warning, as all round good temper was the main characteristic of the crowd.** The auctioneer having announced for about the tenth time that “the terms were cash” and being politely queried by someone among the buyers as to where they would get cash, perceived that the sale was likely to turn out as before. The emergencymen began to bid.

Of course, the game was up, as Mr Lockhart is connected with no tenants organisation, and as the tenantry are unhappily disunited. That man in spectacles with the shovel hat - disguised somewhat like an Episcopal clergyman, and that other, close shaved and with the tall hat - disguised somewhat like a Catholic clergyman - were obviously prepared to do the work. Under the circumstances there was no possible chance. So Mr Lockhart bid for his own horse and cart and was announced the

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<sup>6</sup> The reported is obviously paraphrasing what he believes to be Dowglass' attitude.

<sup>7</sup> Jaunting cars, rather than motor vehicles.

<sup>8</sup> Emergency men were employed to house-sit a farm once a tenant had been evicted.

<sup>9</sup> The report in the Ulster Echo said that 150 police had assembled at Goraghwood railway station!

purchaser at £12. After this, the work of the sheriff's officer, the auctioneer, and the police was plain sailing, decidedly of a negative character. **Mr Lockhart bought in all his own stock amid the cheers of the assembled hundreds.** Some amusement was caused when a fine bull was brought out of the stall into the yard for sale. Commotion among the crowd, a good deal of scampering, some alarmed movement among the Constabulary, were not allayed until it was perceived that the beast had a ring in his nose and was held by two men. After the purchase of the requisite quantity of property, the auctioneer and officers took up their papers and (to be scriptural) walked.

The next move was in the direction of Mr Benjamin Thompson's farm in Knockduff. The whole train - including the sheriff's party, the people, and the police - was not less than a quarter of a mile long. Accompanied by the Sheepbridge Band, playing "Fair Thee Well, Killeavey", "Auld Lang Syne" and other popular airs, the crowd passed by the Jerrettspass schoolhouse, up "The Round", and, after a mile's steady hill climbing, entered the Orange quarter of Knockduff. A similar scene has never been witnessed there in the recollection of the oldest inhabitant. Mr. Thompson acted as did Mr Lockhart. Left powerless through the want of unity and organisation among the tenantry, he was compelled to buy in his own stock. Mr Thompson's rent is £56; like Mr Lockhart he owes no arrears, and **Captain Dowglass says Mr. Thompson must suffer the agricultural depression from which a just God, he would appear to contend, has exempted the idler and the absentee, and unto which he has condemned the toiler alone!** Mr Benjamin Thompson is an eminently religious man, a careful and thrifty farmer, a tenant of whom any landlord might be proud. He is naturally very popular in the district, and cheer upon cheer went up from for him when **he was raised on the shoulders of two of the crowd and carried round in front of the police.**

There would be little necessity to refer to the scene at Mr Hugh Gordon's - a man of the same type as the other two, with the difference that he is Master of an Orange Lodge - were it not for a **sell?** in more senses than one, which an enthusiastic emergencyman received for his forward zeal. A nag worth, on an exaggeration, about thirty shillings, was led forth from a stable. Scarcely was its head out when the emergencyman shouted loudly £12. "Give it to him" said the considerate crowd, and assuredly he deserved something after standing five long hours in the wet, bidding well and loyally, and being jeered by the people present. He got his purchase, and the landlord is congratulated on the acquisition. Shortly after this, Mr Hugh Gordon, being compelled to adopt the same system as his neighbours, the party descended the hill, the "war-horse" in front, to the music of the "spirit-stirring drum". It is worthy of remark that **Rev. F Hamilton, The Manse, Jerrettspass, whose sympathies as their pastor are thoroughly on the side of the unfortunate tenantry, was present during the whole day.**

The Rev Alexander Savage, Covenantor, met the party, and expressed regret that it was impossible for him to be with it, as he had important business elsewhere. For the **???**-there is no denying the fact the landlord has won. The tenants' only gain by the delay is the substantial one of immunity from auction fees and the moral one of showing the landlord that they will no more be trampled on without murmuring or arresting public attention. It is creditable to **the district, which is one of the most peaceful and well educated in the county, that under the irritating circumstances not a single stone was thrown, nor a single aggressive act was committed throughout the whole proceedings by any individual.**

Of course, there were jibes and jeers, inevitable in such circumstances, but nothing occurred outside good humour and decency. Not a hair was turned on any of the government officials, from the unemployed policemen to the emergencymen whose sole **brother** was to bid, the only matter taken notice of by the police being some groaning which Messrs Peter Byrne and Edward Fitzmaurice said to have directed at them. Their names were taken, with what object is not very apparent, save perhaps to prevent a recurrence during the day of the public disapprobation so freely bestowed in this shape upon the force. A meeting was subsequently held in Jerrettspass, and several important and plucky

speeches made, **showing clearly that the tenantry are determined to wring from absentee landlordism in the future the just concessions which its callousness has denied them in the past.** The following are the particulars and speeches:

Mr Benjamin Thompson was moved to the chair.

On rising to speak, he was received with loud and prolonged cheers. He thanked the meeting for the honour they had conferred on him, for he said it was purely a position of honour. He had nothing to say upon the question more than what they had already heard, and his position of Chairman would not entail any difficulty, as the men of Down and Armagh were all in sympathy with the cause and were conversant with the object for which they had met. (Cheers.) Their chief object, however, was to emphasise their abhorrence of the arbitrary course the landlord had adopted and make the meeting an unequivocal success (Cheers.)

He claimed that the tenant-farmers had won all along the line despite the fact that the emissaries of the landlord had carried away a few pounds, shillings and pence, for he thought they had exerted it in so discreditable and ignominious manner that they would hardly appreciate its value. He believed it would be very injudicious of him to occupy their time for any length, either in relation to the land question or on the merits of the battle in which they were engaged. **The landlord occupied a position as unworthy and subservient as they could wish to place him in. His contentions were entirely untenable, and the ignominy of exacting a rack-rent by British bayonets could be minimised by no extenuation.**

All the justice was on the side of the tenantry. Their sympathisers could be numbered in thousands while the harsh relentless spirit of the landlords rendered their lives and their cause absolutely odious. Their object had neither the colour of equity or justice about it, although they claimed they had all the law on their side. He would impress upon them, however, that those enactments which they had constantly quoted in favour of their cause constituted the tenants joint-partners with the landlords, but at the same time if it entirely deprived them of the profit, for which it seemingly desired to reserve for their benefit-(cheers)-and had **today stripped them of their means of subsistence by an array of British bayonets.** (Cheers.)

It was not the landlords, however, that they had to blame for the arbitrary Government that supported their exorbitant claims. The blame lay with the tenant-farmers themselves, for they had hitherto assisted these men to make laws for themselves. They ran with their eyes open to increase the power of their oppressors. The tenant-farmers were hoodwinked by the pretensions of the landlord party at electioneering times to vote for tenant-right<sup>10</sup>. He need not tell them, however, what tenant-right was. (Laughter.) It was landlord right. These were some of the fallacies that had hitherto trapped them, but they had now internally exploded. The tenant-farmers were not only joint-partners in the land, but they were the working partners. Their profits, however, had been *nil* up to the present, but they would for the future endeavour to obtain a share of their own labour, and prevent the landlords from monopolising them all. (Cheers.)

Mr Edward Lockhart, who next spoke, was received with great enthusiasm. He said – Mr Chairman and gentlemen, you can hardly imagine the pleasure it gives me to see you all here today, and to reflect upon the way in which you have behaved at this conjuncture. I have been conversing with many people during the day, and they all agree in praising your conduct. **They declare that they have never seen so orderly and so peaceable a crowd,** considering the vexatious course which the landlord has thought fit to pursue. What brought you all here is a matter you are already aware of.

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<sup>10</sup> The phrase tenant-right embodied three linked ideas - security of tenure, a fair rent, and the right to sell on the holding or be compensated for improvements that the tenant had made.

Captain Dowglass in his wisdom thought he had nothing to do but serve us with writs about the beginning of January.

His legal proceedings, however, were entirely devoid of any result, so a number of letters passed between us in the meantime, and **always at the latter part of his correspondence he desired us to pay, "for if you don't, further costs will be incurred"** (Laughter.) He advised us very strongly to come to terms, but, gentlemen, we had taken a position in this dispute that we could not honourably get out of. We determined to let the sheriff come and take his rent. His first appearance, however, was a rather ludicrous one, for there was not a man who would bid for a straw belonging to us, and you have a right to be proud of yourselves on that account. There are no backsliders here. (Loud cheers.) The sheriff brought his army of police today. He brought his emergencymen, or whatever men they are but we could not afford to allow our cattle to be driven away from our premises, and we did buy them, but we certainly bought them under protest. (Cheers.) Every inch we fought the landlord was under protest, and the protest is now on the wings of the Press, and it is known over the whole of Ireland.

Before Mr English was appointed Captain Dowglass' agent, he<sup>11</sup> was a tolerably fair man, but this Petty Sessions clerk, Mr Joseph English, steps in, and I believe he has some hold on the property that none of us know anything about. This gentleman seems determined to have his pound of flesh. He came to Markethill and empowered his attorney to get his decrees out at once, so that he would have an immediate execution, **but the Barrister said he would not oppose any honest man, and as long as he sat there, he would do justice.** (Cheers.) So, Mr English had to wait for his rent. It will not be paid now until the 7th of May, and the latter part of it is on the 7th of September, but I don't know when or where he will get the rest. (Cheers.) It has been a time of very great anxiety to myself and those other two gentlemen who were visited by the sheriff today, but we always tried to do our best - cheers - not only in our own interest, but in the interest of everybody (Cheers.) To look at £2 or £3 of costs is nothing. I would rather throw the cost to the wind and see the assembly that we have here today protesting against this atrocious business (Cheers.)

We have this year started a noble example. **We have started a movement that we cannot stop.** (Cheers.) In Ulster, where the people were too proud to look for a reduction, this agitation has increased in dimensions, but poverty and pride go very ill together. I do not think, gentlemen, I can say anything more to you. I have already told you what we have come here for, but, in addition, I have to thank you heartily for your assistance, because if we had been depending on the backsliders of our own estate to come to this auction we would have been without any sympathy. But, despite their hollow friendship, we have the nine-tenths of the country at our back. (Cheers.) These are only a few cringing spirits - insignificant creatures - and we wish them joy of having borrowed the money to pay the rent, which most of them had to do. They had not the money themselves. They went and they borrowed it and their subserviency has raised them very little in the estimation of the landlord. Let every man stand on his own bottom.

They that have paid the rents are as poor men as we are and poorer. (Cheers.) I think, gentlemen, I have detained you long enough, but before I conclude **I desire to thank the men of Down and Armagh who came here to help me in protesting against this legal robbery**, and if Captain Dowglass thinks again of ever joining the army, he will have the advantage of an excellent wind-broken charger. (Laughter.)

Mr Peter Byrne, who was repeatedly called on to speak, said in reply, Mr. Chairman and fellow countryman, I have been asked to propose this resolution which has just been placed in my hand -

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<sup>11</sup> Dowglass, not English

**“That we, the tenant-farmers of this district, combine in the strongest manner against this last move of the English bastard garrison<sup>12</sup>, and that we pledge ourselves to contest every inch of ground with them until the system is entirely abolished.”**

One of the reasons why I have attended your sale today was because I had something to do with the commencement of fighting Captain Dowglass' estate. I told the gentleman who had been visited by the sheriff today that they were entering into a serious fight, and that, although they might be at some little inconvenience, they were certain to win all along the line, and I'm sure you will all agree with me in asserting that despite the payment of this unjust rent they have still reason to congratulate themselves. You will find that Captain Dowglass would not be so ready again to issue writs. He will not think it a very pleasant thing to send for police to protect him in collection of his rent next November or May.

I think we ought to return sincere thanks to **those gentlemen who have nobly fought this battle. They did not, however, fight it in a way that I could have wished to do. They have not adopted the Plan of Campaign, which is the only way of maintaining the battle. They did not lodge their money in the “war chests” and remove their cattle from off their farms** which would have prevented the sheriff walking away with a few pounds shilling and pence he extorted. But we must expect the child to creep before it will walk, and these men are fast approaching the citadel of safety. They have stood nobly by their brethren, but I have no hesitation in saying that they will not be out by one single farthing, because I know the spirit of this district. They have made up their minds that these tenants will not suffer. **The time was when a tenant fought his landlord single handed, but those days are gone, for we are united, and have determined to maintain the campaign until the enemy is completely routed.** (Cheers.)

Now, gentlemen, as I have said although the sheriff has taken away his rent - some of it in horse flesh - what will be for him on his next visit to Kilmonaghan? I think that those who have been processed to Markethill will have taken a lesson from today's proceedings. I venture to say that they will find each farm as Mr. Kelly, the Sub-Sheriff of Down, found them in Knockanarney this morning, where there were a hundred police went out to seize a cat<sup>13</sup> on Mr. Brooks' holding—(laughter)—and I never beheld as miserable and servile looking men in my existence. They could not but feel ashamed, considering that so many of them had been marshalled to seize a cat. I must remind you Mr Gordon – (cheers)- has been deprived of his horse today. But will his fields be left unploughed? “No. No.” No, gentlemen, if Mr Gordon wants a hundred horses, he will have them to put in his crop. The men who have fought the battle will not lose a farthing. (Cheers.) I considered it my duty to accept a share of your responsibility, and I disregard the policeman who took my name today. I do not care one jot for them. **They cannot close our mouths. We will cheer as we choose. (Cheers.) They will doubtless try to make it appear that the crowd was disorderly, but was there one man committed an assault or lifted a stone? No, there was not, but an attempt was made to close our mouths,** and despite the threats of the police, we will have freedom of speech. (Cheers.)

Mr Iver<sup>14</sup> Magenis seconded the resolution.

Mr William Hanna said if they had a minister of religion there, **he would be compelled to propose a resolution of thanks to Captain Dowglass, for he has done more today to promote Christianity in the county than any other minister in the neighbourhood.** (Cheers.) He has taught them how to work in harmony together, how to close up their ranks, and how to confide in each other for the benefit of all. (Cheers.) There had been a great deal of practical work done and a great deal of talking in this district latterly, but, as he has already said, the way to defeat the landlord was a complete

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<sup>12</sup> Strong language indeed for a meeting consisting of both Protestants and Catholics!

<sup>13</sup> See the following short article.

<sup>14</sup> Eiver

system or organisation. They were, however, making fast progress in that direction, but they have not yet reached perfection. They must be able to present one united and unbroken front when combating with their adversaries, for the landlord would not stop in oppressing them as long as they had one shilling in their possession. There was not a man upon this property who was not determined and satisfied to pay a fair rent –(cheers)- but what Parliament had enacted as a fair rent was manifestly unfair. And why? Because the landlords had at present a Parliament of their own, and they made the laws to suit themselves.

It was no matter whether the tenants lived or not, but he congratulated South Down and South Armagh<sup>15</sup> on the fact that they had overthrown landlord tyranny and sent representatives to Parliament who would vote in the tenant's interests. (Cheers.) **The landlords should have no representation in the House of Commons, for they had plenty in the House of Lords, that destroyed and mutilated every measure for the benefit of the tenant-farmer. The man who would vote for the nominee of a landlord was depriving himself of a means of livelihood.** He urged upon the tenantry present to subscribe the expenses incurred by Messrs Thompson, Lockhart and Gordon for the noble fight they had made. These gentlemen had no right to pay the costs, but they had not enough money yet, and those who had not assisted to defray the expenditure should not leave the ground before they had done so. (Cheers.) The time was not far distant when they would drive landlordism entirely out of Ireland, when every man would sit down under his own vine and fig tree, and the dream of the poet realised, for

The star of the west shall yet rise in its glory,  
And the land that was darkest be brightest in story.

Mr Iver Magenis, who next addressed the meeting, said - Mr. Chairman and friends, and old acquaintances round about, if I had been consulted in this matter from first to last I would have done as you have done, and adopted the Plan of Campaign. I would have urged you to get behind that wall that neither soldier, police, Chief Secretary, or Resident Magistrate or Police Inspector, Removable<sup>16</sup> or Pro-Removable can puncture a hole in. (Cheers.) However, if it was not possible for you to do that, you have adopted the next best method, and if we cannot claim today a victory for the tenant-farmers, as we must confess we can't, what I truly hope that is that when another twelve months comes round that there will be nobody to come down here from Dublin to invite you to join the Plan of Campaign, that you will be there uninvited and asked. You will be there, however, as a matter of necessity. You will be compelled to place yourself behind that impregnable fortress that has never yet has had a stone loosened in its defence.

We had one man here<sup>17</sup> who has been foolish enough to run his head against the wall. **This spirit will become as contagious as the smallpox. It has already been on the increase in County Down, but it will shortly face round, and the dispensary doctor will be reporting to the Board of Guardians**

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<sup>15</sup> The MP for South Down was the Nationalist [Michael McCartan](#) who sat as a member of the Irish Parliamentary Party. The MP for South Armagh was also a Nationalist, [Alexander Blane](#), an Armagh tailor and Parnellite. He had been nominated by his party in preference to Eiver Magenis and was returned unopposed in 1885. His colleagues regarded him as not very bright. He helped Parnell to organise the Plan of Campaign and was eventually sentenced to six months in prison under the Coercion Act for his organising activities in Gweedore, Co Donegal.

<sup>16</sup> A colloquial term for a Resident Magistrate. RMs had to be resident in the county to whose court system they were appointed. They were usually former Army officers, and their original role was to attend Petty Sessions sittings and guide the local JPs in the application of the law – even though many had no formal legal training! Over time they came to dominate the Petty Sessions system. They were appointed by the Lord Lieutenant, head of the Dublin Castle Administration, and were 'removable' as they could be removed from their post as easily as they were appointed; no 'due process' was required. The role of RM in N Ireland was only finally abolished in 1935.

<sup>17</sup> Capt. Dowglass

**that an epidemic is spreading rapidly. He will be reporting that the tenantry of Armagh are getting entirely inoculated with the disease, the same as the County Down men, and there will be no question as to whether we are Catholics on that side of the water or Presbyterians or Protestants here. We are all one united people.** We are all one people that have got to live and die here, as we mean to do. We live here for our pleasure, and we will die here by choice.

It appears that there are four or five of us to be indicted before a Removeable or Pro-Removable for committing a highly illegal and unconstitutional act recently about this part of Ulster, but what I have done I would repeat, and I would double it again. (Cheers.) **We are here, and we intend to remain here in spite of the English garrison. No emissary from that quarter will suck the honey that our bees have gathered. (Cheers.) No bastard garrison that protects Irish landlordism will reap the crops that we have sown.** (Cheers.) The land is ours, and we intend to remain on it. It is not a question of Presbyterian, Protestant, or Catholic, but of one whole Irish nation, because it is our land, and we intend to keep it. I think I have now qualified for the plank bed<sup>18</sup>, but it has no terrors for me. (Cheers.) We will fight this cause out to the bitter end, and we will teach a lesson to all Ulster under the insuperable bonds of the Plan of Campaign. (Cheers.)

Mr. John Lockhart said - Mr. Chairman and gentlemen, I made a public statement here - a very rash one - the first day I spoke. You will bear me out when I remind you of it. It was that the day was the proudest of my life, but I have now I have reached a prouder one. I cannot but realise and value at its proper worth the assistance and support which the men of Down and Armagh have rendered us in this momentous crisis. I have recently been talking to many businessman in Newry and in other places, and it is taking me all my time to defend the action I have decided on in this question. These men, however, do not seem to listen to reason. They don't argue, but they abuse, and I would just like to tell them that I have never refused to pay a just rent but I certainly refuse to pay a rack-rent. (Cheers.) We only wanted twenty per cent from Captain Dowglass.

The government in equity gives us ten of the twenty, and to obtain the residue the landlord puts the whole energies of the law in force. He thinks, however, that we will have to pay all the expenses, but I tell him that we will not have to pay a shilling of costs. Up to the present this has only been gorilla [sic] warfare. We are not yet reached the thick of the battle, but when we do, we will be prepared to meet the landlord. (Cheers.) The crop that we have sown and the money that we have made has hitherto been monopolised by rapacious landlordism. Protestants and Catholics are treated alike, and the dispensation of oppression is meted out with the same measure, but this is near an end. **I am not a Home Ruler yet, but if things go on as they are, it will not be your fault if I should join the League. The fault will be with those who drive me into it,** and although we are well united as it is, I think the day is not far distant when we will be closer in the bonds of justice and humanity. (Cheers.) In the meantime, let us do our duty to ourselves and our country and fight this battle out on fair and honourable grounds. (Cheers.)

Mr Fitzmaurice, who was received with cheers, said - Mr. Chairman and gentlemen I was wondering how I should say anything at all in conformity with the views of people I was going to address. I was thinking when I rose to address the Protestant people of this country that I would be entirely out of harmony with them. After listening, however, to the speeches that were made here, I find they are desirous to get rid of landlordism. Well, so am I. That is a common understanding that we have arrived at, and if they have also joined us in that other portion of our belief - namely, that there should be a Parliament in this island - it shall be entirely due to the oppression of the landlords, who have driven them into our ranks. Well, sir, all I have to say is, that I hope the landlords will continue to pursue their oppressive system and drive them into it. (Cheers.)

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<sup>18</sup> Certain prison sentences included the provision that there would be no mattress provided for the prisoner's bed, and he would be forced to sleep on hard wooden planks – the nighttime equivalent of hard labour.

I hope that they will not desist until they have joined us in the entirety of our programme and that if they want landlordism driven out of Ireland, they must first help to drive a Parliament into it. I heard the Chairman say that they were joint-partners in the land, but he denied that the landlord had any right to it at all. Would they for a moment assert that the man who was represented there today by the nigger-whippers, the policeman, and the emergencyman had any right to the land? ("No"). I think not. I know, gentlemen, that you do not expect any display of eloquence from me, but I endeavour to be with the farmers, no matter where they are when difficulties overtake them. I have been here before, gentlemen, and I will be here again, and I hope that when we next meet you will have accepted our programme in its entirety.

Mr E A Lamb, who subsequently addressed the meeting, and was loudly cheered, observed that the farmers of the district were making rapid progression on their own behalf, and would soon embrace the advantages of that invaluable system<sup>19</sup> that had routed so many strongholds of landlordism in the South of Ireland.

Mr James Smith and Mr. Brooks also spoke.

The meeting afterwards separated.

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#### ABORTIVE SEIZURE AT KNOCKANARNEY

Simultaneously with the proceedings at Jerretspass, another attempt was made to affect the seizure at Knockanarney, on the estate of Captain Brookes. This tenantry, whose rent, we learn, has been twice raised since 1872, and reduced in 1882 by twenty-five percent in the Land Courts, applied for a reduction commensurate with the fall in prices, were answered with processes. A large force of police was drafted into the district last Tuesday for protection purposes. All arrangements were complete on the side of the authorities, but when the farms were reached nothing was visible anywhere save closed doors, a half-rick of hay, and as someone humorously remarked, a cat. Nothing in the way of the seizure was of course possible under the circumstances and the Constabulary and Sheriff's party were compelled to return without having accomplished anything. There was happily no disturbance of any kind.

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Because of Dowglass' actions, and the support offered by the authorities, the local population had been roused as never before, united against landlordism. Southeast Ulster had never been a hotbed of anti-landlordism; there were few absentee landlords, and landlord-tenant relations were much better than elsewhere in Ireland, due to enlightened agents like Peter Quin and William Blacker, and the Ulster Custom which gave tenants more security of tenure.

To paraphrase Eiver Magenis' message to the crowd after the auction ... "Well, done, I'm proud of you. You achieved a lot today – given that you were completely disorganised! You could have done so much better if you had followed the detailed, tried and tested steps set out in the Plan of Campaign – such as removing your livestock from the farm ahead of an auction and pooling your money in a fighting fund. There was a great turnout, but we could have achieved so much more with proper organisation and planning. The Ulster Custom gives us some protection, but it also makes us complacent; by itself, it's not enough. We will only get proper land reform if we come together. Unity is strength!"

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<sup>19</sup> The detailed methods of resistance and ostracism laid out in Parnell's Plan of Campaign.

Those charged with illegal activity at the first, unsuccessful auctions on 21<sup>st</sup> March were tried at Poyntzpass Petty Sessions on 7th May 1888, and a report<sup>20</sup> on the proceedings was published in Freeman's Journal the following day. The court was presided over by two Resident Magistrates sitting alone, with no assistance from the local JPs.

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## COERCION PROSECUTIONS IN THE CO. DOWN.

### Poyntzpass, Monday.

Today, in the Petty Sessions Court here, before Colonel Evanson<sup>21</sup>, and Mr Mayne<sup>22</sup>, RMs, seven men were charged with riot and obstructing the sheriff and auctioneer in the execution of their duty at Kilmonaghan, county Armagh, on the 20<sup>th</sup> March last. The accused are Messrs Peter Byrne<sup>23</sup>, merchant, Newry; Laurence McCourt, PLG<sup>24</sup>; Wm J Hanna, John Ranton<sup>25</sup>, Thos Woods, Peter Carr, and Bernard Rice. Ranton and Hanna are Protestants, and the former is said to be a member of the Orange Institution.

Mr Monroe, Armagh, solicitor prosecuted, on behalf of the Crown, and the accused were represented by Mr John Redmond, MP (instructed by Mr T J Marron, solicitor, Newry).

The evidence for the prosecution was to the effect that on the day of the attempted sale on the farm of Mr Lockhart (reported in the *Freeman*) a **crowd collected, and by cheering, groaning, &c, prevented the sale.** At this stage, and on the application of Mr Redmond, three of the accused—Woods, Rice and Carr—were discharged.

Mr Lockhart, examined, stated that he invited Byrne and Hanna to attend the auction to bid, and that they did their best to quiet the people.

Mr Redmond then addressed the court. He said there was no evidence that his clients had done anything illegal by attending the auction.; and it was a pity that such a prosecution should be brought at a time when landlord and tenant in the district were coming to an understanding.

After a lengthened consideration of the cases, the magistrates sentenced Messrs Byrne and Hanna to two months hard labour each. Ranton and McCourt were bound over to keep the peace on £40 and two £20 sureties. The former gave the required bail, but the latter refused. On the application of Mr Redmond, Messrs Byrne and Hanna's sentences were mitigated by the omission of hard labour.

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<sup>20</sup> Note: The surnames of two of the accused – Rantin and Kerr – were spelt incorrectly throughout the report.

<sup>21</sup> Colonel H C Evanson had been an RM in Kilrush, Co Clare and later in Galway. He moved to Newry in March 1886; he normally presided at Ballybot Petty Sessions.

<sup>22</sup> C E B Mayne RM normally sat at Portadown Petty Sessions. While he was serving as an RM in Roscommon in 1882, Mayne had personally commanded a contingent of police and military who evicted two men from their homes for non-payment of rent. In 1885, he commanded a force of 100 police at what was billed in advance as a “monster Nationalist demonstration” in Lurgan, but which turned out to be a damp squib.

<sup>23</sup> Peter Byrne was a grocer, tea dealer, seed & manure merchant, of 14 Upper Water Street, Newry.

<sup>24</sup> Laurence McCourt was a Catholic farmer who lived at Corgary Lodge, near Glen. He was also a Poor Law Guardian (PLG), a member of the Newry Board of Guardians who oversaw the dispensary districts, the workhouse and the collection of certain taxes. He later served as a member of Newry No 1 RDC.

<sup>25</sup> John Alexander Ranton (the correct spelling) was a Presbyterian farmer, born about 1833. He lived with his unmarried younger brother Thomas in Mullaglass.

The convicted men were transported to Armagh by the last train of the evening, accompanied by a large number of police, and jailed.

Defence counsel [John Edward Redmond](#) was one of the country's leading Nationalist politicians and at the time of the trial (1888) he was MP for North Wexford. In 1900 he succeeded Parnell as leader of the Irish Parliamentary Party and led it for the next 18 years. The fact that such a prominent man was engaged to lead the defence perhaps indicates how importantly the trial of a few rent boycotters in a quiet part of Ulster was regarded by both the Land League and the authorities alike!

A few weeks after the trial, the Newry Reporter published a letter, and highly exaggerated satirical 'account' of the trial, submitted by that eternal gadfly Eiver Magenis. It includes bizarre elements such as policemen being murdered and returning from the dead to give evidence!

Eiver was a dedicated Nationalist and a constant thorn in the side of the authorities, to the extent that his mail was opened and read by them as a matter of course.

The Frontier Sentinel was a staunchly Nationalist newspaper, first published in Newry in October 1904. On 19<sup>th</sup> and 26<sup>th</sup> May 1906, it re-published Eiver's 'account' in two parts.

By this time, eighteen years after the trial, land reform was well under way throughout Ireland, most of the large estates had been broken up and sold to their tenants, and the aims of the Land League had been largely achieved.

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The late Mr. Eiver Magenis's Humorous Report of the "Trial".

#### GIVING A FAIR IDEA OF BRITISH "JUSTICE" AT THE TIME.

The following letter on the famous Coercion Act Prosecution in Poyntzpass was written by the late Mr. Eiver Magenis and appeared in a Newry paper on April 28th, 1888. To understand the satire of the composition it may be necessary to explain that Mr. Magenis, who died in 1895 was a strong and active Nationalist of South Armagh. He lived in the house still occupied by his son, Mr. Heber A. Magenis, at Aughantaraghan, Poyntzpass.

Mr. Eiver Magenis was a man of much culture; he was a master of several languages having spent some years in the Continent. After the passing of the Franchise Act, when Armagh was divided into three divisions, the name of Magenis was put forward as candidate at a National Convention in Armagh. There being a party division at the time, Mr Charles Dempsey, Belfast, was also proposed. To avoid a contest between Nationalists, however, it was eventually agreed to elect Mr. Alexander Blame, who was proposed by the late Father MacIlvogue.

During the "split" Mr. Magenis was an enthusiastic Parnellite - so enthusiastic, indeed, that a story is told of him coming on one occasion to cheer the 'Great Chief' as he was passing on the train to Belfast. Parnell, with some of his followers, were journeying northwards to attend a convention and as the train passed Aughantaraghan Mr. Magenis, with his wife and family were observed planted in a field and vigorously waving a green flag.

The Magenises are prominent figures in the history of Down and Armagh. It is a notable fact that the last time there was a Catholic member for County Down, previous to the Franchise Act was in the Irish Parliament of James II, which sat in Dublin in 1689. In that Parliament two Magenises represented Down - Eiver Magenis of Greencastle, and Murtagh Magenis, of Castlewellan.

The following is the "report" furnished by Mr. Magenis of the Poyntzpass occurrence of 1888.

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**(Private and Confidential)**

**THE JERRITSPASS OBSTRUCTIONISTS AND RIOTERS.**

Sir, - I have great pleasure in confiding enclosed most valuable and statesmanlike document to your care, for the public generally, and the rioters in particular, all of whom read "The Reporter" and can consequently make their arrangements.

How I came by it is, and ever will remain, a dead secret. I didn't get it from the great Central News liar - whose amazing powers in this line we all cheerfully acknowledge; I didn't bribe any of the Castle<sup>26</sup> officials – they're all honourable men, above suspicion; and I scorn to reply to anyone who says I invented it myself. No! It is drawn on the lines of a report from Colonel Turner on the Ennis meeting or Plunkett Pasha re Youghal, and is as accurate as a statement of facts from Mr Balfour in the London parliament. Surely that should suffice? - Your most obedient servant,

E. Magenis

Poyntzpass, April 1888.

**CRIMES ACT PROSECUTION**

50 and 51 Victoria<sup>27</sup>, cap. 20; Poyntzpass Petty Sessions to wit.

(Before Mr. Cecily Woache, RM, and Brigadier Twamley<sup>28</sup>, RM)

We must give a short resume of the particulars of this terrible case so that the Executive may have before it a distinct idea of the villainy of the parties prosecuted, and their far-reaching crimes.

On the 20<sup>th</sup> March, 1888, three noted PRESBYTERIAN FENIAN FARMERS, named Lockhart, Thompson, and Gordon (the latter an Orangeman) did feloniously conspire against the peace and statute made and provided not to pay Captain Dowglass whatever rent he pleased to demand; and in the interest of law and order, as well as good neighbourhood, he issued writs, and seized their goods in a friendly way. The sub-sheriff, auctioneer, and bailiff attended on the above date. Probably eight hundred or a thousand people were present, but such is the demoralised state of the district that no one would bid a shilling. The terror of the National League is clearly discernible in this proceeding, and those who think its fell teachings have not got North are rather mistaken.

No bids! Not an offer to recoup the sacred rent! But a roar of cheers, groans, howls, boos (in the Loyal and Imperial province, too!) and then the work began in earnest. There were only eight policemen present, and no ferocious mob was or could be expected; but in a moment the infuriated crowd rushed on the sub-sheriff and auctioneer who were both brutally beaten and left for dead. Of the policeman three were killed on the spot; seven disabled for life; four after being knocked down, were indiscriminately kicked into jelly; and the other two were thrown over the railway cutting down a perpendicular rock thirty feet, and though one was insensible and the other had his right thigh broken, they were hunted at a wild halloo to the nearest railway station, three miles distant by a band of these Land League savages! These infamous murders and outrageous were never noticed in the National

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<sup>26</sup> The so-called 'Castle Administration' based in Dublin Castle.

<sup>27</sup> Acts of Law were referred to by the year of the reign of the monarch in which they were passed.

<sup>28</sup> It is unclear what particular satirical intent, if any, was behind Eiver's choice of fictional names for the magistrates.

Press; the loyal and constitutional papers didn't dare report them; until this day no one of the murderers has been made amenable. All England and the Castle may take note of this fact.

Still more: of the three policemen who were killed in that lawless affray ONLY TWO ATTENDED AS WITNESSES today!

The third, Constable Handy, 14,308 (for we wish to be precise), when coming through Edward Street to the station heard a "derisive whistle" and this most efficient officer, who is up to all their games, recognised it as a signal to assassinate him again, and prudently turned back! What additional evidence he could have given! What a flood of light he could have let in on the atrocities practised on the 20th of March when he was killed on the spot, unhappily can never be known, but may be surmised by anyone reading the depositions of the Irish Massacres preserved in Trinity College, and especially those of Dean Maxwell, Kilmore, County Armagh (1642). Jurat! Juravit<sup>29</sup>! All equally true and authentic.

This being premised, the court opened 7th May 1888. Mr Cecily Woache, DL,<sup>30</sup> in the chair; twenty policemen in the court to preserve order; fifteen to twenty of the mere public; an immense concourse of seditious and suspected people outside, evidently not impressed with the solemn nature of A REMOVEABLE MAJESTY<sup>31</sup>.

Sergeant Kilam, examined by Mr. Corkelly, SCS<sup>32</sup> deposed – I attended at Lockhart's, Jerrettspass on the 20th March; saw a large and defined mob; heard several of them speaking of a rack-rent sale; took down their names in my book; think they were Fenians, or at least Land Leaguers; consider language of that sort incites to a breach of the peace; hadn't a superior officer with me, but when I reported it he considered it clearly led to a breach of the peace; telegraphed to authorities, Dublin; they considered it breach of the peace; wasn't assaulted or killed but might have been; will appear so in the next Crimes Act return if Mr. Balfour judges it would suit; officer RIC *hors de combat*<sup>33</sup>; wouldn't swear I have any wounds to show but morally I was assassinated; I'm only a thing of the past.

Cross-examined – No, I have no wounds to show but that's because they were more dangerous internally; the crowd meant to kick us - utterly flabbergaste the force, and we entered it so in our daily returns; all the defendants and prisoners

WERE AIDING AND ABETTING.

Can you identify, say, Thomas Woods and John Rantin?

No: I don't know any of them personally.

What? You don't know any of them personally, yet you swear they were all aiding and abetting! How do you explain that?

Because Constable Slimcoe told me in Jerrettspass.

Objection raised to hearsay evidence

Legal wrangle. Finally, Mr. Woache ruled that it was admissible under 50 and 51 Vic., Cap. 20 for the beneficent and merciful intention of the said Act was to accept anything the authorities put forward without necessity of proof.

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<sup>29</sup> Latin for swearing a legally binding oath.

<sup>30</sup> Deputy Lieutenant of the county.

<sup>31</sup> A play on the meaning of RM (Resident Magistrate, Removeable Majesty).

<sup>32</sup> Senior Counsel. An alternative name to Queen's Counsel (QC).

<sup>33</sup> Out of action due to injury.

## SOME ONE SNEEZED

in the body of the court and Mr. Woache immediately ordered the police to clear it, with batons if necessary.

The police, however, seeing that they were not three to one, hesitated somewhat, and unluckily the man sneezed again.

Mr. Cecily Woache, very excitedly, rose and said “Bring that moonlighter before me! It’s not merely a perfectly clear case of contempt of Her Majesty’s High Court of Imperial Justice, but——”

The culprit, in charge of three policemen—“Your honour, I couldn’t help it! I’ve a bad cowld in my head,” and he sneezed again.

“Stop that.” Said Mr. Cecily Woache, and Brigadier Twamley nodded approvingly. “Stop it! It won’t do. You think to impose on a barrister of whose legal knowledge the Lord Lieutenant is satisfied. I recognise your sneezing in this court as a signal to the utterly disorderly, seditious and demoralised crowd on the street to begin their pre-concerted programme to wreck and pillage every loyal house in this village, possibly to give them over to the flames. None of the prisoners have any stake in the country; they are in constant communication with the Socialists, Dynamitards and Nihilists on the Continent; their aim and object is to ignore all law, refuse payment of their voluntary contracts, introduce the reign of chaos—”.

But the culprit sneezed again twice! Consternation in court! Police on the alert! and Mr. Cecily Woache and Brigadier Twamley had a hurried consultation.

## THE SITUATION WAS GRAVE INDEEED

The Culprit: “Ah, be aisy with me, your Honour; I couldn’t help it.”

Mr. Woache: “Couldn’t help it. That’s no excuse; it only aggravates the offence. The law is clear; penalty two months on the plank bed.”

The Culprit: “But I couldn’t help it your Honour’s glory. Wouldn’t your Lordship be aisy with a poor man? Sure, if you had a bad cowld in your head, your grace, yourself——”

Mr. Cecily Woache motioned silence. He and Brigadier Twamley retired for consultation (and a little B and S<sup>34</sup>), and on their return said that on account of the culprit’s previous good behaviour and indigent circumstances, they were disposed to treat him with great forbearance (though they had very grave doubts he should be imprisoned for at least one month for the sake of example) but their ruling was that he should give bail – himself in £500<sup>35</sup> and two sureties in £250 each - to keep the peace for six months and under no circumstances to sneeze again.

This being satisfactorily disposed of, Mr Cecily Woache, RM, asked Mr Corkelly, SCS— “What next? Any other witnesses?”

Mr Corkelly: Your Worship, we do not propose to call any other witnesses though we have plenty. The case is already proved up to the hilt but if you consider—we are prepared—

Mr Cecily Woache RM: No, no! It’s quite unnecessary. The crown case is complete.

And Mr Woache and Brigadier Twamley went into consultation (and another B and S)

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<sup>34</sup> Brandy and soda

<sup>35</sup> An enormous sum in 1906, when the average salary was £60-80! This would be equivalent to about £250,000 today – for having sneezed in court!

The judgement Mr Woache delivered was a model to all previous and future judiciaries. His “sufficient legal knowledge” was fully displayed; his broad and tolerant views were admitted, even by his enemies, and struck terror into the hearts of the malcontents present.

We very greatly regret that we cannot give his remarks in full; for though there were

#### TWO QUALIFIED POLICE REPORTERS

present, who took copious notes, it was found afterwards that one of them couldn't read them, so as to make a fair copy in longhand; and the other totally disagreed with his colleague both as to the sense and substance. Thereupon it was thought judicious that both should follow the “Freeman report<sup>36</sup>”, only amending it when necessary, in the interests of law and order. Yet, after a private examination in the office of the SCS, it was found impossible to get the two police reporters to foreswear straight and in accord, and they were sent to their respective stations with such damaging remarks as it will instruct them the next time.

This little difficulty being got over, the two RM's resumed their places on the bench, and

Mr Cecily Woache said—“Peter Byrne and Bernard Rice, the police record against you is the most damning! You were members of the Land League, National League, and all other kindred illegal societies! You were clearly identified for years past with every seditious movement in the locality—aiding, abetting, and inciting; and your presence, even at Jerretspass is conclusive against you. The sentence of the court is three months only, hard labour—because we always lean to “mercy's side”—otherwise—. But showing the tender consideration of the Crimes Act, only three months hard labour this time.”

Next prisoner, stand forward.

His Honour said—“Peter Kerr, as you're the tallest of the defendants, it's perfectly evident that you were detailed to throttle the biggest policeman—”

“But, your Honour, I'm John Rantin, not Peter Kerr.”

Mr Cecily Woache—“Dodges of that kind won't pass. When the Lord Lieutenant is satisfied of the legal sufficiency—”

The prisoner Rantin repeated—“But, Sir, I'm not Kerr.”

Mr Cecily Woache, RM—“It won't do at all! You are Peter Kerr! Don't dispute it!”

A policeman whispered the crime solicitor who whispered the Removables.

Mr Woache resumed—“Kerr and Rantin resemble each other so closely that there might be a slight mistake. But I know I was right; If you're not Kerr, you're Rantin, and  
IT IS ALL THE SAME!

Kerr, the case against you is strong and clear; you may not have actually struck either of the policeman, but by your menacing looks, you committed a constructive assault under the Act. Sentence, six weeks with occasional bread and water as a stimulant!”

Then Mr Woache, referring to the police notes before him, addressed the next three prisoners – “Rantin, Hanna and McCourt, I am grieved and surprised to find you in such a position and such company. This is a very serious charge, but from the evidence produced before us, and still more the private information kindly placed at our disposal by the RIC (strict accuracy of which has never been, and never can be questioned - the same absolutely as supplied to the Chief Secretary), my colleague

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<sup>36</sup> This seems to mean “Let's just accept whatever Freeman's Journal publishes as a report of the trial as being a true record, more or less.”

and myself can come to but one conclusion, seeing that you, Rantin, have been for years President of the Sheepbridge branch of the Irish National League."

Prisoner Rantin—"Stop, stop, your Honour's glory! I never was President of the Land League, or Chairman - quite the contrary—"

Mr Cecily Woache (severely)—"Silence! Keep silence in court! These protestations are entirely out of place. You are the president of the Sheepbridge Land League branch: I have the police reports before me; these are facts. Don't interrupt the learned court."

Rantin got up again to disavow but was pushed down by the RIC officer.

Mr Cecily Woache resumed (traces of severe anguish)—"You, prisoner Hanna, are the PLG of the Glen Division. You, from your official position, should have learned prudence—"

Prisoner Hanna—"Mr Removable, you're all at sea. I was never a PLG in my life You've a slate off. Put on the brake!"

Mr Cecily Woache read his notes and the police notes, scratched his head, looked bewildered, inquiring—"Land-at-last-sort-of-thing"

"Silence!" said Mr Woache.

First Constable—"Silence!"

Second Constable—"Silence!"

Constable out on the street—"Silence! Stop that d\_\_\_\_d noise, or we'll run you in as drunk and disorderly!"

Then Mr Woache took up the true Magisterial air—"Prisoner," said he, "whether it's Rantin or Hanna or McCourt—the latter we know to have been an Orangeman and Freemason in his youth—which makes his case especially aggravating; whether Rantin was the President of the Sheepbridge branch; whether Hanna was the PLG; or McCourt was an Orangeman and Freemason (of which we have good proof), matters nothing. You were all three at Lockhart's on the 20th of March for a felonious and seditious purpose, and the sentence of the court is—each two months hard labour, without benefit of clergy; and if you say a word, we'll make it a month more. But in the case of Thomas Woods, two constables have sworn he was in the disorderly row, eight independent witnesses have sworn not.

#### WE PREFER THE TWO RIC'S OATHS

to any amount of civilian evidence. Thomas Woods is not convicted solely for his violent conduct at Jerrettspass (the one constable swore he believed the prisoner knocked down three policemen hand-running, and another constable who is very conscientious and careful in what he said, swore that he heard the prisoner floored five of them.)

No; but because the prisoner, of set purpose, and with malice aforethought, led the conspiracy against the most just and moderate rents of the neighbouring Glen estate<sup>37</sup>, forcing Mr Yubedam<sup>38</sup>, DL, JP, PRIG, to climb down twenty percent. Not satisfied with this scandalous outrage against all law, human and divine, we learn that when the landlord's representative made the most reasonable proposal—that the tenant should pay more costs—a mere trifle of over £100 or so—the prisoner smote a smile at him, sneeringly inquired, 'Don't you wish you may get it?' and then wunk a wink so suggestively menacing that the sacred law costs were dropped like a hot potato. Nor has Mr Yubedam,

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<sup>37</sup> Owned at the time by the Innes family.

<sup>38</sup> You be damned!

JP, DL, PRIG, pocketed a sixpence of them, even unto this day. My gallant colleague and myself will retire for consultation." (fortified with a little B and S).

They were absent fifteen or twenty minutes.

Mr Cecily Woache (resuming his place) said—"There is no need to make further remarks on this atrocious outrage in which you so prominently joined. We have further learned that you are a subscriber to the daily "Freeman", and a regular reader of "United Ireland". With facts so conclusive against the prisoner, the sentence of the Court is that you, Thomas Woods, be taken from whence you stand and hanged by the neck till—"

Crown Solicitor (hastily interposing)—"I'm afraid, your Worship, that is *ultra vires*<sup>39</sup>."

Mr Woache (testily)—

"NOTHING IS ULTRA VIRES  
for a Crimes Act Court. But I will mitigate it to seven years penal servitude on account of his youth."

Crown Solicitor feared it couldn't be done.

Mr Cecily Woache appeared a great deal annoyed at the Crown Solicitor's remarks, and considerably excited said, "Perhaps I can give him six months?"

Crown Solicitor nodded gratified assent.

"And," added Mr Woache, "after the expiration of those six months that he be transported to places beyond the seas for the term of his natural life. We will put down agitation! We will make the rents be paid to the uttermost farthing! We will smash the Plan of Campaign! Rule Britannia!"

Such were the utterances of this great RM on the momentous occasion. Terror-stricken, the Poyntzpass branch of the INL melted away, and became a thing of the past like those suppressed in Cork, Clare, and Kerry. All was peace and quietness, and Mr Cecily Woache who had ordered the police to disperse a woman who was operating the town pump (it is rather noisy), graciously pardoned her, and departed to the Castle for fresh instructions.

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Although the second auctions raised the sums of rent due, Dowglass' actions were utterly counterproductive for him and his fellow landlords. They were a call to arms for the previously unorganised farmers of the district.

On 3<sup>rd</sup> July, the Newry Reporter described a recent meeting in Jerrettspass attended by about 600 farmers, "*a large proportion of them were Protestants, of whom, again, many were Protestant Home Rulers – indisputable facts which our Tory contemporary, in the cause of rack-rent, took upon its conscience to dispute*". Once more, the Reporter emphatically supported the anti-landlord faction. It lamented that, while the Catholic clergy had all turned up to support the farmers, most of the Presbyterian clergy had not appeared. It also noted that a Defence Committee had been formed.

Adjacent to the meeting report was one on preparations being made by the Sheepbridge branch of the Land League for the release and welcome home of Hanna and Byrne, who had been sentenced to two months in jail at the Poyntzpass trial. John Rice and Michael McConvill were deputed to go to Armagh by the first train of the day, meet the pair at the gates of the jail on their

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<sup>39</sup> An act carried out without proper legal authority.

release, and accompany them back by train to Goraghwood station, where they would be met by a large delegation of fellow-farmers and well-wishers, accompanied by the Sheepbridge Drum and Fife Band. Hanna and Byrne were referred to as “Balfour’s Coercion prisoners”. Once more, it was clear who the Reporter supported.

### [The End of The Landlord Era in Poyntzpass](#)

Obviously, the biggest local change came about when the Close estate was finally sold to its tenants in the years of the 1800s. While this appears to have been done quite amicably in the end, several smaller estates were broken up earlier.

### [The Fivey Estate](#)

The Fivey family had been forced to sell Lisnabrague and Loughadian in the early 1850s by the Commissioners For Encumbered Estates. In May 1853, John Andrews of Comber bought Loughadian (531 acres) for £12,660 and a ‘Mr Stewart’ bought Lisnabrague for £13,300. These were still enormous sums, at a time when the dispensary doctor’s annual salary was a mere £50-70 per annum. If we use the local doctor’s salary as a proxy for the purchasing power of money, the modern-day equivalent of the 1850s purchase price would be about £10-20 million per townland!

### [The Andrews Estate](#)

By 1896, some 40 years after John Andrews bought Loughadian, the tenants were not at all happy with his successors. On 15th January they met at Searight’s Railway Hotel, and resolved to ask Thomas J. Andrews<sup>40</sup>, their current landlord, for a 30% reduction in their due rents. They protested that Andrews’ rents were twice those of nearby equivalent farms, and that the price of flax had dropped by over 80% in the previous two decades.

Discussions with the Andrews family quickly progressed from a possible rent reduction into proposals for the tenants to buy their farms outright. On 3rd November the following year, the tenants met with Andrews and his agent ‘in Mrs Griffiths’, Poyntzpass and agreed to purchase their holdings for 17½ times their annual rent. A few weeks after this, on 23rd November, the tenants met once more, this time at the home of Mr M Canavan<sup>41</sup> and presented him with a gold watch and chain, to thank him for his assistance in negotiating terms for the purchase of their farms. The formal public notice that Andrews proposed to sell Loughadian and that the terms had been registered under the Land Purchase Act appeared in newspapers four months later.

### [The Close Estate](#)

On 19th October 1903, a meeting of Close’s tenants was held in Poyntzpass, to discuss terms for purchasing their farms. Col Close had already agreed in principle to selling his estate if acceptable terms could be agreed. The meeting discussed proposals for valuing the farms in terms of multiples of their annual rents.

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<sup>40</sup> Eighteen years earlier (May 1878) the Loughadian tenants wrote to the Northern Whig praising the Andrews family and the way that they treated their tenants, and in particular how they applied the [Ulster Custom](#) to tenants of land they purchased in other parts of Ireland. But people may have many motives for what they write – and did they write of their own free will?

<sup>41</sup> Bassett (1888) lists Michael Canavan, as a ‘spirit grocer’ – a grocer who was also licensed to sell alcohol. This is almost certainly Michael Canavan (1857-1932) of Railway Street, who was also a cattle dealer and butcher, as well as being a prominent Nationalist who was heavily involved in the formation of the Poyntzpass branch of the United Irish League.

Step forward Heber Magenis, prominent local citizen, auctioneer and valuer, and passionate advocate of land reform, and like his father Eiver a lifelong and prominent Nationalist. He addressed the meeting and was then, along with R N Savage, asked to negotiate final terms on behalf of the farmers.

While the negotiations were under way, the terms proposed by both sides were prominently reported on in the press and are documented in detail in Joe Canning's BIF article. Although Col Close was very amenable during negotiations, his agent and younger brother, Henry S Close, appears to have been untypical of the long tradition of well-liked Drumbanagher agents, such as Quinn and Blacker. He described one meeting with tenants as "cock and bull". His deputy, Henry Reside, who was also agent for the adjoining Swifte estate, was much better liked and respected by the tenants. At a dinner in Jerretspass, they presented him with an illuminated address and a fine roll-top desk purchased from Allen Brothers to thank him for all his efforts to smooth the purchase process.

When the final terms were overwhelmingly accepted by tenants; 250 accepted them, and only five – a mere 2% - were against. The final total price paid by the tenants to the Close family was £52,423. How much the Close family received in inducements to sell from the Wyndham Act funds is unknown.

Some landlords embraced the 1903 act enthusiastically. Side-by-side with the newspaper report on the initial Drumbanagher negotiations was another stating that the owners of the Verner estate were encouraging their tenants in Moy to put forward proposals and reminding them that other Verner tenants in Co Tyrone had purchased at the time of the original 1885 act.

Dr MacDermott, writing as A P A O'Gara in 'The Green Republic' in 1902, was opposed to both the old system of landlordism and the new system of owner-occupier framers. He believed that the new *status quo* would be just as disastrous as the old one had been, and that the land could never produce to its full potential until farming was treated as an industry, with the land owned by large companies, ruthlessly applying scientific principles, and employing the most modern of machinery to maximise crop production at the expense of grazing.

While MacDermott's predictions came true in some of the huge agri-businesses elsewhere in the UK, such as where I live in East Anglia, the rolling hills of southeast Ulster have largely been spared that fate. Whether this is a good or a bad thing, or broadly neutral is a matter of some debate; some of those very large agricultural estates have in recent years been at the forefront of implementing low fertiliser input, low pesticide, nature-friendly policies. Time will tell.

Alan Clarke  
February 2024