

Charity, paternalism and power on the Clonbrock Estates, County Galway, 1834–44

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Who supports the poor in Ireland today? It is the poor. The rich man looks at the poor over the top of the walls of his beautiful park, or if he meets him on the road, he responds to his entreaties: I make it a duty not to give anything to those who do not work. And he does not provide them with work. He has big fat dogs and his fellow creatures die at his door. Who feeds the poor? The poor.¹

The two decades prior to Alexis de Tocqueville's visit to Ireland in 1835, following the conclusion of the Napoleonic wars, were unsettled as economic activity contracted and poverty and destitution began to rise. Begging, vagrancy and emigration became commonplace, and in the 1830s the government established the Poor Inquiry to investigate the condition of the Irish poor. The inquiry found that 2,385,000 people, or almost one-third of the population, were living in poverty. A further revelation was that much of the poverty was a result of unemployment among the able-bodied poor who were in need of assistance for over six months in every year.² De Tocqueville's travelling companion Gustave de Beaumont visited again in 1837 and in his analysis of Irish society, published in 1839, he concluded that the Irish landed class were responsible for the degenerate state of the country.³ This was echoed by Third Baron Thomas Drummond who in 1838 declared that property had 'its duties as well as its rights' and that 'the diseased state of society' was attributable to 'the neglect of those duties in times past'.⁴ However, this was not a universal phenomenon, as there were estates, such as Clonbrock in County Galway, where landlords were not negligent in the performance of their duty.

Robert Dillon (1807–93), Third Baron Clonbrock, inherited his family's estates of c.27,000 acres in counties Galway, Limerick and Roscommon as a minor at the age of eighteen, in 1826. Clonbrock's family seat in the townland of Clonbrock, adjacent to the village of Ahascragh, was the hub from which the estates were

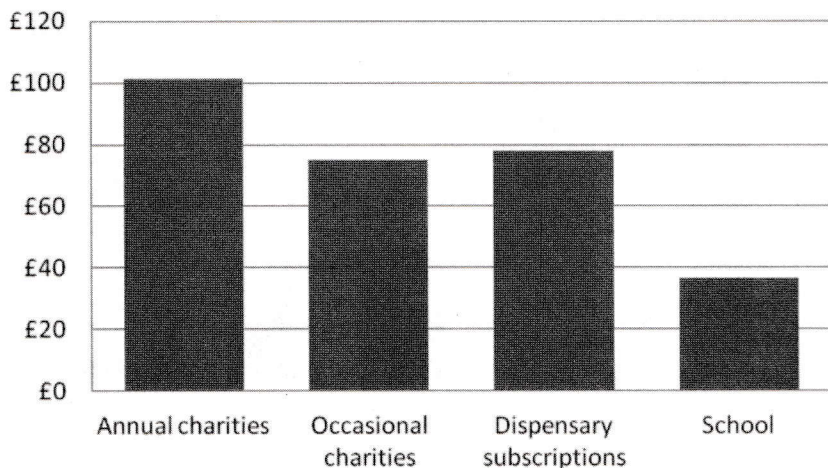
1 Alexis de Tocqueville [Emmet J. Larkin (ed. and trans.)], *Alexis de Tocqueville's journey in Ireland, July–August 1835* (Dublin, 1990), pp 78–9. 2 Laurence M. Geary, 'The poor and the sick in pre-Famine Ireland: charity and the state' available at http://www.stm.unipi.it/Clioh/tabs/libri/4/13-Geary_187-200.pdf. 3 Gustave de Beaumont [W.C. Taylor (ed. and trans.)] *Ireland: social, political, and religious* (Cambridge, MA, 2006), p. 316, first published as *L'Irlande: sociale, politique et religieuse* (Paris, 1839). 4 Thomas Drummond's reply to the Tipperary magistrates published in the *Freeman's Journal and Nenagh Guardian*, 29 Sept. 1838.

administered and he began his stewardship of the estates at a time when, according to David Roberts, a flourishing of paternalistic ideas was about to begin that would last for a further twenty years.⁵ Detailed charity accounts kept by Thomas Bermingham, Clonbrock's principal land agent, for the 1830s and early 1840s provide evidence that the style of management on the Clonbrock estates was distinctly paternalist and somewhat at variance with the experiences of Gustave de Beaumont. According to Roberts, 'there were three principal sets of duties (among many) that the conscientious paternalist of superior rank felt he must perform: ruling, guiding and helping'.⁶ The aim of this essay is to explore the charitable dimension of Clonbrock's paternalism on the estates managed by Thomas Bermingham, chiefly located in County Galway, in the vicinity of Clonbrock demesne, Ballydonelan, and Dalystown between 1834 and 1844 and examine the role that philanthropy played in cementing the bond between landlord and tenant.

Thomas Bermingham, a well-known land agent in the 1830s and early 1840s, was fine-tuned to the paternalistic *zeitgeist* described by Roberts and between 1829 and 1848 he authored a number of pamphlets that expressed a paternalistic social outlook. He persistently campaigned for infrastructural investment in railways and harbours, and as an experienced land agent much of his pamphleteering was on the topics of estate improvement and the duties of Irish landlords towards their tenantry.⁷ The distribution of charity on the Clonbrock estates in the years 1834–5 demonstrates, I believe, that a form of estate-based 'social welfare' existed before the introduction of the poor law and that this locally distributed charity played an important role in the legitimisation of landed power. I will then proceed to an analysis of the poor law debates that emerged in the 1830s and the opposition of paternalists such as Clonbrock and Bermingham to it. I will argue that the introduction of the poor law in 1838 had no immediate impact on the estate-based distribution of charity but that as time progressed it went into decline, which had implications for locally based landlord control. The chart below provides a breakdown of the £290 paid out in charities for the year ending 31 March 1835.⁸

The level of engagement with the tenantry is observable through the charity accounts, which can leave little doubt that a paternalistic style of management was pursued on the Clonbrock estates. Fig. 1 shows a breakdown of the charity accounts

5 David Roberts, *Paternalism in early Victorian England* (New Jersey, 1979), p. 28. 6 *Ibid.*, pp 4–5. 7 Thomas Bermingham, *Facts and illustrations for the Labourer's Friend Society ... in a short narrative of the home colonies of Iskerbane and Castle Sampson ...* (London, 1833); *idem*, *The social state of Great Britain and Ireland considered, with regard to the labouring population ...* (London, 1835); *idem*, *Letter addressed to the Right Honourable Lord John Russell containing facts illustrative of the good effects from the just and considerate discharge of the duties of a resident landlord* (London, 1846), henceforth cited as *Duties*. 8 The 'annual charities' account for this year also included the sum of £25 paid to the schoolmaster at Kilglass (Clonbrock) school but as the school was given a specific account in later years it was decided to separate this figure in order that the data should be consistent. The extra £11, bringing the total expended on the school to £36, was for improvements to the school. MS 19,696.

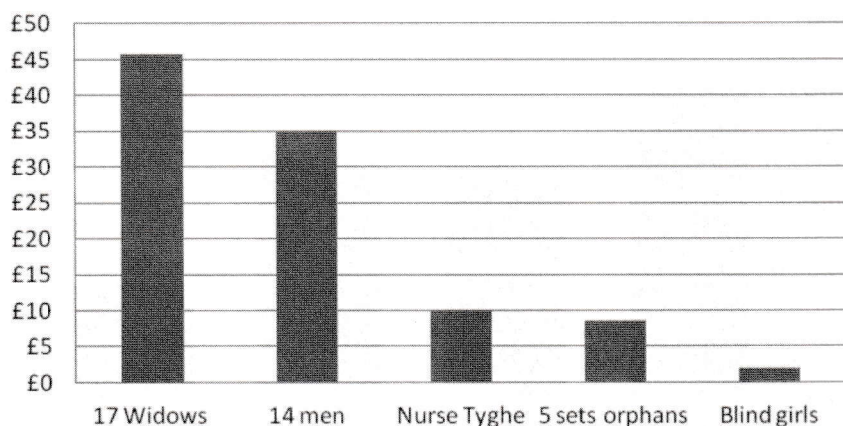


1 Summary of £290 in charities on Clonbrock estates, March 1834–5.

Source: NLI, Clonbrock papers, MSS 19,595–6

for the year ending March 1835. These recorded the name of each individual, and in some cases their address, as well as the sum received. The names entered in the 'annual charity' accounts changed little from year to year and the breakdown in Fig. 2 shows that those in receipt of assistance, such as widows, orphans, and blind girls, were very much in keeping with contemporary notions of the 'deserving poor'. 'Larkin's orphans', one of the five sets of orphans shown, received a sum of £1 10s. that year and they continued to receive between £1 and £2 for the following six years.⁹ At the Poor Inquiry Thomas Bermingham stated that widows were in receipt of pensions of £2 and the Clonbrock accounts (see Fig. 2) confirm that seventeen widows were beneficiaries of charity on the estates.¹⁰ However, the average sum of money expended on widows during the year ending March 1835 was £2.7 as some women, such as 'Widow Gordan' from Killosoolan, were allocated up to £4, possibly because she had to raise a young family. While these sums of money may have provided some assistance it certainly would have been difficult to live on if compared with the wages of labourers. Bermingham further stated that he paid labourers 8d. per day in the summer and 6d. per day in the winter, which corresponds to an annual income of £9 2s. for a six-day week. However, labourers were rarely able to secure work throughout the year so an annual wage of £5 to £6 would be a more reasonable estimate. It must also be considered that a labourer may have had to support a wife and family on such wages, which makes the £2 pension look significantly more substantial especially if the widow had already raised a family. As late as 1846 Bermingham considered a £2 pension paid to the 'aged and infirm of the tenants'

⁹ Clonbrock rental and accounts, 1834–5 (NLI Clonbrock papers, MS 19,595). ¹⁰ *Poor Inquiry (Ireland): Appendix F*, H.L. 1836, xxxiii, 83.

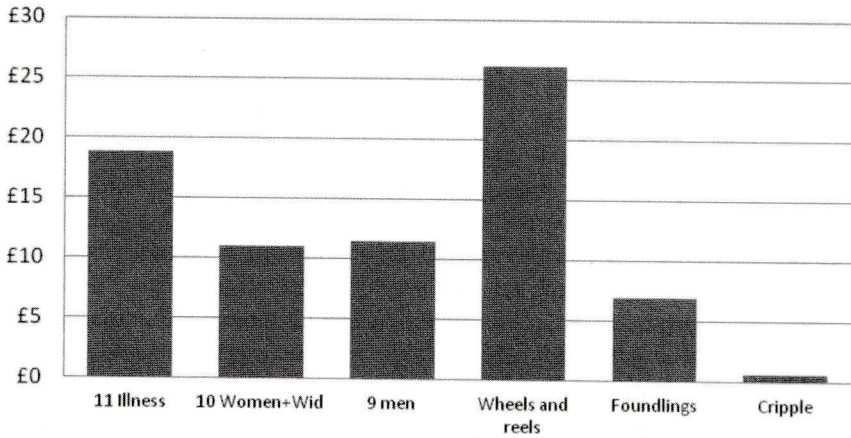


2 Breakdown of £101 in annual charities for the Clonbrock estates, 1834-5
 Source: NLI, Clonbrock papers, MSS 19,595-6

enough to make 'them of a consequence, instead of being a burden on their families'.¹¹ This indicates that there was some concern that vulnerable people should have a degree of autonomy and that their years of residence on the estate were appreciated to the extent that Clonbrock was prepared to provide them with some form of financial security. While we know that widows, orphans and blind girls received charity there is no indication as to why the fourteen men were assisted but it is most likely that they were aged or infirm as Bermingham believed that they were deserving of charity.

The provision of medical care to tenants was not unusual and the year ending March 1835 was no exception as £10 was paid to Nurse Tyghe for attending sick tenants (see Fig. 2 above). A further £50 10s. was subscribed to dispensaries at various locations across the estates and Ahascragh dispensary, the one closest to the demesne, received a considerably higher donation of £30 compared to the others, £5 being the usual donation (see Fig. 1). As Laurence Geary has pointed out, 'the fact that voluntary subscriptions had to be raised before a presentment could be obtained from the grand jury meant that philanthropy rather than necessity dictated the number and location of dispensaries in pre-Famine Ireland'.¹² Before Clonbrock purchased a number of townlands at Dalystown in 1832, Bermingham informed him that 'the people about here are rejoiced at the idea of having you as a landlord'.¹³ Clonbrock, it seems, did not disappoint his new tenants and erected a dispensary there in 1834 at a cost of £27 10s. and henceforward subscribed a sum of £5 to it annually.¹⁴ Furthermore, it appears that Clonbrock's reputation as a benevolent land-

¹¹ Bermingham, *Duties*, p. 7. ¹² Laurence M. Geary, *Medicine and charity in Ireland, 1718-1851* (Dublin, 2004), p. 63. ¹³ Bermingham to Clonbrock, n.d. (NLI, Clonbrock papers, MS 35,727 (9)). ¹⁴ Clonbrock rental and accounts, 1835-43 (*ibid.*, 19,595-614).



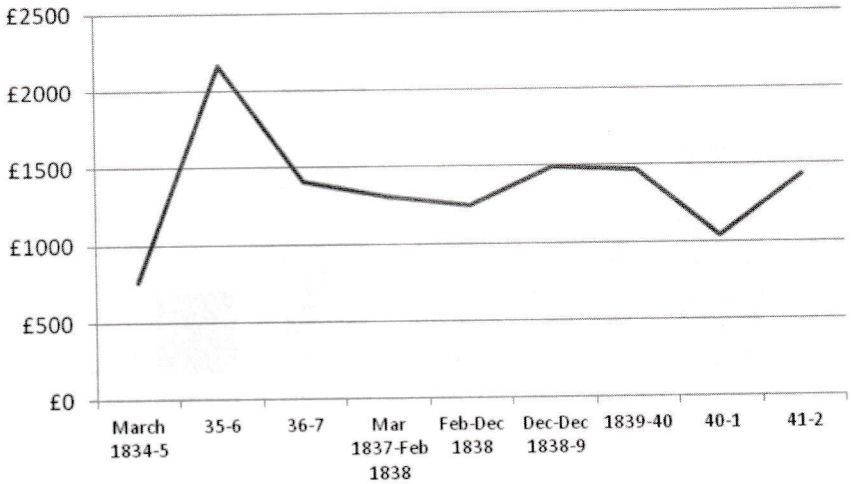
3 Breakdown of £75 of Occasional charities on Clonbrock estates for 1834–5
 Source: NLI, Clonbrock papers, MSS 19,595–6

lord worked in his favour. When negotiating the purchase of a number of townlands on this estate Bermingham informed him that the vendor was prepared to sell 'at £18,000, he [the vendor] values them to £19,000 to anyone else but as you take such care of the poor tenants he wishes to give you a preference'.¹⁵ Other vulnerable sections of the community such as orphans and blind children were provided with financial assistance as illustrated in Fig. 2.

'Occasional charity' was somewhat different from 'annual charity' as this account recorded sums of money paid out to individuals who encountered difficulty over the course of a year and most of the names that appear in this account changed from year to year. This account provides insights into the experiences of the labourers and tenants who lived and worked on the estates and the harsh reality of life for some in the 1830s. The chart below shows a breakdown of the £75 in occasional charity distributed for the year ending March 1835.

A total of £19 was allocated for eleven people with illness, seven – all men – were named and the other four, two men and two women, were simply described as 'poor men' or 'poor women', which may indicate that they were not tenants but, perhaps, mendicant beggars. Ten were described as sick or sickly while one had fever¹⁶ and it is notable that there was a significant gender imbalance of nine men to two women in this section. It is hardly likely that men were more prone to illness than women but it must be understood that married women whose husbands were alive did not receive direct payments but by proxy through their husbands and some of the

¹⁵ Bermingham to Clonbrock, 12 Apr. 1833 (*ibid.*, MS 35,727). ¹⁶ Fever was not a big problem in 1834–5 but this was not the case in the two years that followed when £4. 1s. 6d. was expended to provide lime for fever sheds, £10 to eleven individuals, as well, as £15 'to poor people in fever about Clonbrock'. Clonbrock rental and accounts (NLI Clonbrock papers, MSS 19,699, 19,601).



4 Expenditure on improvement projects on Clonbrock estates, 1834-5
 Source: NLI, Clonbrock papers, MSS 19,595-6

payments made to men that year may have been for this reason. Of the ten women in receipt of occasional charity seven were named widows and three unnamed 'poor women' who may also have been mendicants. £26 was paid for wheels and reels which indicates that Clonbrock assisted tenants in the development of domestic industries such as spinning. £7 was allocated to foundlings, some of whom were discovered at Lanelough which proves interesting as this townland bordered Clonbrock demesne. This location may have been specifically chosen because there was an awareness that Clonbrock would make some provision for them.

Two contrasting payments stand out in the 'sundry small payments' account, £3 5s. was allowed to L. Finaghty for the trespass of pheasants and 7s. was paid to the doctor for attending Widow Fox's child who had broken her leg.¹⁷ While the considerable sum of £290 was spent on charity it represented just 3.6 per cent of the projected rental of £8,000 on the estates in question.¹⁸ Even landlords who were regarded as possessing a sense of *noblesse oblige* did not believe in 'promiscuous' charity and were critical of many charitable organizations. They advocated assistance for the sick, widowed, orphaned, blind and insane but were loathe to dole out money to the able bodied who were capable of work. A conscientious paternalist advocated work for the able-bodied poor rather than handouts, and Clonbrock spent considerable amounts of money employing labour on various improvement schemes. These projects included the construction of a large mill, reclaiming and draining of land,

¹⁷ Sundry small payments account 1834-5 (ibid., MS 19,596) ¹⁸ Clonbrock rental and accounts (ibid., MSS 19,595-6).

building walls, and making new roads, all of which would have been a boon to the tenantry and their families in providing employment.

Thomas Bermingham was an avid campaigner for state-sponsored public works, which he believed would improve the country's infrastructure as well as provide much needed employment for the poor during the 'hungry months' of late summer and early autumn. He was a founder member, along with Lord Clonbrock, of the Western Railroad and Navigation Company in 1831 and much of his campaigning zeal was focused on the promotion of drainage schemes and railway projects as is evidenced in his pamphleteering.¹⁹ Peter Gray has argued that the development of railways was rarely viewed as connected with the poor law question. 'However, a closer examination of its chronology and the political considerations surrounding its establishment and operations suggests that it can legitimately be regarded as forming part of a common strategy with the poor law bill for the economic development of Ireland and the redressing of the structural problems of poverty in that country.'²⁰

By the 1830s Ireland was the only country within the United Kingdom not to have a poor law despite the fact that many of its inhabitants lived in poverty. The Scottish poor law was based on the voluntarism of private benefactors while in England and Wales the workhouse system, introduced in 1834, was funded through local taxation known as the poor rate. The widely held view was that Irish landlords had failed in their duty to the Irish poor so the Poor Inquiry was established in order to determine the best way of combating poverty in the country.²¹ It was chaired by Richard Whately, the Church of Ireland archbishop of Dublin, and between 1833 and 1835 evidence was presented to various local hearings across the country from diverse social classes.²² Thomas Bermingham was optimistic that the information gathered during the inquiry would be put to good use in easing the plight of the poor in Ireland and stated as much in his 1835 pamphlet, *The social state of Great Britain and Ireland considered*.²³ It appeared as the Poor Inquiry was deliberating its findings and there can hardly be any doubt that he was attempting to influence the outcome of the inquiry as he included feasibility studies for his pet projects of river drainage, railway construction and the reclamation of waste land to accommodate the poor.

¹⁹ Thomas Bermingham, *First report of the committee on the Western Rail-Road and Navigation Company* (Dublin, 1831); idem, *The social state of Great Britain and Ireland considered, with regard to the labouring population ...* (London, 1835); idem, *A letter to the Rt. Hon. Lord Viscount Morpeth: from Thomas Bermingham, Esq., of Carnamana, Kilconnell County Galway, chairman of the General Irish Railroad Committee: upon the advantages certain to accrue to Ireland by the introduction of railway communication to the river Shannon and to other parts of the kingdom* (London, 1839); idem, *Statistical evidence in favour of state railways in Ireland* (Dublin, 1841). ²⁰ Peter Gray, *The making of the Irish poor law, 1815–43* (Manchester, 2009), p. 173. ²¹ Kinealy, *This great calamity*, p. 18. ²² For discussion see, Niall Ó Ciosáin, 'The Poor Inquiry and Irish society: a consensus theory of truth', *Transactions of the Royal Historical Society*, 20 (2010), pp 127–39; Gerard O'Brien, 'The establishment of the poor law unions in Ireland', *Irish Historical Studies*, 23 (1982), pp 97–120; idem, 'The new poor law in pre-Famine Ireland: a case history', *Irish Economic and Social History*, 12 (1985), pp 33–49. ²³ Bermingham, *The social state of Great Britain and Ireland considered*, p. xx.

However, the report 'adopted a distinctly sceptical tone towards the role of active state intervention in mitigating Irish distress through works of agricultural improvement better undertaken by the proprietors themselves'.²⁴

Despite the report's lack of enthusiasm for his favoured means of alleviating poverty, Bermingham continued campaigning for extensive infrastructural investment in railways and drainage. He did not voice any significant opposition to the findings of the Poor Inquiry, but when it became apparent that the workhouse-based English poor law system was being considered, he opposed it. George Nicholls, an English poor law commissioner, was engaged to conduct a further survey of Irish poverty in 1836 and he denied that Irish needs differed from those in England and recommended the creation of large poor law unions and the establishment of workhouses on the English model.²⁵ Many landlords feared that if the able-bodied poor were given a right to relief in workhouses, as they were in England, then they, as the principal payers of the poor rate, would be bankrupted. They feared that workhouses would immediately become crowded and that the 'virtuous' payers of the poor rate would be forced to support idleness within workhouse walls.

David Roberts has argued that Tory reviewers were suspicious of some forms of philanthropy. 'A philanthropy that meant a personal benevolence in a small community they did not dislike, but a philanthropy that was extended, diffuse, and general won from them only the most pejorative adjectives. They wrote of "platform philanthropy", "claptrap philanthropy", "the pernicious cant of universal philanthropy", "pseudo humanity and philanthropy".'²⁶ While the expense of funding a workhouse was the landlords' prime motivation in condemning the poor law they also feared that this model would undermine the control that they and their agents exercised at local level. They decided who were the deserving and the undeserving poor, and dispensed charity according to their own dictates so they feared a loss of control to commissioners answerable to a central authority. It could reasonably be argued that Clonbrock performed his paternal duty to his tenantry through estate charities and the provision of employment. However, the general feeling among those in favour of the workhouse-centred model, 'from liberal whigs to humanist tories, was the belief that Irish landlords were failing in their responsibilities to their tenants and to society in general'.²⁷

While the poor law bill was being debated in parliament in early 1838, Thomas Bermingham made his position on the matter clear in his *Remarks on the proposed poor law bill for Ireland, addressed to George Poulett Scrope, Esq., Member for Stroud*. Poulett Scrope, an English radical and long-time campaigner for an Irish poor law, was complimented by Bermingham for his persistent advocacy of this cause. However, he believed it necessary to inform Poulett Scrope of alternative methods of poor relief that he thought might be of use at this very important time. From experience

²⁴ *Ibid.*, p. 116. ²⁵ George Nichols, *A history of the Irish poor law in connection with the people* (London, 1856), pp 157–62. ²⁶ Roberts, *Paternalism*, p. 74. ²⁷ Crossman, *Local government*, p. 45.

gained travelling around Prussia, Belgium, Switzerland, Savoy and parts of France in the latter part of 1837, Bermingham felt 'satisfied that the English are far behind foreigners in the science of managing the poor, and that we should seek abroad for further information, in order to make the Irish poor law as perfect as all the friends of humanity wish it to become'.²⁸ He expressed the view that the workhouse system was unsustainable in Ireland, and estimated that the cost of constructing a workhouse and maintaining widows, orphans, the aged and infirm within them would break landed proprietors. He argued there were many excellent institutions, including the deaconries in Ballinasloe and Cloughjordan, where the poor were visited and relieved by private charities, and that the introduction of 'one uniform and expensive plan' would lead to their demise. Other institutions that he held in high regard were dispensaries, and he suggested Ahascragh dispensary, adjacent to Clonbrock demesne, as a model of efficiency since 2,373 persons had been treated for a sum of £180 or 1s. 6d. per individual.²⁹ Finding common ground with Poulett Scrope he criticized the poor law bill for the absence of any mention of public works, and reiterated his call for railway and river drainage projects. While Bermingham admitted the necessity of poor laws and of institutions such as hospitals, fever hospitals, asylums for 'lunatics', the 'deaf and dumb' and the blind, he expressed no confidence in the workhouse system because of the cost, and the humiliation that he believed the poor would suffer if forced to enter them. Echoing Whately's recommendations he argued for private initiative in the dispensation of charity. Essentially, he was in favour of outdoor relief that treated the sick in dispensaries and provided paid work for the able-bodied poor through public works.

The poor law bill continued its progress through parliament and one month after Bermingham had penned his pamphlet, Frederick Shaw, the Tory MP for Dublin University, proposed to limit workhouse relief to the impotent and elderly poor and to exclude the able-bodied. It was defeated by 134 votes to 75 and represented a significant defeat to those who were trying to frustrate the bill's passage.³⁰ In the end it proved an insurmountable task and the bill passed on 30 April, but only 25 of 63 Irish MPs voted in its favour, and at least eight other Irish MPs abstained. Such was the significance of the defeat of Shaw's proposal that a petition to the House of Lords was drafted in Galway while the bill was still in the Commons. Many of the grand juries that met around the country for the spring assizes drew up similar petitions demanding the restriction of state relief to the 'impotent poor', along with some form of remunerative employment for the labouring poor. In March, the grand juries of Meath, Cavan, Wexford, Fermanagh, Kings County, Down, and Mayo all submitted similar resolutions. During the 1837–8 session, 116 petitions from various bodies, with 39,922 signatures, were presented against the bill; this swamped the paltry four (with 593 names) in its favour.³¹

The meeting to draw up the Galway petition, attended by Bermingham, was held

²⁸ Bermingham, *Remarks*, pp 3–4. ²⁹ *Ibid.*, pp 9–10. ³⁰ Gray, *Irish poor law*, pp 201–3.

³¹ *Ibid.*, p. 362.

at Tuam courthouse on 29 March and chaired by Sir John Burke, who had been a Whig MP for Galway between 1830 and 1832. Landed paternalists were dedicated to locality and suspicious of any external authority that might undermine their position and this was very much in evidence in the petition agreed. It strongly objected to the 'arbitrary and unlimited powers awarded to the commissioners. Being non-resident, they cannot from experience either sympathize with the necessities, comprehend the resources, or direct judicious relief, of the Irish people.' It further described the bill as oppressive and inquisitorial, 'being calculated to wither the purest sentiments of benevolence. To snap asunder the ties of gratitude and affection'. The petition concluded with a call for the introduction of the Scottish poor law model as well as arguments for the draining and cultivation of wasteland and an appeal to 'assist the efforts of agriculturalists, by affording permanent employment to [a] willing and intelligent peasantry'. It was resolved that Lord Clancathy, supported by Lords Clonbrock, Gort and Fitzgerald, would present the petition to parliament. It further resolved that Thomas Bermingham and others form a committee to sit in London while the bill was progressing through the House of Lords.³² It is evident that Bermingham assisted in drafting this petition because of the similarities between it and his *Remarks* pamphlet published a month previously. Both the pamphlet and the petition expressed the views of landed paternalists regarding the duties and responsibilities of property and their fear of interference in local matters. Like many landlords in England who were dedicated to locality, they feared and criticized the centralized Benthamite commissioners, using 'the classic argument of paternalism that only in small, circumscribed spheres, where all were intimately and personally known, could benevolence and property be rightly administered'.³³

There appears to have been an anxiety that the 'the ties of gratitude and affection' would be broken, and the paternalist relationship would be undermined. It is hardly surprising, therefore, that those who conscientiously managed their estates sought to retain control of local charity. They firmly believed that it could be better administered by the rule of property but they also knew that the dispensation of charity was an essential component of the social glue that was at the heart of paternalism and that the surrender of its control to centralized authorities would undermine their ability to successfully manage the deferential dialectic. Howard Newby has argued that in order for the exercise of traditional authority to succeed, a careful balance needs to be struck between the elements of identification and differentiation which constitute deferential interaction. Encapsulated within the gift, he continues, the identificatory and differentiating elements of deference find perfect expression and that charity distributed locally at a personal level 'celebrated, symbolized and reaffirmed the deferential dialectic'.³⁴ There can hardly be any doubt that

³² *Tuam Herald*, 31 Mar. 1838. ³³ Roberts, *Paternalism*, p. 257. ³⁴ Howard Newby, 'The deferential dialectic', *Comparative Studies in Society and History*, 17 (1975), p. 161. Newby uses italics for the words *differentiation* and *identification* to emphasize that they are the two components of the deferential dialectic and they have been similarly italicized in the text.

the charity which the poor received from Clonbrock fostered some level of identification but it also underscored the differentiation that existed between giver and receiver. As Newby has argued:

Clearly one does not wish to deny the conscious validity of the philanthropic and Christian motivations to charity, but charity has long been, in effect, an integral part of the legitimization of social subordination, not only through its status-enhancing properties but because it has been used discriminately in favour of the ‘deserving’ (i.e., deferential) poor.³⁵

The power of the gift was intimately understood by those who opposed the introduction of the poor law and the Galway petition, along with several others, was presented to the House of Lords by the marquis of Clanricarde on 18 May 1838. He ‘came closest to articulating a class interest in expressing the fear that the centralizing powers of the bill, in common with many other innovations under the present administration, would continue the process of “gradually and by degrees superseding the resident gentry”’.³⁶

Despite a barrage of petitions and the opposition of Lord Clonbrock and other Irish landlords the *Act for the effectual relief of the destitute poor in Ireland* was passed by the Lords on 9 July 1838 by 93 votes to 31.³⁷ One of the principal arguments against the introduction of the poor law, and its accompanying poor rate, was that it would bring a halt to the benevolence of landlords and others who had acted in a charitable manner. For the first few years following its introduction this does not appear to have been the case on the Clonbrock estates and the distribution of charity continued under Bermingham’s direction as the graph below illustrates.

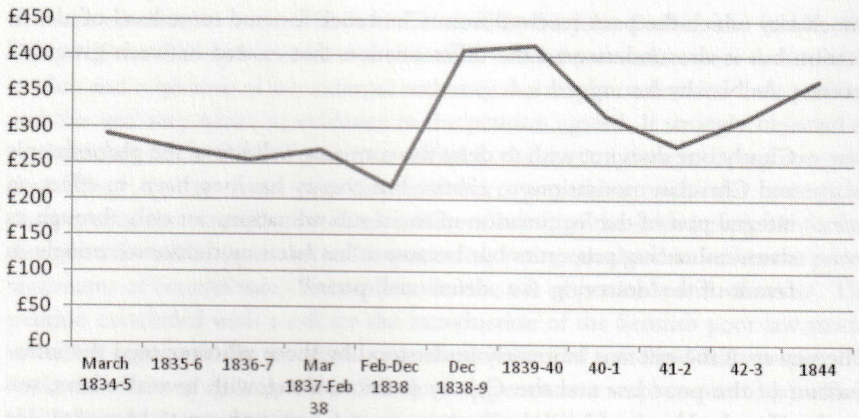
In fact, expenditure on charities peaked in the years immediately after the introduction of the poor law. Christine Kinealy has argued that in 1839 there was localized, yet severe, distress in some parts of the country and the estate accounts reveal that this was the case among some of Clonbrock’s tenants.³⁸ It is particularly evident in the £140 expended on ‘occasional charities’ in 1839 as this figure had not risen above £80 since 1834.

The bulk of the figure consists of charity dispensed on the Clonbrock and Ballydonelan estates which amounted to £54 and £58 respectively.

I now want to provide some examples from these estates to illustrate the challenges that the tenantry faced in these trying times, and the response of Clonbrock and Bermingham to them. Figure 7 shows the breakdown of £54 paid out in occasional charity on the Clonbrock estate in 1838–9. It includes a sum of £7 10s. recorded as ‘weekly charities’ paid out to twenty-four ‘people in want of food on the estate’ during late July and August, corresponding with the ‘hungry months’ when

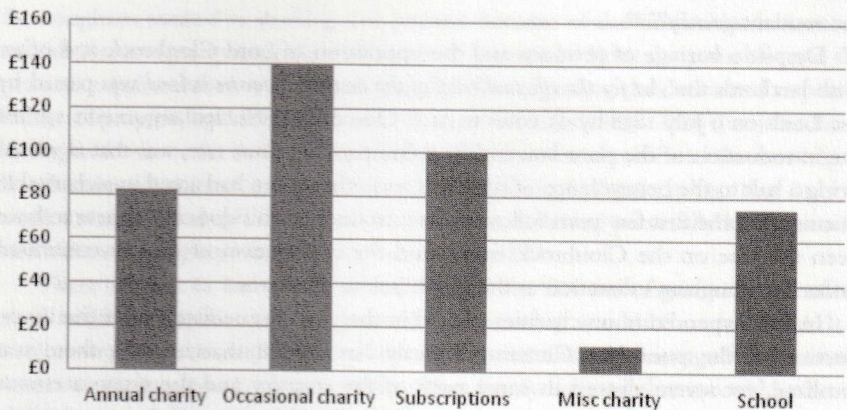
35 Ibid., pp 161–2. 36 Gray, *Irish poor law*, p. 211. 37 *Hansard*, III, 44, 30 (9 July 1838).

38 Christine Kinealy, ‘The role of the poor law during the Famine’ in Cathal Póirtéir (ed.), *The Great Irish Famine* (Cork, 1995), p. 107.



5 Charities distributed on the Clonbrock estates, 1834-44

Source: NLI, Clonbrock papers, MSS 19,595-19,616

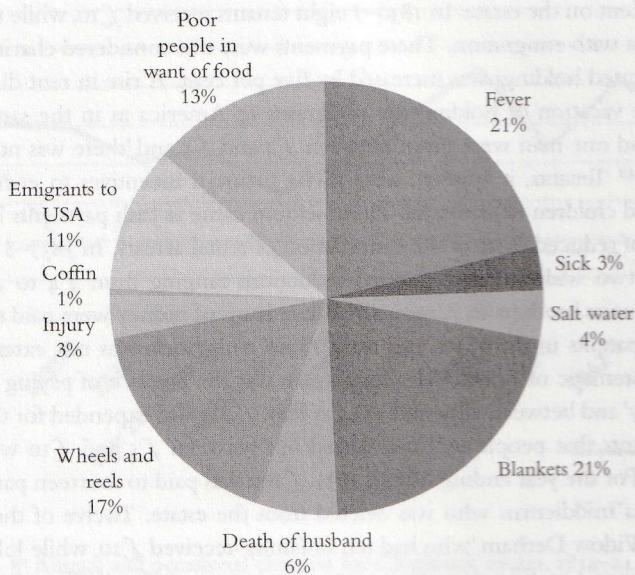


6 Summary of £408 in charities for Clonbrock estates, December 1838-9

Source: NLI, Clonbrock papers, MS 19,605

the people awaited the ripening of the potato crop. 'Weekly charities', distributing small sums of money during the hungry months, were not paid out in previous years, and this reflects Kinealy's 'localized, yet severe, distress in some parts of Ireland'³⁹ during 1839, and its impact on the poorest of Clonbrock's tenantry. Fever also hit the poorer sections of the tenantry that year and £2 was spent whitewashing fever sheds at Killosolan where the sick were quarantined. Several people suffering from fever received various sums from Clonbrock that year: eight named individuals received sums ranging from 10s. to £2 and a sum of £1 8s. was allocated to give 'oatmeal to poor people in fever, on the estate'. Patt Rogan, Kilglass, suffered from fever for a

39 Ibid.



7 Division of £54 in occasional charities on Clonbrock estate, 1838-9
 Source: NLI, Clonbrock papers, MS 19,605

number of months and received £1 in March and 4s. in July/August. However, it appears that he did not recover from the fever as the occasional charity account records a sum of 5s. to provide a coffin for him in October. Less than a month later Widow Rogan, probably Patt's wife, also from Kilglass, received £1 because she too was suffering from fever.⁴⁰ The account also records two others suffering from unspecified illnesses for which they received sums of money. Three tenants and one tenant's son were given 10s. each to go to 'salt water', indicating that they were being sent to the sea for health reasons; others received compensation for injury while working on the estate or for the death of a spouse. E. Nicholson who was 'hurt by wagons in [the] bog' was given £1. 10s. 'to help bind him to a trade'. James Clarke, whose 'house was blown down by the hurricane' (the night of the 'big wind' on 6 January 1839),⁴¹ received £1 for repairs as well as 5s. on 24 June because of illness. He had not recovered from this illness, it appears, by 23 August as he was a recipient of 10s. to go to 'salt water'. The picture was similar on the Ballydonelan estate where tenants received financial assistance or were sent to 'salt water'; £4 was spent employing nurses to tend to those who had been stricken with fever; and during the 'hungry months' forty-four people were recorded as receiving 'weekly charity'.⁴²

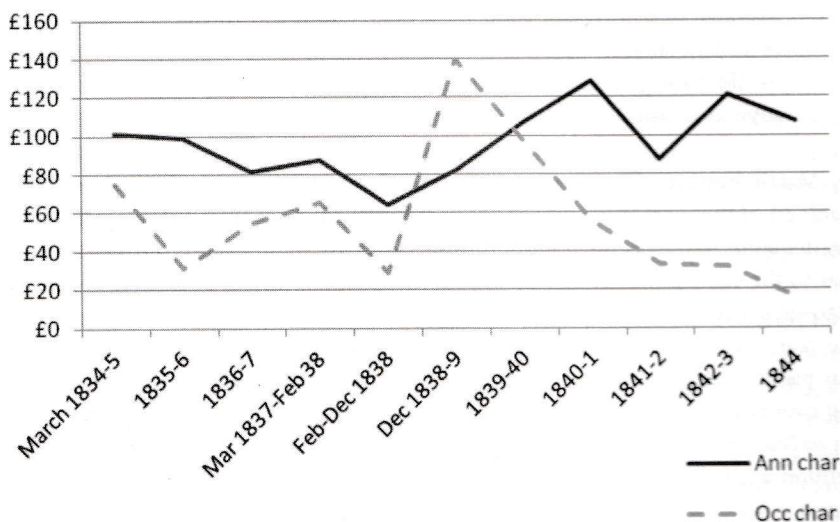
In the 1830s and early 1840s, emigration on a voluntary basis was an option for

⁴⁰ Clonbrock rental and accounts, 1838-9 (NLI, Clonbrock papers, MS 19,605). ⁴¹ For discussion see Peter Carr, *The night of the big wind* (Belfast, 1993). ⁴² Clonbrock rental and

those resident on the estate. In 1836–7 eight tenants received £10, while two received £5 to assist with emigration. These payments were not considered charity as the rent on the vacated holdings was increased by five per cent. A rise in rent did not always follow the vacation of holdings by emigrants to America as in the same year four widows and one man were given between £2 and £5 and ‘there was no rise of rent expected’.⁴³ Tenants, it appears, were given financial incentives to encourage their siblings and children to emigrate. These seldom came as cash payments but rather in the form of reduced rents or the cancellation of rental arrears. In 1837–8 five tenants, including two widows, were granted reductions ranging from £4 to £5 each for sending sons or brothers to America.⁴⁴ While sums of money were paid to emigrants and their parents in the 1830s and early 1840s emigration was not extensive and in no way systematic or forced. More extensive was the practice of paying ‘paupers for going away’ and between 1834 and 1844 at least £497 was expended for this purpose. The amounts that people received varied but between £5 and £10 was the usual sum paid. For the year ending March 1835, £100 was paid to fourteen pauper undertenants of a middleman who was evicted from the estate. Twelve of these received £5 each, Widow Derham ‘who had ten in family’ received £20, while John Colohan ‘who had been a useful man in trying occasions’ received £10.⁴⁵ There is no mention of these paupers going to America that year and those that were paid money in subsequent years were not referred to as emigrants either. What became of them is unclear; they may have been accommodated on other portions of the estate as, in the late 1820s, Bermingham had relocated tenants from a townland on an overcrowded portion of the Roscommon estate to a new settlement in the vicinity.⁴⁶ However, it is just as likely that those who had been paid to ‘go away’ had to find another place to live; this would not have been easy given the intense competition for land so they may have had little option but to emigrate. Despite the obvious difficulty which some tenants were facing on the estate in 1839 only two women were provided with assistance to emigrate and unusually these sums were recorded in the charity accounts: Bridget Downey, of Kilglass, and Honor Toohy, were given £2.10s, and £2 respectively to emigrate to America.⁴⁷

The introduction of the poor law in 1838 does not seem to have interfered with the distribution of charity on the Clonbrock estates; neither does it appear to have diminished Clonbrock’s ardour for improvements. There was continuous expenditure on the latter which provided work for the labouring population on the drainage of Crith bog, adjacent to Clonbrock demesne, and individual tenants were also encouraged to drain their land for which they received compensation (see Fig. 4). From 1838 to the end of 1841, following the introduction of the poor law, the amount

accounts, 1838–9 (NLI, Clonbrock papers, MS 19,605). ⁴³ *Ibid.*, 1836–7, MS 19,600. ⁴⁴ *Ibid.*, 1837–8, MS 19,602. ⁴⁵ *Ibid.*, 1834–5, MS 19,596. ⁴⁶ Thomas Bermingham, *Facts and illustrations for the Labourers’ Friend Society ... in a short narrative of the home colonies of Iskerbane and Castle-Sampson ...* first published in 1833, addendum to *The social state of Great Britain and Ireland considered* (London, 1835). ⁴⁷ Clonbrock rental and accounts, 1838–9 (NLI, Clonbrock Papers, MS 19,605).



8 Annual and occasional charities for Clonbrock estates, 1834-44

Source: NLI, Clonbrock papers, MSS 19,595-617

expended on 'occasional charities' rose significantly but this figure fell to £33 in 1842, indicating that the poor law was beginning to have an impact on estate based charities. This was Bermingham's last full year as agent and despite the decline in the amounts spent on charity he granted rent reductions of £54 to a number of tenants for reasons that could be deemed charitable. Lawrence Shanaghan received £3 for 'great loss of cattle on mountain', John Kennedy received £3 for failure of his wheat crop, and £6 was given to John Kissane 'a long time sick by which he got insane'.⁴⁸

However, it is clear from the plummeting expenditure on occasional charity, shown in Fig. 8, that estate based charities were being phased out.

This fall in expenditure can largely be attributed to the poor law, especially if it we consider that the Ballinasloe Union Workhouse opened on 1 January 1842. Bermingham, who had been elected as a poor law guardian, was sceptical about its capacity to deal with the number of poor who sought refuge within its walls. In a letter to Clonbrock on 13 January he stated that he had

attended the accommodation of paupers last Saturday. It is awful, the destitution, and the house is not ready to accommodate all those who apply, it is damp and was, in my opinion, opened too soon - they are very properly sending back to the electoral division the paupers - it will be a great tax unless all landlords shall provide for their own paupers out of the house - one young woman was admitted on Saturday - with five children. She was dead on

⁴⁸ Clonbrock rental and accounts, 1842 (NLI, Clonbrock papers, MS 19,611).

Monday so here is, five children at once chargeable to the electoral division of Killane at least £20 a year and yet you know a house and acre of land would have given them enough to eat with the mother's labour it is an ill advised measure.⁴⁹

By March, however, Bermingham appears to have overcome his fears regarding the readiness of the workhouse and the case of Bidy Maguire from Kilglass, adjacent to the demesne, illustrates the transition from localized, landlord-controlled estate charities to the centralized workhouse system based on the poor law. During December 1839–40 she received £4 8s. 6d. in charity spread over sixteen instalments throughout the year. The following year she received £2 5s. in eleven instalments, 10s. of which was paid to 'nursenders' to care for her while she was in fever. However, in 1842, just over two months after the workhouse opened, there is only one payment to her, on 10 March, when 2s. 6d. was paid 'to take Bidy Maguire to the poor house'.⁵⁰ The petition against the poor law in 1838 warned that it was 'calculated to wither the purest sentiments of benevolence' and for Bidy Maguire, at least, this seemed to be the case.

Another factor in the decline of some charities on the Clonbrock estates was the retirement of Thomas Bermingham as land agent in February 1843. He was replaced by Charles Filgate, Bermingham's former colleague on the neighbouring Mahon estate, who appeared intent on cutting expenditure. On assuming his position he disallowed Catholic holidays to the estate's labourers, which had been permitted by Bermingham, and discontinued many of his improvement projects and his austerity may have influenced his management of estate charity. Unfortunately, Filgate's surviving accounts do not provide personal information about those in receipt of charity, so it is not possible to study estate charity in detail after Bermingham's retirement in February 1843. Bermingham's departure marked a continued fall in the amount expended on 'occasional charities' but it would be somewhat unfair to lay all the blame for this at Filgate's door, as the necessity of having to pay the poor rate must have curtailed the agent's ability to dispense charity. In 1843, the Poor Law Amendment Act released occupiers on holdings valued at less than £4 from paying the poor rate and the responsibility for their payment fell to the landlord. That year £175 was paid in poor rates and this accruing expense would have done little to promote estate charities and may explain why 'occasional charities' fell as low as £15 in 1844 (see Fig. 8).⁵¹

There is a contradiction in this chapter; the poor law did not initially undermine landlords power at local level yet it did, nevertheless, have a considerable effect in weakening the paternal relationship between Clonbrock and his tenants by diminishing his capacity to dispense charity. This capacity was further diminished with the introduction of the Medical Charities Act in 1851 which brought all dispensaries under the remit of the poor law and heralded an end to Clonbrock's donations to

⁴⁹ Bermingham to Clonbrock, 13 Jan. 1842 (ibid., MS 35,727). ⁵⁰ Clonbrock rental and accounts, 1839–42 (Ibid., MSS 19,607,19,609,19,611). ⁵¹ Ibid., MSS 19,615–6.

those located on his estate. However, landlords like Clonbrock who had opposed the poor law soon came to accept it, as the Ballinasloe board of guardians, on which he served in the ensuing decades, was largely controlled by the landed interest. In 1842 the boards of guardians of the Ballinasloe and Galway unions were recorded as having the highest number of elected magistrates in the country.⁵² Landed control was further tightened when tenants with holdings valued at less than £4 were disenfranchised in the following year by the Poor Law Amendment Act.

While it was not immediately apparent that there was a threat to landed power there was an indication that it was beginning to weaken. Peter Gray has argued that the political excitement in the run up to poor law elections in the pre-Famine period has been underplayed. This, he argues, was particularly evident before the introduction of the Poor Law Amendment Act in 1843 when tenants on holdings of £4 or less were entitled to vote in the elections and that the 'political revolt against landed control [in the 1880s] had been prefigured in the contested poor law union politics of the pre-Famine period'.⁵³ Essentially a Trojan horse had been permitted to enter the citadel of landed power and while the initial danger was neutralized, the inherent threat of a wide franchise was to remerge later in the century as their positions of dominance on the poor law boards were challenged once again.

Roberts has argued that in early Victorian England 'no social outlook had deeper roots and wider appeal than what twentieth-century historians call paternalism'. The literature that influenced this outlook came from a wide array of authors who published philosophical treatises, novels and magazine columns. Names such as Edmund Burke, Walter Scott and Benjamin Disraeli, and publications such as the *Quarterly Review* and the *Edinburgh Review* all contributed to the creation of this paternalist *zeitgeist*. Interestingly the catalogues for Clonbrock library for the early Victorian period have survived and works by these authors and numerous issues of the magazines were all to be found at Clonbrock.⁵⁴ Thomas Bermingham's *The social state* was also present on the shelves and it, along with his other works, can, without difficulty, be said to have contributed to this *zeitgeist*.

This contribution has argued that paternalism as a social outlook informed how the Clonbrock estates were managed during the 1830s and early 1840s. It has shown, through a study of estate charity, how 'the gift' symbolized and reaffirmed the deferential dialectic with its contrasting elements of identification and differentiation. It played an important role in legitimizing landed power and for these reasons, among others, both Bermingham and Clonbrock resisted the introduction of the poor law. They understood its role in copper fastening the paternal relationship but despite their efforts to resist it, the centralized model of the workhouse won the day. Howard

52 O'Brien, 'The establishment of the poor law unions', p. 114; Clonbrock became chairman of the Mountbellew union in 1851 following its creation by the poor law commissioners in 1848. 53 Gray, *Irish poor law*, p. 340; O'Brien, 'The establishment of the poor law unions', p. 114. 54 Clonbrock library catalogues, 1807–c.1850 (NLI, Clonbrock papers, MSS 19,947–9).

Newby has argued that one of the consequences of the rise of charitable organizations in the nineteenth century

has been increasingly to deform the gift by rendering it more bureaucratically organized and impersonally dispensed on a less localized and less discriminating basis. The gift has thus become less effective as a means of social control, and its use has become less appropriate to the exigencies of a hierarchy characterized more and more by rational-legal authority.⁵⁵

There is no doubt that Clonbrock had lost something very valuable once the poor law was introduced. Workhouses were not designed to foster identification with the landlord but toward the state and given the harsh conditions that existed in these institutions it is doubtful if they fostered identification on any level. Clonbrock lived until 1893 so he would, in time, come to realize the loss of power which this act entailed when his family lost control of the Mountbellew board of guardians in the latter part of the century. It could, without exaggeration, be described as the first in a series of measures that would topple Clonbrock and his class from what, in 1844, appeared to be an unassailable position of power.

55 Newby, 'The deferential dialectic', p. 162.