

INTIMIDATION IN PARLIAMENTARY ELECTIONS: KERRY 1835

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A Parliamentary Select Committee was set up in March 1837 charged with making recommendations on what means could be taken to prevent bribery, corruption and intimidation in the election of MPs in Great Britain and Ireland. The Committee reported back to the House in August 1835. The Irish election constituted a high proportion of those cases investigated.

In the General Election of that year each county constituency in Ireland returned two MPs. All others (the Boroughs) returned one, with the exception of Belfast, Cork city, Dublin city, Galway city, Limerick city, Waterford city and Dublin University who returned two each.

There were 1212 electors in the County Kerry constituency on 24 January 1835, the day the election in that area closed, the candidates being:

Morgan John O'Connell – Liberal (Repealer)¹

Frederick William Beaufort Mullins - Liberal (Repealer)²

The Knight of Kerry (Rt. Hon. Maurice Fitzgerald)³ - Conservative

Thomas Ponsonby - Liberal

One of the election candidates, Morgan John O'Connell was Daniel O'Connell's nephew.

There were 263 electors in the Tralee constituency on 10 January 1835, the closing day of the election, the candidates being:

Maurice O'Connell - Liberal (Repealer)⁴

William Denny – Conservative⁵

Maurice O'Connell was the son of Daniel O'Connell.

H.J. Brownrigg, a sub-inspector and magistrate in the County of Kerry, was called before the Select Committee on 24 June 1835 on the strength of his having forwarded an affidavit to Government, sworn before him and made by "a most respected gentleman" in the county: "[Gentleman], of Cahirsween⁶, in said county, who being duly sworn on the Holy Evangelists, and examined, deposed and saith, that the lower orders of the people in the town and neighbourhood of Cahirsween aforesaid, have manifested the most open, avowed and violent determination not to permit the freeholders in the interest of the Right honourable Maurice Fitzgerald, a candidate at the ensuing election for said county, to proceed to the town of Tralee for the purpose of exercising their elective franchise; and one of said freeholders has been severely beaten for expressing his intention of voting for said Maurice Fitzgerald, and another has been illegally sworn, by a gang of persons assembled for the purpose of intimidation, not to vote for him; saith, that several freeholders have had notice given to

¹ Of Grena, Killarney and Reform Club, London

² Of Beaufort Castle, Kerry and Leamington

³ Of Ballinruddery and Zilva, Valentia; Lt.-Colonel of the Kerry Militia

⁴ Derrynane Abbey, Cahirciveen

⁵ Tralee, later Chairman of the Union Workhouse; Board of Superintendence, County Gaol, Tralee

⁶ Cahirciveen

them, that if they vote for the said Right honourable Maurice Fitzgerald, their coffins will be ready prepared for them, and that they will not be allowed to go with their lives to Tralee; saith, that several of said freeholders have applied to deponent to obtain protection for them, and have stated that they cannot, with safety to their lives, exercise the right of voting, unless the protection of the military or police shall be afforded to them; saith, that so great is the spirit of outrage which prevails in said town of Cahirsween and its neighbourhood, that on Sunday last, the 11th January instant, the Protestant congregation of said town, on returning from divine service, were pelted at with filth and dirt and even before the termination of divine service, several riotous and ill-disposed persons came to the door of the church, and round it in every direction, and threw gravel and dirt at it; saith, that unless an efficient police or military escort is appointed for the protection of the said freeholders on their way to Tralee, he is convinced they will be deterred by force and terror of their lives from voting at the ensuing election. (signed) [Gentleman]. Taken and sworn before me, this 14th. day of January 1835, (signed) H.J. Brownrigg." On the basis of the above statement, and in conjunction with other magistrates, Brownrigg arranged for military protection of the freeholders in question. The use of the military was necessitated by the fact that there were only 120 policemen in the whole of County Kerry.

One source of the problems may have been the great Liberator himself, **Daniel O'Connell**. He was said to have made a speech in Dublin, reported in the local Kerry newspapers, that he would be coming to the county to show his opposition to the Knight of Kerry and that any Catholic who voted for Fitzgerald should have a death's head and cross-bones painted over his door. In an era when voting was public, and voters' lists were published, such a threat could not be taken lightly. In a later speech, on 01 January 1835, in front of the Commercial Reading Rooms in Tralee, O'Connell added to the invective by stating "there was not a demon in Hell more base than the Catholic who should vote for the Knight of Kerry".

In his evidence before the Committee and from personal knowledge, having spoken to many of them, Brownrigg contended that O'Connell's speech had a profound effect on the Catholic voters and made them fearful to vote in favour of the Knight.

At a meeting held on the same day at the Tralee Chamber of Commerce, **Richard Leyne Esq.** in the chair, a number of resolutions were passed:

- Resolved, that the question to be decided at the approaching election is, tithes or no tithes; and that the Knight of Kerry, in the county, and Mr. William Denny, in Tralee, are supporters of the blood-stained tithe system.
- Resolved, that whoever votes for the Knight, or for Mr. Denny in Tralee, is really and truly a supporter of that blood-stained system

Among the five other resolutions passed were the statements that the present Government was formed on a principle contrary to the best interests of Protestant Dissenters in England; that it was insulting to the Catholics of Ireland; that no liberal or enlightened Protestant could support such an administration, pledged as it was to tithes and the Orange faction; that any Catholic who should vote for a Government candidate was among the most base and unprincipled of mankind. They also agreed that there should be a committee in every parish to ensure the anti-tithe, anti-Orange vote and that preference in business should be given to those who voted against the pro-Government candidates (who were viewed as being

"unfriendly to their neighbours and unjust to the first principles of humanity and religion"). Finally, it was agreed that a copy of the petition be presented to the King.

The nature of the language being as it was, it was inevitable that passions would become enflamed. When the news reached Cahirciveen that Maurice O'Connell had been returned for the borough of Tralee on 11 January 1835, a mob proceeded to the church [of Ireland] and during a service continued to hoot and yell, throwing stones on the roof of the church and mud at the windows. On the way home from the church, the congregation was pelted with mud and stones. On the 22nd January **Lawrence Barry**, a farmer from the parish of Duagh was attacked and stones thrown at the door of his house. On the same date twenty "rails" of turf were burned in the bog of Menus, parish of Kilorglan, the property of **Bartholomew Dwyer**, who was also a Knight supporter. On the 24th a message was posted on the door of **Timothy O'Connor** of Duagh, a dance teacher, not to keep the children of Messrs. **Stack and Carroll** (both of whom had voted for the Knight) in the school, or he would be reported to the local priest. Also on the 24th the house of **Thomas Carroll** of Duagh was set on fire as detailed by a local constable: "Sir, - I am to report for your information, that the threat of death's head and marrow-bones is already being put into operation in this district, as on last night, or early this morning, the house of **Thomas Carrol**, land surveyor, was set on fire in the village of Duagh, in consequence of Carrol having voted for the Knight of Kerry. The only inmates of the house at the time were Carrol's two daughters, and his son about 15 years of age, Carrol being in the town of Listowel, on his return from the elections. The property in the house was rescued from destruction by the timely interposition of constable Raymond, and several of the inhabitants." Despite a reward of £50 being offered by the Government, no one was caught for this crime.

Again on the 24th, bonfires were lit throughout the Kenmare area, then in a state of "perfect disorder and confusion". The windows of **Garrett Reredon**, **Dan Sullivan**, innkeeper, and **George Nicholson** were smashed, on account of their political affiliations. Nicholson protected his house by using a gun. On the same date a mob paraded through the village of Castlegregory and broke the windows of a man called **James Fitzgerald**, a Knight supporter. On the same night there was a break-in in the chapel of Lispole and a pew belonging to **James Fitzgerald** was broken. At Castleisland a mob gathered outside the house of **William Bailey**, who voted for the Conservative candidate, shouting "Damn the Knight of Kerry" and proceeded to throw stones at the house. One of the stones hit the bugler of the 51st Regiment, obviously there to offer help, as he was sounding tattoo!

Post election, Brownrigg received reports of businesses failing (due to the implementation of the "preference in business" threat) and assaults being made on those who voted for Fitzgerald, and of further burning of property. Eight men pleaded guilty at Killarney sessions of an assault on a Mr. Murphy, who had voted for the Knight, two receiving prison sentences of three months, with hard labour. There were similar cases at Tralee sessions. However Brownrigg reported that many men who had received a beating did not report the fact, out of simple fear of further reprisal and that the instances of actual assault far exceeded the number of official complaints made to the authorities.

When asked if the local priests had tried to influence voters, Brownrigg answered in the affirmative. He asserted that with the exception of the parishes of Brosna where **Rev. Mr. Towhill** was the parish priest, Tarbert, **Rev. Mr. Daniel McCarthy** p.p., and Ballylongford, **Rev. Mr. Enright** c.c., the local curates took a public anti-Knight stance. Among many cases noted, there is the story of the **Rev. Eugene McCarthy** of Ballyduff parish. He

received a letter from the Knight of Kerry asking him to use his influence to gain support for him (the Knight) in the coming election. He told his parishioners from the altar that he would be happy to support the Knight, if he was convinced that Conservative politics were for the good of the country. But in his opinion they were not. The priest then held up his hand and said, "Let those who are for O'Connell and Mullins hold up their hands", at which point everyone in the church did just that.

When asked who was most influenced by the priests, Brownrigg answered "the £10 freeholders". He claimed to know of no instances of Protestant clergy trying to influence voters and did not concede this point, even when questioned vigorously by the Committee. When asked who had more influence on the voters, the landlords or the priests, he replied, "the priests".

Only a few years before it had been a different matter, when landlords would herd their 40/- freeholders to the polling stations "like sheep" (to quote a member of the Committee). Brownrigg knew of only three cases of ejection in all of Kerry as a result of tenants going against a landlord's choice of candidate. The reason for this low figure was simply because practically all the tenants with the franchise were voting against the Conservatives and, with the passing of the Emancipation Act, the voter base was very low.

Two sergeants in the Kerry Militia were dismissed by **Colonel Crosby** for their impertinence in voting against the Knight of Kerry, though they were later reinstated.

If the above gives a flavour of the nature of the intimidation prevalent at all levels during the General Election of 1835 in Kerry, the truth was probably much worse. Brownrigg's testimony was not impartial and the Committee's questioning could have been more rigorous. He showed a distinct bias towards the status quo and little understanding of Catholic antipathy to the payment of totally unjust tithes. He would not admit to any accounts of violent intimidation on the part of the supporters of the Conservatives, though there must have been some, nor did he offer any details of retaliation, though this must also have happened. But even a biased account gives some insight into a turbulent and dangerous time. Furthermore, the attempts to influence voters by landlords and clergy were not exclusive to Ireland, not to Catholic priests. The Protestant clergy in England were just as culpable among their own congregations.

Morgan O'Connell and Frederick Mullins won the Kerry seats with 818 and 596 votes respectively. The Knight of Kerry got 384 votes and Thomas Ponsonby only 63. In Tralee Maurice O'Connell won the seat against William Denny by just four votes, 85 to 81.

Sources:

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