

Confiscation or regeneration?

Land purchase in the North of Ireland 1885 – 1925

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This is a parish in which you understand hunger. But there are many hungers – there is a hunger for food...there is the hunger of the flesh...there is the hunger for home, for love, for children. These things are good because they are necessary. But there is also the hunger for land. And in this parish you, and your fathers before you knew what it was to starve because you did not own your own land – and that has increased; this unappeasable hunger for land.

(Keane, 63)

Land has always been a powerfully emotive commodity in Ireland. Throughout the long turbulent history of this country, the ownership or desire for land, whether it be a solitary field or a thirty thousand acre estate, has motivated individual acts of treachery and violence, driven political agendas and dominated the national psyche. From the days when men first began to tame and cultivate the soil, land has equalled wealth, and wealth, power. The long domination of Ireland by English rule was largely accomplished and maintained through the confiscation and redistribution of land in the seventeenth century. The reverse process that began during the nineteenth century saw the ownership of the land increasingly becoming tied up with the growing ideas of nationalism which equated ownership of the soil with concepts of origin and national identity. ‘Much of the rhetoric of nationality,’ writes R.V. Comerford, ‘is concerned with justifying possession of the land’ (9). Just as generations of Irishmen came to equate the confiscation of land during the seventeenth century with the subjugation of the Gael by the Saxon, so, too, the transfer of land from landlord to tenant in the late nineteenth century became identified with the struggle for power and for national identity. In the eyes of nationalist leaders of the time, national independence could only be achieved when the ‘alien’ landed class was removed. Again quoting Comerford, ‘as with the Magyars, the Poles and the French, so too in modern Ireland the lords of the soil were

supposed to be of different stock from the rest of the population. In the 1880s the Irish nation was re-imagined so as to exclude them' (9). Given the highly charged nature of land in Ireland, then, it is hardly surprising that the history of the struggle to possess it should have become invested with mythical qualities in the minds of Irish people of all political and social backgrounds. Real and imagined wrongs became woven together into an image that has gradually become the accepted representation of how things really were.

One of the strands in the complex pattern that has evolved is that of the economic, social and political decline of the Irish landed class. A general perception prevails that the land purchase acts of 1885 through to 1909 were largely responsible for the fall of Ireland's landed elite and the end of their ascendancy in Irish public life. A few members of old landed families still refer to land purchase as 'confiscation' while popular chroniclers of landed decline present this as having been an inevitable result of land purchase schemes. Bence-Jones, for example, has written that 'for most landowning families the Wyndham Act was in the long term a disaster though it provided a short-term solution to their financial problems' (93), while Somerville-Large has declared that 'the Wyndham Act sealed the fate of many landed gentry' (347). Recent historical analysis of the decline of landed society in the south of Ireland has shown that the Wyndham Act actually gave some estates an extended lease of life, but that subsequent acts passed by the Free State government did have an economically devastating impact on a large number of estates (*Decline*, 133-4).

The situation in the six counties that became Northern Ireland was, however, somewhat different from that elsewhere in Ireland and has therefore tended to have been overlooked. This paper examines the progress of land purchase in the north of Ireland and shows that, rather than hastening the decline of landed society, the sale of

landed estates acted to place many of the north's landlords in an economically stronger position than they had previously been. For others who were already foundering, the land purchase acts merely provided a few years of grace before the inevitable collapse came.

Throughout the nineteenth century the land of Ireland was in the hands of an elite group of largely Protestant titled peers and country gentlemen from whom the vast bulk of the population rented small plots of land. These proprietors held the land in large estates at the heart of which were their country mansions surrounded by their demesnes – gardens, pleasure grounds and open parkland. Beyond that lay their tenanted property which could range from a few hundred acres to estates of over a hundred thousand acres across several counties. Whatever the size or nature of the estate, however, the ownership of it brought a landlord wealth. It also brought him social prestige and political influence that was far beyond the reach of the vast majority of Irish people, giving him access to the highest positions in the country. For the first three-quarters of the nineteenth century, parliamentary politics was dominated by the landed interest with the vast majority of elected members of parliament being either landlords themselves or having the backing of a landed family. Even those landlords who did not enjoy this level of political influence exercised a significant amount of control over local affairs in their capacity as justices of the peace, deputy lieutenants, high sheriffs and members of the boards of guardians. Ireland was dominated politically as well as economically by this small landed class for whom the ownership of land gave access to positions of political influence and local control.

By the end of the nineteenth century, however, their position as landowners was facing serious challenge. Tenant-right agitators had for many years been

demanding legislation which would curb the freedom of landlords to raise rents and evict at will and give tenants greater security of tenure. A land act passed in 1881 attempted to remove the grievances of tenants by granting them the '3 Fs' they had been so long demanding – freedom to sell their interest in their holding, fixity of tenure provided they continued to pay their rents, and fair rents, set by independent land courts and fixed for a fifteen year period. Many landlords viewed this act, which basically introduced a form of dual ownership, as a deplorable interference with the rights of property. For tenants, while the act did bring a measure of stability, particularly in the north where a large proportion of tenants gained significant reductions in their rents, there was a growing sense that it was not enough. Political commentators and agrarian agitators alike pushed strongly for some form of government assisted land purchase which would enable tenants to buy their holdings from the landlords thus giving them complete ownership and control of the land.

This is where the boundaries of myth and reality have become blurred. There has long been a tendency among those who look back with regret to the days of country houses and large estates to view land purchase as a form of 'confiscation' effected by a combination of political agitators with a nationalist agenda and a treacherous British government with the purpose of ousting the landed class from the country. While it is true that some nationalist leaders of the day did in fact regard the ultimate end of land reform as being the expulsion of the landed elite, there was a large number of people, landlords as well as politicians and tenant right agitators, who saw the establishment of a peasant proprietorship as being something that would be of value to Irishmen of every class or creed. Far from being robbed of their land by successive land purchase schemes, landlords, indeed, possibly stood to gain more than anyone from government assisted land purchase provided the terms were right.

For a start, the market in land had totally stagnated. With the combination of falling agricultural prices and bad harvests, growing agrarian unrest and legislation which had tied the hands of landlords, there were no outsiders with any interest in buying land in Ireland. Land had therefore ceased to be a marketable commodity. For this reason it was members of the Conservative party, traditionally the guardian of the landed interest, who first advocated government intervention, arguing that provision should be made to allow landlords to sell their land to the government at a fair price if they so wished thus freeing up the market in land.

A number of northern landlords strongly advocated peasant proprietorship on the grounds that it would encourage much needed agricultural improvement – the uncertainty of tenure on holdings had for many years deterred landlords and tenants alike from investing in improvements. Others believed that it would bring an end to much of the political agitation that still raged in parts of the country, with the Tyrone landlord, Hugh de Fellenberg Montgomery commenting, ‘I think our best or only chance of being spared further ruinous agitations in this country is a large multiplication of small proprietors’ (Montgomery to Ford, 16 Aug 1881, PRONI, D/627/323).

The final and possibly most convincing argument in favour of land purchase, from the point of view of the landlord, was that of economy. Many of the estates, most particularly those in the hands of the older landed families, were very heavily encumbered by debts. There were fixed payments which had to be met regardless of the family’s financial position. Head rents and tithe rents, income tax and repayments for government land improvement schemes had to be paid annually on most Irish estates. In addition, many landlords on inheriting their estate had inherited large ‘mortgages’ or loans taken out by earlier family members for which the annual

interest repayments could be very large indeed. There were annuities to younger sons, daughters, spouses or close friends, left by a previous will and payable until the death of the person in receipt of the sum (Curtis, 377-9). Once these fixed payments were met the remaining margin for the upkeep of the family, the maintenance of their country house, the payment of servants' and labourers' wages, the renting of their London or Dublin home and the payment of their own expenses was often surprisingly small. One witness to the Cairns Commission testified that once the fixed charges were paid, the margin amounted to about a quarter of the total income of the estate (Cairns Commission, 124). On some estates the judicial reduction of rents following Gladstone's 1881 Land Act basically wiped out the margin leaving the landlords with no actual income at all.

The reality was that some northern landlords, far from seeing land purchase as a threat to their position, embraced it as something which would free them from the financial encumbrances with which their estates were burdened and allow them to consolidate and improve their remaining property. Although their rental income would be greatly reduced, the remaining proceeds from the sale, if carefully invested, would hopefully provide a more reliable income for the future. It is fair to say that the majority of landlords, while unhappy with the idea of parting with the great estates that had been built up by their families over generations, were ultimately pragmatic enough to realise there was no viable alternative.

The first serious attempt at facilitating land purchase was made in 1885 when Lord Ashbourne's land purchase bill was passed by parliament. Most landlords, however, felt that the terms were simply not good enough to allow them to sell their tenanted property and live off the invested capital. The Earl of Erne of Crom Castle, Fermanagh, remarked of the Ashbourne Act that 'Should I be obliged to sell under its

provisions I should have to shut up Crom and go and live at Boulogne sur Mer or some other refuge for the destitute'. Those who did sell at this stage were generally among the north's largest landowners, people such as the Duke of Abercorn, the Earl of Belmore and the Marquis of Londonderry who were able to hedge their bets, selling off some of parts of their property while retaining the main estates particularly in those areas closest to their country house. The only smaller landowners who sold were the desperate ones who could no longer economically sustain their position as landed gentry.

It was the Wyndham Act of 1903 that really brought about a significant transfer of land from landlord to tenant. The terms were much more attractive to all parties involved. Tenants were guaranteed that their repayments would never exceed what they had been paying in rent, while landlords were offered terms that a large number of them simply could not refuse. Payment of the entire purchase money was to be made in cash which, after encumbrances were cleared, could be suitably invested. Most importantly, the landlords were to be given a bonus of 12 percent of the purchase price, for their own private use, free of any legal restrictions. Aware that this was the best deal that they were likely to get many, though often reluctantly, now began the process of selling large parts of their estates to their tenants. Sir James Stronge was being urged by his sons to sell his tenanted land while the going was good:

My sons are always putting before me the desirability of selling to the tenants. I cannot see my way to it, either as to the mode of effecting it, or the endurance of the resulting loss of income. They say that the rent and selling value are now and will be in future whittled away gradually and that it is better to face the loss at once when something may be saved from the wreck (Stronge to Montgomery, 6 October 1888, PRONI, D/627/428/58).

The Earl of Gosford, squeezed between enormous debts and fixed payments on one hand and greatly reduced rental income on the other, was one of the first to advertise

the sale of his estates, and within just a few years had parted with his entire tenanted property in County Armagh. The sales of estates raised some very large sums of money indeed – the most extreme example being the sale of the Marquis of Downshire's massive County Down estate which raised a sum of almost a million pounds – an enormous sum for 1906. While no other sale was of this magnitude, many of the north's landlords received sums of hundreds of thousands of pounds. Even when encumbrances were paid off there were significant amounts left which, when carefully invested, would enable them to maintain their country houses, support their lifestyles and continue their role of social and political leadership. The sale of estates under this act, therefore, far from undermining the standing of the landed class in the north, had actually served to strengthen their economic position.

While the Wyndham Act did bring about a massive transfer of land in the north of Ireland – with 1.2 million acres being sold to over 57,000 tenants in the six counties that would become Northern Ireland – it certainly did not bring about the end of the landed class in the north either in terms of its ownership of land, its economic strength or its monopoly of political influence. The Wyndham Act had undoubtedly seen the end of some tenanted estates and, in a few cases such as Gosford, had accelerated a process of decline which was already well under way. Most of those who sold land, however, still retained substantial parts of their estates which, combined with the proceeds from the acres they had sold, left them in a healthy financial position. In County Antrim, after selling over 25,000 acres of his land under the Wyndham act, a sale which realised over £200,000, Lord O'Neill of Shane's Castle still owned an estate of over 40,000 acres. In Fermanagh, after significant sales the earls of Erne and Ely each retained at least 15,000 acres, while the earls of Enniskillen and Belmore both still owned just under 10,000 acres.

There were also a large number of landlords, particularly in counties Antrim and Down, who did not sell any of their land at all. In County Down Baron Dunleath, who had only recently joined the ranks of the landed gentry, held doggedly onto his newly acquired land, selling only 700 out of his 13,500 acres. In Antrim the Macnaghens of Dunderave, the Dobbs of Castle Dobbs, the Macartneys of Lissanoure and the Turnlys of Drumnasole entered the 1920s with their estates and their big houses intact.¹ Even after all the sales of tenanted holdings under the Ashbourne Act, the Wyndham Act and other subsidiary acts, over 800,000 acres of tenanted land in the six counties that formed Northern Ireland remained in the hands of landlords (*Ulster Year Book*, 44). As the new state of Northern Ireland came into being, a significant proportion of landlords, then, retained some or all of their tenanted estates and continued to live in their large country houses.

The process of land purchase, once begun, had to be completed. In 1925 the imperial parliament in Westminster legislated for the compulsory purchase of any remaining tenanted land in Northern Ireland. For those who had chosen to retain their land this was, indeed, confiscation. The terms, while still kind to landlords, were nothing like as favourable as they had been for those who sold under Wyndham. There was no negotiation, no choice; all remaining tenanted land had to be sold at a rate set by the government, the average price per acre coming out at £7.00 compared to £12.00 an acre under Wyndham. In total 38,500 tenants purchased their holdings from 1925 onwards, finally transferring all remaining tenanted lands out of the hands of landlords and into those of the tenants. Compared to the compulsory land act passed two years earlier by the Free State government, however, Northern Ireland's

¹ All statistics regarding sales of estates are taken from a combination of Returns of Advances in the Parliamentary Papers of the period and the Land Commission papers for the relevant estates found in the Public Record Office of Northern Ireland.

landlords got off very lightly. While the purchase price on Northern estates was based largely on the terms of Wyndham, southern landlords were paid in land bonds the income from which represented a decline of about 30 percent on what they had been receiving in rents (Dooley, 133).

Most importantly, the Northern Ireland Land Act contained no provision for the compulsory purchase of non-tenanted land. In other words, if a landlord had large areas laid out in parkland, or grazed by his own cattle, that land would remain in his possession. Lord O'Neill was one who benefited from this as his ancestors had in the nineteenth century retained thousands of acres as deer parks. As this did not class as tenanted land they were able to retain it and were left with a viable amount of land to farm and thus maintain their position. Others similarly retained enough land to enable them to move from a position of rentier to large farmer, having also received enough money from the sale of their tenanted estates to provide a steady investment income. That a large number of them turned to farming is evidenced by the marked increase in sons and heirs who completed their education at the Royal Agricultural College, Cirencester, during the early decades of the twentieth century. While Free State legislation compulsorily purchased untenanted land, particularly in congested districts, leaving a large number of landlords in a position where they had no land left to generate an income, northern landlords were largely, though not always, left with enough farmland to support their house and establishment.

It was still becoming increasingly difficult to maintain a country house in the twentieth century. The great incomes of the past were no longer available, and costs were rising rapidly. Rates, taxation and death duties had much more devastating impact than any land purchase scheme. Despite the increasing economic pressure experienced by northern landlords, however, their political influence did not

experience a corresponding decline. Throughout the first half of the twentieth century, in marked contrast with the experiences of landlords in the Free State, the old landlords retained positions of responsibility both in their local community and further afield. In 1921 the majority of landlords who had lived in country houses and occupied positions of responsibility in their county in the nineteenth century maintained their status and their houses. They were still justices of the peace and His Majesty's lieutenants right through the early decades of the twentieth century retaining an influential role in all aspects of public life. A comparison of the list of deputy lieutenants for County Antrim in 1880 and 1950 shows that most of the familiar names, including the Earl of Antrim, Lord O'Neill, Major Alex Dobbs of Castle Dobbs, Seymour Leslie of Leslie Hill, Sir Francis Macnaghten of Dunderave and James Montgomery of Benvarren remained the same. The Duke of Abercorn seemed the natural choice for the first governor of Northern Ireland, a position he held for many years. The Senate, which operated as a kind of brake on the Northern Ireland House of Commons, was largely made up of landlords from across the six counties, supplemented by a few of the industrial magnates who had become peers in recent years. Other landlords equally naturally assumed their role in the new government. Out of the six prime ministers of Northern Ireland four were from old landed families, while in the first cabinet two out of the five ministers were landed.

Locally, landlords maintained their positions on boards and committees, members of select vestries and county councils. In 1936 Lord Kilmorey could write:

Contrary to many of my friends' views – my life over here is a busy one – and my time is always fully occupied and taken up with the many & varied interests that I am associated with ... between you and me, without being snobbish, I do think it is my duty as an Ulster 'lord of the manor' to support and take part in local affairs of Ulster (Kilmorey to 'Bully', May 1936, PRONI, D/2638/D/126/1).

To conclude, land purchase had removed much of the land that had traditionally given the landed elite their economic as well as their political strength. But it had not left them bereft of any means of support. In fact, many who sold land under the Wyndham Act moved comfortably from a rental income to an investment income, the encumbrances on their estates paid off and their remaining property consolidated. For some it was the compulsory purchase encompassed in the Northern Ireland Land Act that truly represented a form of confiscation. However, the terms were still very favourable to landlords and the money realised from the sale of remaining estates was often, though by no means always, enough to place the owner in a healthy financial position for the future. Most importantly for the future survival of the families and their big houses, the act allowed them to retain any untenanted land they had in hands. Not only did this allow them to farm on an economically viable level, but it would allow them and future generations to diversify economically, something which would become increasingly important as the twentieth century progressed.

Finally, while the early years following partition saw the landed class in the south of Ireland politically decimated and psychologically alienated, northern landlords would continue to enjoy a leadership role in Northern Ireland politics, in the Orange Order, in the armed forces and in local affairs. The political conditions which prevailed in Northern Ireland through much of the twentieth century would ensure that the landed class maintained their positions of political and social leadership long after the loss of economic ascendancy that land had once provided. While the rest of Ireland had been re-imagined so as to exclude the landed class, the state of Northern Ireland was imagined with them still firmly at the centre, a position they would continue to enjoy until the social and political developments of the late 1960s finally drove them to the sidelines.

Works Cited

- Bence-Jones, Mark. *Twilight of the Ascendancy*. London: Constable, 1987.
- Comerford, R.V.. *Inventing the Nation: Ireland*. London: Arnold, 2003.
- Curtis, L. P. Jr.. 'Incumbered Wealth: Landed Indebtedness in Post-Famine Ireland'.
American Historical Review 85, ii, 1980. 332 – 367.
- Dooley, Terence. *The Decline of the Big House in Ireland: a Study of Irish Landed Families, 1860-1960*. Dublin: Wolfhound, 2001.
- First Report from the Select Committee of the House of Lords on Land Law (Ireland); with the proceedings, Evidence, Appendix and Index*; H.C. 1882, xi. [Cairns Commission].
- Keane, John B.. *The Field*. Cork: Mercier Press, 1991.
- Somerville-Large, Peter. *The Irish Country House*. London: Sinclair-Stevenson, 1995.