

*The Claxtons  
of  
Kiscullen*

*By Barry Kinane*



# The Cluxtons of Kilcullen

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**Front Cover Image:** Kilcullen bridge in the nineteenth-century, courtesy of NLI. Catalogue of Irish topographical prints and original drawings, Rosalind M. Elmes. New edition revised and enlarged by Michael Hewson. - Dublin: Malton Press for the National Library of Ireland Society, 1975. p. 67.

**Back Cover Image:** Mary Anne Cluxton, relieving officer Athy Poor Law Union.

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## Acknowledgments

Back in 1995, I asked my grandmother Julia O'Connor about her family history. Her father was Pat Cluxton, a small farmer from Calverstown in Kilcullen. I recorded the conversation on a cassette tape as we rooted through a box of old photographs. Somehow, I never managed to pursue my interest in the history of my ancestors any further until years later. While looking through newspaper archives online in 2015 I came across some interesting court cases that involved the Cluxtons from Kilcullen. It is not a common name so I guessed they must have been somehow related. The deeper and harder I looked the more I realised that my Nanny knew very little about the origins of her own family. She knew that they were once Protestant farmers who came from the North of Ireland and leased land where the Cross and Passion College stands in Kilcullen today. Nanny was very well-read, and I always remember the bookshelves in her bedroom full of books. She had an interest in history. I was delighted to find in an old newspaper that she won a gold medal in the Athy Fleadh in 1929, for her knowledge of Irish history. That same year she applied for a scholarship to attend secondary school in Athy, but it was not to be. She regretted she did not get the chance to get a secondary education but if did she her life would have taken a different course and I would not be here today. However, she made sure all her children got the opportunity not afforded to her.

In 2016, I decided to take the Local Studies Degree course at Maynooth University, which allowed me to finish off where I left off in 1995. It gave me the tools and knowledge to broaden my research and I submitted my final essay on the Cluxtons in 2017, as part of the Certificate in Local History. I have since revised that study with new information that I discovered since 2017. In the following years, I kept in regular contact with Don Clugston from Australia now living in Germany. He discovered much valuable information and helped close the connection between the Northern Ireland Clugstons and the Kildare Cluxtons. His research has been invaluable. In 2020, I began researching and writing the story of John Bailey Cluxton, my 2nd Great Grandfather. He was a relieving officer for the Athy Poor Law Union. He was also a sub sanitary officer, a collector of cottage rents for social housing, and a registrar of births, marriages and deaths. When the Local Government Act was passed in 1898, he was a public servant working for what eventually became Kildare County Council. His daughter Mary Anne followed in his footsteps and was possibly the first female local government official employed in Kildare. Another daughter, Bridget served as a World War 1 nurse, while one of his sons, my great grandfather, Pat Cluxton was a volunteer in the IRA during the War of Independence.

During the past two years, my cousin Leo Cluxton and I went on field trips revisiting places where the Cluxton family lived on the plains of Kildare. Leo has a great way with words and can deliver a great story or song. His contribution allowed me to add parts to the story that were not part of the public record. I have enjoyed every minute of researching and writing about this fascinating but often sad story that will be of value to local history in Kildare in the future.

I would like to thank Denis A. Cronin, lecturer in Local History at NUI Maynooth, for all the great lectures. Thanks to the staff at the National Archives who were a pleasure to deal with and the staff at the Registry of Deeds in the King's Inns who were also very helpful and kind. Thanks for the National Library of Ireland for the use of imagery on the cover and

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In Memory of my grandmother Julia O'Connor 1915-2003.

Dedicated to my children Layla and Darby.

## Abbreviations

NAI –National Archives Ireland

NAI CRF – National Archives Convict Reference Files

NAI, MFCI – National Archives Ireland Microfilm Church of Ireland

NAI MFGS- National Archives Ireland Genealogy Society

NL – National Library

HC – House of Commons

RD – Registry of Deeds

GRO –General Register Office

## INTRODUCTION

No more than 2km from the Curragh racecourse lies the ruins of an old twelfth-century church and cemetery. Pollardstown cemetery in the parish of Newbridge holds no more than a few dozen lichen-covered headstones. The ones that are legible date from the eighteenth to the twentieth century. There is in slow decay at the back wall, stands a solitary headstone marking the final resting place of generations of the Cluxton family. James Clugston in his will of 1780 requested to be buried there and his grandson James Junior who died on 11 January 1820 aged 4 is also buried there.<sup>1</sup> In her will, Anne Supple, wife of Bailey Cluxton, requested that she be buried there beside her husband in 1808. For over two hundred years members of the Cluxton family have been buried in Pollardstown along with their ancestors who first came to Kildare at the start of the eighteenth century.

Cluxton as a surname is extremely rare and is almost exclusive to the Leinster area, mostly around the Kilcullen area of Co. Kildare. The name evolved from Clugston to Claxton and then to Cluxton, spelling was much more fluid and variable in the eighteenth century. Leases were signed as Claxton and Cluxton but occasionally the original name of Clugston was used. Cluxton boys were named after their fathers and mostly they were named James and Bailey. Bailey is spelled in several different ways, Bailley, Bailey, Bayly, and Baillie.

This study concerns the descendants of James Claxton of Jigginstown who leased land on the Castlemartin estate in the early eighteenth century.<sup>2</sup> The Clugstons of Northern Ireland were originally from Scotland and came to Ireland in the seventeenth century.<sup>3</sup> The origin of the name lies in the Barony of Clugston, in Galloway, in the southwest of Scotland. The earliest records of Clugstons in Ireland are from Belfast. In 1637 William Clugston, a merchant, was one of the first members of the Corporation of Belfast.<sup>4</sup> Some of the family migrated south, most likely in the late seventeenth century. A well-researched and comprehensive study conducted by Don Clugston can be found online by searching for Clugston one-name study. The story of the Cluxtons could not have been told until now; technology has played a crucial part in unravelling the mystery of this family with the rare surname. Using the different spelling variations of the surname with the search engine ability of newspaper archives has made this study possible. The fact that the name is so rare has made it relatively easy to find information that hitherto would have been lost. The emergence of newspapers in the 1730s reported on foreign news but, as circulation and literacy increased, more localised titles emerged. Newspapers were mostly read by Protestants and made commercially viable by advertising.<sup>5</sup>

Family histories are lost over generations mostly because most people did not know how to read or write in Ireland until the mid-nineteenth century. Even for those that could, it was not a general practice. Even today so much is lost between generations. A lot of what we know about the mundane aspects of daily life during the eighteenth and nineteenth centuries came from diaries and correspondences kept by Quakers and the landed class. It is

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<sup>1</sup> NAI, MFC1 71/1.

<sup>2</sup> RD, 48-243-31486.

<sup>3</sup> Clugstons one name study, <https://clugstonfamilytree.wordpress.com/home/cluxton/>, (Accessed Feb 2017).

<sup>4</sup> Ibid.

<sup>5</sup> David Dickson, *Dublin The making of a capital city* (Dublin, 2014), p. 149.

understandable why a parent or grandparent would not want the next generation to know the mistakes of the past or burden their children with their painful memories. But now with public records so readily available, it is important to add clarity to the past, to understand and appreciate the struggles our forefathers made. It was for that very reason we exist today because our forefathers survived the hard times, the famines, wars, and social economic changes that shaped the world we live in today. People may have free will but are mostly powerless against the forces around them. The Cluxton story is one of those where the past was wilfully forgotten. Now one can look back and put perspective on the past.

It is not exactly clear when the Cluxtons reached Kildare, but they were in Kilcullen in the early eighteenth century when the Penal Laws had reached their apogee. The Protestant Ascendancy was firmly established as the ruling class in Ireland when the Cluxtons migrated to the fertile and arable low-lying land of Co. Kildare from the north of Ireland. They were £50 freeholders and typical of Protestant middlemen who leased land from larger estates and sublet out to smaller tenant farmers.<sup>6</sup> Protestant middlemen often completed the tasks of cultural mediation, commercial innovation, agricultural improvement, and local leadership. From the outset, the Cluxtons were outsiders in Kilcullen even before they integrated into the religious minority of the small local Anglican community there. Political and social changes in Ireland eventually brought them into the Catholic community. Over three centuries the Cluxtons came to Kilcullen as outsiders, then to prominence, and now in the twenty-first century are almost forgotten there.

The clues to telling the story of this forgotten mini dynasty were pieced together from old newspapers, deed records, wills, land valuations, tithe records, parish registers, and prison records. Some of the most significant events and social changes in Ireland's history in the eighteenth, nineteenth and early twentieth centuries profoundly affected the Cluxtons. The first chapter concerns the roots of the Cluxtons in Kildare in the eighteenth century. With more information available from the nineteenth century, the second chapter gets closer to James Cluxton, the tax collector, and how socio-economic changes influenced him. From newspaper reports of courtroom activity and prison records, the third chapter tells the story of James's volatile son Bailey who fell from grace. It is nearly possible to get close and personal with Bailey, whose life story plays out almost like a Shakespearian tragedy. The fourth chapter concerns the bankruptcy of Bailey's son James Cluxton, his tragic death, and his controversial funeral. Part two of the book is a study into the life of John Bailey Cluxton of Calverstown. It gives an insight into the work and life of a relieving officer and the beginning of the welfare state. The third section concerns the children of John Bailey Cluxton. Although this book stops at the generation of John Bailey Cluxton's children, two of his grandchildren have been included. They were nuns and their stories were preserved by Sister Bella Carroll (Dominic Savio) of Enniscorthy, Co. Wexford Sisters of St. Joseph of Ancey, who died on 14th April 2021. It adds a little bit of balance to the story, there were a few saints as well as sinners.

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<sup>6</sup> *Leinster Express*, 5 Oct. 1836.

## 1. CLUXTONS IN KILDARE IN THE 18<sup>TH</sup> AND 19<sup>TH</sup> CENTURIES

### JAMES CLAXTON OTHERWISE CLUGSTON OF JIGGINSTOWN

The first Cluxton in Kildare was James Claxton otherwise Clugston of Jigginstown just outside Naas. All Cluxtons alive today are his descendants. Shortly after James Clugston of Jigginstown signed a lease in 1720 on the Castlemartin estate in Kilcullen, other members of the Cluxton family moved to Ballymany on the edge of the Curragh. James Claxton of 'Giginstown' Co Kildare and Michael Claxton of Fofaney Co Down (most likely a brother), leased land from Rev Dean John Burdett of Ballymany on the Curragh.<sup>7</sup> James also leased land in "Lurgan Linney", County Down from Mr. Forde in Seaforde, County Down.<sup>8</sup> This was inherited by his son James and after his death was in the hands of his mother Margaret Claxton, otherwise Johnston. "Lurgan Linney" has been an enigma and there are no mentions of it anywhere in maps, records, or books. A deed from the year James died shows land in Ballyhaffry, south of the Forde estate, and was known as "Clugstons Holding".<sup>9</sup> Hamilton (Lord Viscount Limerick) leased the 48 acres of land in Ballyhaffry, to Patrick Baily, for the life of Patrick aged about 60, and his sons John Baily aged 20, and William Baily aged 11. The deed was witnessed by William Johnston gent of Deerpark near Bryansford, County Down, and James Johnston, his son. This makes the Johnston connection and possibly how Bailey became a Christian name in the Cluxton family. Fofaney and Ballyhaffry are all in Kilcoo Parish which proves beyond any doubt that this is where the Cluxtons came from before they migrated to Kildare. James Clugston of Jigginstown, Kildare, d 1748, was born sometime in the 1680s or 1690s most likely in the parish of Kilcoo in Co. Down.<sup>10</sup> When James died in 1748, his property was passed to his eldest son also named James. James married Benigna Mesheaa, but they had no children and when he died in 1758 his leases were inherited by his brother Baillie.<sup>11</sup> Baillie Cluxton was the first to adopt the Cluxton spelling of the name. His name was also spelled as Baily and Bailey.

Cluxtons lived in Ballymany until 1782 when Rev. Burdett advertised the lease for sale. Leo Cluxton recalls speaking with an elderly lady in 2010 that lived on the edge of the Curragh, and she told the story of "The Lonely House". It was named because it was isolated and so far away from any other dwelling. She had known that this was once where Cluxtons lived. The fact that this story survived for over two hundred years is evidence that the Cluxtons made a strong impact on the locality while they lived there. This is not surprising when the few fragments of evidence that they resided there are considered. The earliest mention of a Cluxton in print is from *The Dublin Gazette* in 1731, where an advertisement appeared for information on a missing bull belonging to Richard Hawley. There was a half guinea reward for information that could be given to James Claxton of Loughbrowne Ballymany.<sup>12</sup> On 29 Sept 1773 *Finn's Leinster Journal* reported James Claxton's acquittal of the murder of Bridget Connor in the Athy assizes.<sup>13</sup> This "James" may have been a brother of Baily and

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<sup>7</sup> Irish deed #31465 21 Feb 1723.

<sup>8</sup> RD, 197-70-163097.

<sup>9</sup> In Irish deed #86996 (v127 p336 img 179, 1747.10.9).

<sup>10</sup> Clugston one name study

<sup>11</sup> NAI MFGS 44/005, Crosslé abstracts will of James Clugston 1760.

<sup>12</sup> Dublin Gazette, Nov 1731

<sup>13</sup> *Finn's Leinster Journal*, 29 Sept. 1773.



possibly the same James that came to an untimely end in 1782. His death caused a rumour to spread in the locality in September 1782. A rumour circulated that his brother Henry Claxton of Ballysax, living near the Standhouse, beat and kicked James to death. A certificate was produced signed by a local physician of eminence M Kelly and local apothecary E. Hetherington stating that James Claxton died of a fever. Henry placed an advert in *Saunders Newsletter* offering a reward of twenty guineas to anyone who could give any information about the persons who propagated the fabrication.<sup>14</sup> These stories were most likely told at firesides for generations of people that lived near “The Lonely House”.

It was James’s son Baily (Baillie) that appeared to be a maverick of sorts when he went up against the law in 1760. His name first appears in the Irish Parliamentary papers in April 1760 when a man named Denis Norton of Ballymany was summonsed to appear before the House of Commons about the condition of the Turnpike Road in Ballymany, and toll irregularities.<sup>15</sup> He refused to present himself before the committee, so a messenger was sent to escort him in. While enroute to the parliament he was rescued from the messenger by Baily Cluxton and James Coyle. Both men were then summonsed to appear before parliament. A decade later Baily worked as a gauger in a distillery in Douglas, Cork in 1774. This explains how he met his wife Anne Supple who was the daughter of one of Cork’s main butter merchants. The job of being a gauger required a level of education and mathematical ability to carefully measure alcohol content in brewing and distilling. It was also important to be reliable and honest. It seems he was educated, which was evident from the claims he made for damage to his books in the battle of Kilcullen in 1798. After he married Anne Supple, he acquired properties on the main street of Kilcullen where he operated as a grocer and a merchant.<sup>16</sup> From the very first mentions of the family in a printed matter in the eighteenth century, it became evident the Cluxtons were beholden to no man and often played by their own rules.

## CLUXTONS SETTLE IN KILCULLEN

In the nineteenth century, Kilcullen was described as a market town and considerable thoroughfare on the main high road from Dublin to Cork.<sup>17</sup> Its name is derived from a church and monastery in the district of Coulan and Kill refers to an old Irish church. It was not favourably noted by the roaming antiquarian Austin Cooper in the eighteenth century who described it as ‘a dirty mean village with some good houses’.<sup>18</sup> The main street slopes down from the Athy Road to the river Liffey, and back up again in the direction of Naas. Also known as Kilcullen-Bridge, the town was situated in the baronies of Kilcullen and north Naas in the combined parishes of Kilcullen and Carnalway. The bridge over the Liffey which

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<sup>14</sup> *Saunders Newsletter*, 25 Oct. 1782.

<sup>15</sup> Parliament. House of Commons Printed by Abraham Bradley, Stationer to the King’s Most Excellent Majesty, and Printer to the Honourable House of Commons, at the King’s-Arms and Two Bibles in Dame-Street, MDCCLIX. [1759] [-60]. Eighteenth Century Collections Online, Accessed 28 Apr. 2021.

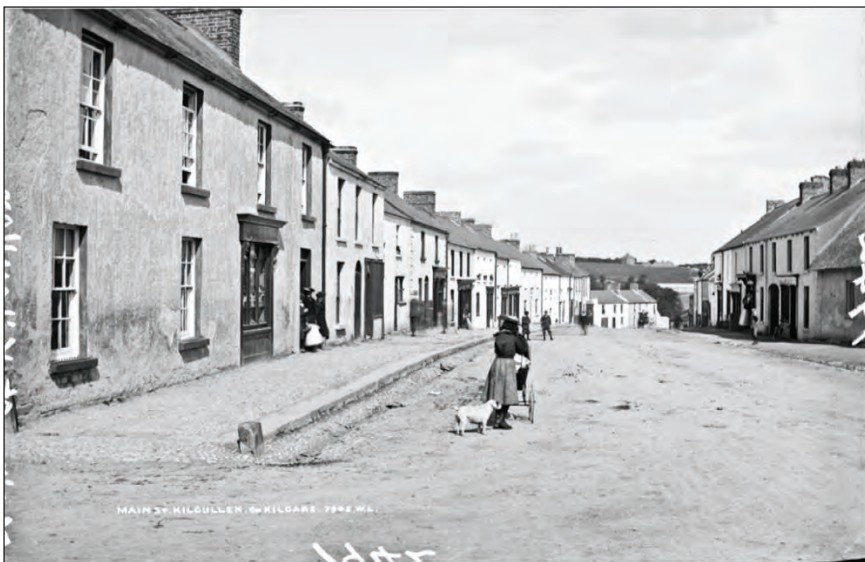
<sup>16</sup> RD, 356-88-238477 & RD, 362-538-246920

<sup>17</sup> Samuel Lewis, *Topographical dictionary of Ireland* (2vols, London 1837), i, p. 76.

<sup>18</sup> Liam Price, *An eighteenth-century antiquarian. The sketches, notes, and diaries of Austin Cooper (1759-1830)* (Dublin, 1942), p. 91.

was originally built in 1319 was last reconstructed around 1850.<sup>19</sup> Upstream of the town, the Liffey is joined by the Mill Stream, coming from the direction of New Abbey. This forms the last stage of the Kilcullen Stream that flows North through the Yellow Bog. To the west of the town is the Pinkeen Stream, a tributary of the Liffey which forms one boundary of the 948-acre Castlemartin Estate: the ancient seat of the Anglo-Norman family of the Fitzmartin's.

In 1837 Kilcullen Parish consisted of 6619 statute acres, more than four-fifths of which were in tillage except for a small portion of woodland and exhausted bog while the remainder was in pasture. The town consisted of one main street with 112 houses mostly on the west bank of the river.<sup>20</sup> The population of the Barony of Kilcullen in the 1822 census was 2672 inhabitants living in 504 houses. By 1831 the population increased to 2918 living in the same number of houses. Family sizes had increased most likely due to improved living conditions and the reduction of infant mortality. 254 Protestants were living in Kilcullen in 1831, just a little under 10 percent of its population. At least nine of these individuals were from the family of James Cluxton.<sup>21</sup> The Cluxtons were a well-established family in Kilcullen by the mid-nineteenth century and a court case unrelated to the Cluxtons referred to a place called "Cluxton's Corner".<sup>22</sup> This corner was either where the Cross and Passion School is today or where The Hideout pub is as they leased the properties and land on both sides of the road.



*Looking down Kilcullen Main Street from "Cluxton's Corner" c.1880-1900, picture courtesy of NLI.*

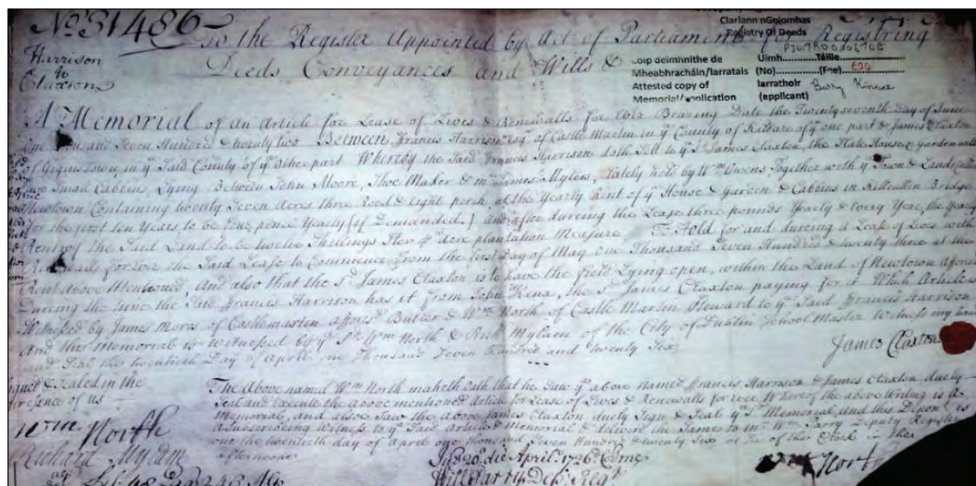
<sup>19</sup> Pigot & Co., *City of Dublin and Hibernian Provincial Directory*, 1823, p. 158.

<sup>20</sup> Lewis, *Dictionary of Ireland*, p. 76.

<sup>21</sup> NAI, MFCI 71/1 Vestry Book of Kilcullen Church of Ireland

<sup>22</sup> *Kildare Observer*, 18 Aug. 1883.

The first lease signed by the Cluxtons in Kilcullen was by James Claxton, otherwise Clugston from Jigginstown in Naas for Newtown on the Castlemartin estate from Francis Harrison in 1722.<sup>23</sup>



Originally the lease of Newtown was signed by James Claxton of Jigginstown

Francis Harrison was a Dublin banker and member of Parliament who purchased the Castlemartin house and estate in Kilcullen in 1720. After Harrison sold Castlemartin it was purchased by the Carter family who lived there until the mid-nineteenth century.<sup>24</sup> Cluxton's land on the Castlemartin estate was known as Newtown. The lease of Newtown comprised a slate house and garden with small cabins on 27 acres, 3 roods, and 8 perches, with turf cutting rights for the Cluxtons and their tenants on the Red Bog of Kilcullen.<sup>25</sup> This lease was passed down through generations of the Cluxtons for over 150 years. The lease renewals were essential in creating the lineage of the present-day Cluxtons back to James Claxton of Jigginstown. Newtown is a name long forgotten in Kilcullen and was where the Cross and Passion convent stands today. Thomas Quinn of Ellis Quay purchased the Cluxton's lease in 1877 out of the bankrupt estate of James Cluxton. He donated some of the lands to nuns who started a convent there that year.<sup>26</sup> In Griffith's Valuation in 1854, Anne Cluxton held the lease for this land. Her name is misspelled as Anne Clunton, and she is also referred to as Anne Clugston. It is also known by descendants of the Cluxtons that this was where the original land was located.<sup>27</sup> The lease renewals and subletting leases of the Newtown land for 150 years are pivotal in telling the story of the Cluxtons from the beginning of the eighteenth century to the end of the nineteenth century.

<sup>23</sup> RD, 48-243-31486

<sup>24</sup> Chris Lawlor, *The little book of Kildare* (Dublin, 2016), p. 24.

<sup>25</sup> RD, 48-243-31486.

<sup>26</sup> Historic Graves, <http://historicgraves.com/new-abbey/kd-nwab-049/grave>, (accessed Feb 2017)

<sup>27</sup> Sheila Kinane & Cathy O'Connor interview January 2017 with author.

The Newtown lease was not the only Cluxton property; they had property on the main street of Kilcullen opposite the Cross and Passion School from the Hideout Pub to where the police station is today. They leased land surrounding Kilcullen from Robert La Touche at Knockaulin to the south, Greenhills to the north, and Carnalway to the east.<sup>28</sup> They also had interests in land outside Kildare in Co. Laois. The will of James Claxton in 1752 bequeathed to his son Samuel his interest in land at Deerpark, Portarlinton, Co. Laois which was formerly held by Samuel Collier who signed the original lease there on 17 July 1699.<sup>29</sup>



Townlands concerning the Cluxton family.

The Cluxton surname evolved over the eighteenth century. In the original lease for Newtown, James Claxton was referred to as James Claxton otherwise James Clugston. A renewal of the lease in 1787 between Baillie Claxton and William Todd was witnessed by James Clugston a farmer from Coolelan, Co. Kildare.<sup>30</sup> James Clugston may be a cousin. The first time the Newtown lease was signed using the Cluxton spelling was in 1801. Baillie Cluxton

<sup>28</sup> RD, 1841 book no 17 record 254.  
<sup>29</sup> RD, 160 -173-106885.  
<sup>30</sup> RD, 392-171-258553.

signed a renewal with Charles Frazer Frizzell nominating his sons James and Samuel Cluxton as his heirs at law.<sup>31</sup> His grandson appears as Bailey Clugston on the 1854 Griffith's valuation records for Kilcullen. The Church of Ireland records show baptisms of Cluxtons in Kilcullen in the late 1700s.<sup>32</sup> James Clugston (Claxton) had a will probated in 1760 recorded in Crosslé's abstracts.<sup>33</sup> The original prerogative wills were destroyed in the fire of the Four Courts in 1922 but thankfully Crosslé seemed to have a particular interest in the Clugston family. He recorded James Clugston's Will along with an envelope of documents relating to the Clugston family. The Will mentions James's wife Benigna Mesheaa and his siblings, Samuel, Baillie, Catherine, Margaret, and Anne. James states in his Will 'I am sorry it is not in my power to acknowledge my love and affection towards them (his siblings) in that my circumstances will not allow it any better – to sister Anne Clugston £5 to buy mourning. Residue to my beloved wife Benignea Mesheaa alias Clugston and she be my sole executrix'. Clugston, Claxton, and Cluxton of Kilcullen are all the same family and descendants of James Claxton (otherwise Clugston) of Jigginstown who signed the first lease of Newtown in 1722. There were other Claxton's in Kilcullen in the late eighteenth century, they were Catholic and there is no evidence they were related.

Although the Cluxtons were farmers and landowners, Baillie Claxton in 1758 was also a grocer.<sup>34</sup> This was prior to when he worked in Cork as a gauger. His relative, Henry Claxton (either a brother or cousin) was a peruke (wig) maker in 1759.<sup>35</sup> Another, Henry Cluxton of Kilcullen Bridge was a mariner, he died in 1784 and his Will still exists.<sup>36</sup> George Claxton who had a Will probated in 1788 was a publican.<sup>37</sup> Like many other Protestant middlemen at the time, they dealt with much of the local tasks of collecting rents and tithes, subletting, and leasing land. The lands of Newtown were sublet by various members of the Cluxton family to other smaller farmers. George Claxton of Newtown subleased land to John Shanley in 1774 and his brother or cousin, Baillie, leased a house to John and Jane Barker in 1785 for a yearly rent of £9.<sup>38</sup>

The land James Cluxton leased at Knockaulin, or Dun Ailine, is one of the largest ringforts in Ireland and was inhabited from 2600 BC. James Cluxton had 56 acres and 33 perches there.<sup>39</sup> It is not clear if he inherited this lease from his father Bailey, but he likely did as Bailey had accumulated considerable wealth. At the battle of Kilcullen in 1798 several thousand rebels surrendered to General Dundas at Knockaulin. Kilcullen was the centre of a great battle in 1798 where the eighteenth-century mansion of Castlemartin was used by Dundas as an army barracks. After defeating the rebels at Kilcullen and accepting their surrender Dundas marched for Naas. Unlike his fellow generals, Dundas did not seek to punish the rebels and let them go unharmed once they surrendered their arms. His lenient approach may have prevented any further bloodshed in the locality but was reproached with

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<sup>31</sup> RD, 527-404-352491.

<sup>32</sup> NAI, MFCI 71/1.

<sup>33</sup> NAI MFGS 44/005, Crosslé abstracts of Wills.

<sup>34</sup> RD 362-538-246920.

<sup>35</sup> RD 214-201-129623.

<sup>36</sup> Clugston one name study. Online.

<sup>37</sup> NAI, Diocesan & Prerogative Wills, 1595-1858 (accessed Feb 2017).

<sup>38</sup> RD, 362-538-246920.

<sup>39</sup> RD, 1841 book 17 record 254.

much condemnation from his superiors. The remaining rebels plundered the houses of the local Protestants who were then forced to flee to Naas. The Cluxtons may have escaped the rebellion, but they did not escape the damage to their property. Baillie Cluxton of Kilcullen Bridge claimed £189 16s 6d for damage to his house, furniture, and books.<sup>40</sup> The Knockaulin farmhouse was the original farmhouse for the lands of Knockaulin.<sup>41</sup> Close to the current entrance is a cross to commemorate the surrender of the rebels on Dun Aillinne in 1798 to the Crown forces. The study shows the original farm building dates to the early 18th century and was used as a barn in more recent times. It was originally a single-storey, direct-entry vernacular house facing the hill of Old Kilcullen. The two-storey house was probably constructed in the mid-19<sup>th</sup> Century. However, it is not clear if Cluxtons were living on this property in 1798 or just leased the land. No evidence has emerged to prove they lived in the Knockaulin farmhouse. The claimants' records show Bailey's address as Kilcullen Bridge which means he was living in the town in 1798. Later records show their family home was where the daybreak shop is today opposite the Cross and Passion School.

Baillie (Baily) married Mary Jane Supple from Cork. Her eldest brother Philip was a butter merchant and another brother James moved to St Croix in the West Indies. He was very wealthy, even having slaves.<sup>42</sup> The 1806 will of James Supple, merchant of St Croix mentions his sister Mary Jane and her two sons, James and Samuel Cluxton. Mary Jane was a beneficiary and he stated that if she died before him, her son Samuel should get three-quarters of the remainder of his estate, and her son James one-quarter. 'I make this difference on account of her son James having taken a tricky advantage of his mother and besides I think Sam will be more deserving though I hope James will do well. Mrs. Mary Jane Cluxton lives at Kilcullen Bridge in Ireland'.<sup>43</sup> Baillie Cluxton had a will probated in 1801 and Mary Jane inherited the lease of Newtown and all his properties.<sup>44</sup> Mary Jane then gave these to her son James, who then leased a house back to her for peppercorn rent in February 1802.<sup>45</sup> Maybe this was James's 'tricky advantage' over his mother. Mary Jane herself was very wealthy owning property in Ireland and the West Indies. Her Will survived in the records of the national archives in the UK. Thanks to Don Clugston for this wonderful find and for transcribing it:

*"I desire I may be buried at Pollardstown in the County of Kildare with my husband and children. Secondly, I will and bequeath unto my son Samuel Cluxton all my real and personal property both in Great Britain, Ireland, and the West Indies of every kind whatsoever except one hundred Pounds Sterling. I will and bequeath unto Mary Supple, the daughter of my cousin James Supple of the City of Cork, Revenue Officer. I will and bequeath unto my granddaughter Jane Haslam, daughter to my beloved child Ann Haslam of Maryborough in the Queen's County one hundred Pounds Sterling and in case the said Jane Haslam should die before she is married or die*

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<sup>40</sup> 1798 Claimants and Surrenders Transcription, findmypast.ie, (accessed Feb 2017).

<sup>41</sup> Laura Bowen and Nicki Matthews, Reusing Farm Buildings A Kildare Perspective (Kildare County Council)

<sup>42</sup> RD, 356-88-238477.

<sup>43</sup> Will of James Supple, <https://www.sa.dk/ao-soegesider/billedviser?bsid=295394#295394,60310031> (Accessed May 2017).

<sup>44</sup> RD, 551-159-362601.

<sup>45</sup> RD, 550-79-362621.

*without issue, I desire the above sum of one hundred pounds willed unto Jane Haslam aforesaid shall be given unto Thomas Haslam of the aforesaid Ann Haslam, my daughter. I will and bequeath unto my beloved daughter Ann Haslam aforesaid one hundred Pounds Sterling together with my watch, clothes, and house linen. I will and bequeath unto my son James Cluxton of Kilcullen Bridge in the County of Kildare one shilling and no more he is being already provided for in case my Son Samuel Cluxton aforesaid should die without issue or before he is of age. I will and bequeath unto my daughter Ann Haslam aforesaid and her children the whole of my property aforesaid and in case my daughter Ann Haslam and her children should die without issue. I will and bequeath the whole of my property aforesaid unto my son James Cluxton of Kilcullen Bridge aforesaid the above legacies only excepted and those Legacies that follow. I will and bequeath unto Matty Noal of Kilcullen Bridge aforesaid daughter of Samuel Noal lately drowned, five Pounds Sterling to help to put her to a trade. I will and bequeath unto my beloved sister Elizabeth Byfield and her daughter Ann Byfield twenty pounds sterling each for mourning. I will and bequeath unto the poor fifty pounds sterling and that to be given to the greatest objects I do hereby appoint my cousin Philip Supple of Kilnonan in the County of Cork and Thomas Parsons of the City of Dublin, Timber Merchant, Executors to this my last Will and Testament and as a mark of love and esteem for them I will and bequeath unto each of them ten Pounds Sterling for mourning the above legacies to paid provided for my Heirs Exorss Admors or Assigns forever two thousand pounds sterling out of the property left me by my last late brother James Supple of Saint Croix in the West Indies. In witness whereof I do hereunto put my hand and seal in Cork this 18th day of May 1808”*



*Byrnes Hotel c.1930, now the Hideout pub. Cluxtons leased from the corner here up as far as the police station. They also leased the farmland on the other side of the road where the convent is today. One of these corners was known as Cluxton's Corner. Picture courtesy of [www.thehideoutpub.ie](http://www.thehideoutpub.ie).*

## JAMES CLUXTON THE TITHE COLLECTOR

Baillie (Baily) Cluxton and Anne Supple's son James was a tithe collector for Killashee, Co. Kildare and his name appears in the tithe applotment books in the 1820s.<sup>46</sup> He married Elizabeth Butler of Timolin, spinster on, 10<sup>th</sup> January 1809.<sup>47</sup> They had four children Elizabeth, Bailey, Samuel, and James. James died aged four in 1820. His wife Elizabeth died at some stage and James got remarried to Elizabeth Bayly but no marriage records can be found. He had two daughters from his second marriage named Fanny and Jane and a son named William.

As a collector of tithes, James covered the Parish of Killashee which included Kilcullen. It was most likely that this was a task he inherited from his father and that the Cluxtons were related to the tithe collector for Jiggingstown at the same time, John Brown. Brown was most likely a descendant of John Browne, gentleman, living in Jiggingstown in 1659.<sup>48</sup> A lease renewal of Newtown in 1787 refers to a lease renewal from 3 March 1749 assigned to James Claxton, his heir at law and Jeffrey Brown, son of Robert Brown of Jiggingstown and Daniel Brown, son of Francis Brown of Riverstown in the Kings County.<sup>49</sup> As the Browns were nominated on leases of the Cluxtons, it suggests they were family. The tradition of longer leases was to state the term of the lease as 31 years or three lives until the last of three named persons had died, whichever occurred last. Children were often named as they had the longest life expectancies.<sup>50</sup> This implies that John Brown of Jiggingstown and James Cluxton were most likely cousins. The role of tithe collector was a family occupation.

The tithe applotment book of 1825 records for Killashee was signed by James Cluxton and his co-collector Rev James Slator.<sup>51</sup> The amount payable to Rev Arthur McGuire the rector of the Parish of Killashee was £232-13s., made up of wheat valued at £1-10s per barrel and oats at 10s per barrel. The Composition for Tithes Act of 1823 allowed all those liable for tithes to support the Anglican Church to pay monetary tithes instead of a percentage of agricultural yields. Killashee farmers in 1825 were still paying with crops as well as money.<sup>52</sup> James himself was not exempt from paying tithes and he appears in the applotment books as a tithe payer to his local rector Rev Mr. Robinson. He paid tithes of £2-5s-2 ½d for the 32 acres 2 roods and 17 perches for land at Knockaulin, leased from Robert La Touche. He also paid £3-10s-10d in tithes for his land at Greenhills comprising 131 acres 1 rood and 18 perches. He paid £2-5s-6 ½d for 10 acres and 1 rood in Kilcullen Bridge for property he leased on the Castlemartin estate. James' son Baillie in 1838 was paying tithes of £3-2s-3d for property in the town of Kilcullen Bridge.<sup>53</sup>

The Cluxtons are mentioned in the vestry book of Kilcullen church where baptisms,

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<sup>46</sup> NAI, Tithe applotment book, Kilcullen, 1827, (accessed on NAI website Feb 2017).

<sup>47</sup> Benthams Genealogical abstracts.

<sup>48</sup> Seamus Pender, *A Census of Ireland circa 1659* (Irish Manuscripts Commission, Dublin 1939).

<sup>49</sup> RD, 392-171-58553

<sup>50</sup> Michael F. McGraw, *Thomas Long Land Lease-May 1839*, p.1 (internet PDF).

<sup>51</sup> NAI, Tithe applotment book, Kilcullen, 1827, (accessed on NAI website Feb 2017).

<sup>52</sup> S. J. Brown, *The National Churches of England, Ireland, and Scotland, 1801-1846* (Oxford, 2001) p. 107.

<sup>53</sup> NAI, Tithe applotment book, Kilcullen, 1827, (accessed on NAI website Feb 2017).



confirmations, marriages, and deaths are recorded. They actively participated in their local church and Baillie Cluxton attended a vestry meeting in 1791. His son James also attended a meeting in 1805 and again in 1829 with his son Bailey. The vestry book shows Bailey did not show up for his confirmation. The reason why is unclear and his generation of Cluxtons was the last to participate in the Anglican community. In just over 10 years after James signed the tithe applotment books, he was involved in a very well-reported court case in Ireland and Great Britain. The particulars of this case are completely at odds with a man that was a tithe collector. There is no evidence when James stopped collecting tithes for Killashee but by 1836 he had paid £1 into the “Justice Rent”.<sup>54</sup> The Justice Rent supported the abolition of Catholics paying tithes to the Established Church. This was part of Daniel O’Connell’s national association for the abolition of tithes. Daniel O’Connell formed the General Association in 1836 and renamed it the Justice Rent. In its nine months of existence, the association raised just over £7,500, more than half of which was made up of subscriptions from middle- and upper-class members.<sup>55</sup>

The only one benefitting from the tithes, was the local Rector and resentment grew throughout Ireland at this time about such an unfair tax. Tithe collectors were reviled in Ireland so James Cluxton may have been unpopular with some of his neighbours. Throughout Ireland in the 1830’s farmers refused to pay tithes. Many farmers in Kilcullen simply could not afford to pay them and resented supporting a church that was alien to them. The 1833 report for the Poor Law Commissioners described the houses of tenant farmers in Kilcullen as built of clay with thatched roofs and bedsteads hardly deserving of the name, they were so uncomfortable.<sup>56</sup> Most people barely survived. Their main subsistence was potatoes, buttermilk, and some herring but they rarely had an oaten meal. The female members of society reared fowl and the money earned from this was mostly used to provide clothing. There were 327 labourers in the town. The Cluxtons as £50 freeholders were the wealthiest people in Kilcullen who were not part of the landed class. Therefore, they were neither part of the upper-class like the LaTouches and Borrowes nor the ordinary poor farmers. At this time, James’s son Bailey was in a relationship with Anne Kearney, the daughter of a shopkeeper in Kilcullen. The Cluxtons had more in common with the emerging Catholic middle-class that leased properties from them in the town than their well-heeled Protestant landlords.

Kilcullen with Athy was one of the principal grain markets in the county.<sup>57</sup> The Cluxtons had land in tillage so were supplying this market. The fall in grain prices after the Napoleonic wars with the added burden of 10 percent of yields being tithable put huge financial pressure on farmers. Grain prices fell by 25 percent between 1820 and 1830.<sup>58</sup> James Cluxton’s tenants would have been in a better position to pay rent if they did not have to pay tithes. The 1830s in Ireland were a time of economic depression, overpopulation, and competition

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<sup>54</sup> *Freemans Journal*, 22 Oct 1836.

<sup>55</sup> Michael J Keyes, *Money and Nationalist Politics in Nineteenth Century Ireland: from O’Connell to Parnell* (Phd Thesis, NUI Maynooth, 2011).

<sup>56</sup> H.C. *Condition of Poorer Classes in Ireland*, Richard Whately, Archbp. of Dublin, 1831-64, (accessed online Feb 2017).

<sup>57</sup> Liam Chambers, *Rebellion in County Kildare 1790-1803*, (Dublin, 1998), p. 20.

<sup>58</sup> Patrick O’ Donoghue, Causes of the Opposition to tithes, 1830-38 *Studia Hibernica No. 5* (1965), p. 9.

for land and employment.<sup>59</sup> Liberal capitalism ensured every man was out for his self-preservation. The payment of tithes was just another tax that was making it harder for Protestant middlemen to survive in that economic climate. There was no benefit for James Cluxton to be collecting tithes from his tenants, so he chose his side in the war against tithes much to the resentment of his Protestant neighbours.

A meeting held by the Association to promote the Justice Rent was held in Kilcullen in Sept 1836.<sup>60</sup> The meeting was attended by hundreds of people and presided over by a representative of the General Association. A substantial gathering of local farmers, clergy, pillars of society, and local liberal Protestants attended. The enthusiasm manifested itself in the amount of money collected for the Association. The amount taken for the day in Kilcullen was £52-10s.<sup>61</sup> The case of a 95-year-old man, Mr. Edward Finn, imprisoned in Limerick jail for tithe arrears was used to rouse people's emotions. The Association encouraged members to petition their freeholding neighbours to vote against the Tories and in doing so bring an end to the unfair rent. The Cluxtons as freeholders showed their new allegiance to their neighbours when James and Bailey Cluxton paid £1 each into the Justice Rent.<sup>62</sup> This act was to have repercussions that resonated throughout Ireland when it made international news in every newspaper in Ireland and England.

A week after the Justice Rent meeting James and Bailey Cluxton were drinking in Walsh's pub in Kilcullen. They were involved in a fracas with the local sub-constable Porter that led them to the Naas Assizes.<sup>63</sup> The case was very well reported, and some newspapers carried a full transcript of the court proceedings. The transcript gives the testimonies of both policemen involved, Sergeant Scott and sub-constable Porter. James and Bailey Cluxton and their servant Rose Brown were later examined along with some independent witnesses. The media bias was evident as the Tory newspapers criticised the Cluxtons while the nationalist press applauded them.

The drama began when sub-constable Porter returned from Naas and stopped in Walsh's of Kilcullen to dry some clothes. Walsh's son and the local post boy were playing and Porter, in jest told the child he would have him sent to jail. The child became upset and Cluxton confronted Porter reprimanding him for upsetting the child, declaring the child was of the 'decent-est man in Kilcullen'. Testimonies show that there was a history between Cluxton and Porter. Porter claimed Cluxton bore ill will towards him on account of his refusal to allow Cluxton to visit one of his acquaintances imprisoned at the previous assizes.<sup>64</sup> Cluxton on the other hand felt he was being watched by the police for having paid into the 'Justice Rent'. A verbal row quickly escalated before Cluxton removed his shirt and was ready to fight. The row abated with the intervention of Bailey Cluxton's friends Connolly and Kavanagh. Cluxton and Porter then shook hands and reconciled their differences. Word got

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<sup>59</sup> J.S. Donnelly Jr & Kerby A Miller (eds), 'The lost world of Andrew Johnson: Sectarianism, Social conflict, and cultural change in Southern Ireland during the pre-famine era', in *Irish Popular Culture* (Dublin, 1999) p. 222.

<sup>60</sup> *The Pilot*, 19 Sept. 1836.

<sup>61</sup> *Drogheda Argus & Leinster Journal*, 24 Sept. 1836.

<sup>62</sup> *Freemans Journal*, 22 Oct. 1836.

<sup>63</sup> *Dublin Weekly Register*, 29 Oct. 1836.

<sup>64</sup> *The Pilot*, 21 Oct. 1836.

back to the police station where Sergeant Scott was alerted of a fight at Walsh's. Scott then arrested Bailey Cluxton even though he never actually hit Porter. Bailey was taken to the police station by force where Porter assaulted him twice before imprisoning him in 'a black hole' to restrain him. Bailey's father James Cluxton testified he was taken by the neck and only because he had loosened his necktie he would have been choked. He was also struck in the temple and hadn't witnessed such 'cruel conduct since 1798'.

Rose Browne, the Cluxton's servant, was also imprisoned and witnessed the ill-treatment and beating of Bailey and thought he would be killed. It was claimed that Porter said that this was the way to treat a 'Radical Rascal'. Porter on examination agreed he said the church doors of Yellow Bog would be shut against Cluxton and that he had said, 'what a pretty lot of esquires you are paying into the O'Connell rent'. Porter defended himself saying that this was said as a joke. He was then asked, 'was beating Cluxton and putting him into the black-hole also a joke'. The testimony of Eliza Pidgeon, a servant in the police station, did not match the testimony of Rose Brown and it was obvious she had been lying to protect the officers. In Bailey Cluxton's examination he claimed after he was released from the black hole, he asked Scott if he 'was also angry that he and his father did not sign a petition against as good a man as the Lord Lieutenant?'. This was a petition to get the Lord Lieutenant the King's representative in Ireland, Lord Mulgrave out of Ireland. Scott was said to have replied 'You, your father and the Lord Lieutenant can all \_\_\_my\_\_\_!!' In the examination, Porter was asked if he was an Orangeman and if so, he was told he could not be a policeman. He was questioned on his political beliefs and his support for the Protestant Ascendancy. It was implied that the violence directed towards the Cluxtons was political as they were Protestants in favour of O'Connell's Association. The jury acted very quickly, returning a verdict acquitting the Cluxtons and finding the policemen guilty of assault and both were sent directly to prison.

The judge said he would not pass the sentence but said they should be treated like any other. Porter was sentenced to one month in prison and Scott was given a £5 fine. The case got the attention of the Lord Lieutenant, Lord Mulgrave, who after perusing the barrister's notes dismissed Porter and Scott as 'preservers of the peace on the old system' and if they 'shut the church door in his face (Cluxton)', they shall not do so under pay from the public'.

Getting the attention of Lord Mulgrave, the King's representative in Ireland, highlights the importance and significance of the verdict of the case which caused some embarrassment to the magistrates involved. They surely never anticipated that a jury would find two members of the law guilty of assault. With public opinion in favour of the Cluxtons, the magistrates deemed it necessary to make some public clarifications. They felt dissatisfied that it was reported in the press that they refused to take information from the Cluxtons at the petty sessions. However, it was stated as fact that the information relating to the Cluxtons was only presented late on the day of the trial while the police statements were taken as soon as they were tendered to them.<sup>65</sup> The late presentation of the Cluxton's evidence may have persuaded the jury of the impartiality of the case.

The Cluxton case was referred to in regional newspapers in Great Britain for months after. The Tory newspapers were outraged at the treatment of Scott and Porter and saw it as an

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<sup>65</sup> *The Pilot*, 24 Oct. 1836.

attack on 'efficient members' of the constabulary and 'making room for Earl Mulgrave's manumitted malefactors and favoured ruffians'.<sup>66</sup> Another newspaper reported, 'what a terrific tyrant is this O'Connell agitation, the name of Dan will be as sacred as the Cap of Gesler, the once tyrant of Switzerland'.<sup>67</sup> O'Connell's Association saw it as a victory and it was referenced in future meetings of the association.

Another anti-tithe meeting in the Kildare area was held at Carbury in January 1837.<sup>68</sup> It was presided over by a large group of influential members of the public, including the sheriff of the county John Nangle, business owners, lords, and clergy, and a delegation from the



National Association. The monster meeting closed with references to the Cluxton case. It was said that although Lord Mulgrave hadn't appointed new and sympathetic magistrates, he made them careful to act properly and fairly as they had not done so in the past. It was clear the Cluxton case had sent a message that Lord Mulgrave was not willing to tolerate unfairness and sectarianism. While Lord Mulgrave did not come out directly supporting the abolition of tithes, it did send a message that it was unfair for Catholics to be still subject to paying religious tithes to the Protestant church.

*St. John's Church, Yellow Bog courtesy of <https://kilcullenbridge.blogspot.com/>*

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<sup>66</sup> *Leinster Express*, 29 Sept 1836.

<sup>67</sup> *Kerry Evening Post*, 26 Sept 1836.

<sup>68</sup> *Freemans Journal*, 31 Jan. 1837.

## BAILEY CLUXTON AND HIS FALL FROM GRACE

At a time when sectarianism was rife in Ireland with free market competition between the emerging Catholic bourgeois and the threatened Protestant middlemen, Bailey Cluxton held no bias. He married Anne Kearney, a Catholic in 1842. They had four children. The eldest son James was born in 1842, Elizabeth was born in c.1845, John Bailey was born in 1847 and Catherine (Kate) was born in 1849. Bailey remained part of his church as James and John Bailey were baptised in the Church of Ireland.<sup>69</sup> There was a branch of Cluxtons from Skirteen in Monasterevin. James Cluxton, Catholic, of Skirteen appears in the 1901 census aged 60. He could not read or write. He was born in c. 1840. On his marriage certificate in 1874, his father is listed as Bayley Cluxton, farmer. This evidence suggests that this was an illegitimate child of Bailey of Kilcullen. Bailey was a rough and ready character and from the 'Justice Rent' case, he had a short temper. The combination of his temperament and alcohol would be his ultimate downfall. His court appearances were dramatic enough to garner attention and make news. The scandals and court cases he was involved with in his short life were most likely the talks of the taverns, markets, and firesides of Kilcullen for many years after his death.

As well as all the farmland leased by the Cluxtons, Bailey inherited a sizeable portfolio of leases in the town from his father James. In Griffiths Valuation field books of 1841, listed are a house and shop, stables, car house, cow house, office with no loft, hen shed, and four cabins described as not being in good order, worth £5 rent. An old wall of a house together with a good, enclosed yard and three gardens two of which were used as yards for hay and oats which had a rental value of £13. The description of the four cabins suggests that the properties were neglected.

Financial difficulties brought Bailey to the Chancery Court in September 1848 when he appeared as a defendant in a case that involved a hold on the lease of his farm for 7 years.<sup>70</sup> His estate was put on hold pending the outcome of the case. Bailey was the largest freeholder in Kilcullen. In 1839 he was registered as a £50 freeholder.<sup>71</sup> In September 1841 Bailey consolidated all his leases by purchasing one clear annuity for the sum of £59-5s to be paid to Peter Cunningham of Francis Street, Dublin in half-yearly payments. This was for his whole portfolio of land: 27 acres in Newtown, a parcel of land known as Heylands in Carnalway, 83 acres in the lands of Ballyaill otherwise known as Greenhills, and 56 acres and 33 perches at Knockaulin and all his houses. This lease was for 99 years and once it was paid it cleared Cluxton of paying any taxes and deductions. There was a penal sum of £800 if the annuity was not paid.<sup>72</sup> There are no records of the court proceedings but the plaintiff in the case was Peter Cunningham indicating Bailey must have defaulted on one of his payments. He also borrowed money from his cousin Skiffington Haslam who lent him £100 at £6 per annum interest.<sup>73</sup> Bailey was now facing financial ruin and his farm and livelihood were in jeopardy.

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<sup>69</sup> NAI, MFCI 71/1

<sup>70</sup> *Dublin Evening Post*, 30 Sept 1848.

<sup>71</sup> *Leinster Express*, 5 Oct 1839.

<sup>72</sup> RD, 1841 book 17 record 254.

<sup>73</sup> RD, 1835 book 731 v14 #56

Bailey was the prosecutor in a case in November 1846 where he claimed he was the victim of a robbery.<sup>74</sup> He alleged that a sheep and two of his lambs were stolen from him by Patrick Walshe, his employee. Bailey was called to prosecute and in the courtroom was described by the defence as being 'half seas over', meaning he was drunk. The defence declared this was a shameful state for a man of his standing to be in, especially as it concerned the liberty of a man for the next ten years. If convicted, it would have most certainly meant a transportation sentence for Walshe. Bailey arrived at the fair of Naas to look for a cow and heifer that had been stolen from him. While walking down the street he was confronted by a local butcher who asked him if he had 'fed steak' to a man named Walshe. Bailey said he had, and the butcher accompanied him to Mr. Moses Byrne's public house in Naas. There he saw Walshe and confronted him, accusing him of stealing his lambs and sheep. Walshe claimed he did not steal the sheep but had sold the sheep for 15 shillings on his behalf. He handed Cluxton a pound note and asked him to take the money from it and told him the lambs were in the yard. Cluxton gave the pound note to Constable Sharpe and Walshe was taken into custody. In cross-examination, Cluxton said that Walshe was never in the business of selling livestock on his behalf, but that Walshe's cow grazed his land. When Walshe sold the cow, he gave him an IOU for the grass money. Cluxton went on to explain that he was on bad terms with his wife (Anne Kearney) and that she had a sheep and two lambs, and he wasn't aware Anne had given Walshe permission to sell them. James Lynch, a butcher, claimed that he had purchased a cow and sheep from Walshe for £4-15s. A sheep was produced and Cluxton said it wasn't his and that a sheep Lynch had purchased from some other person was his property. Cluxton's state of mind was examined, and Constable Sharpe claimed he saw Cluxton on the fair day and stated he was sober and fit to do business. The barrister then asked Constable Sharpe what state he thought Cluxton was in presently and Sharpe agreed he was drunk. Mr. Harrison the defence counsel for Walshe asked him to say a few words to the jury. He explained Cluxton and his wife were not on good terms and Cluxton's wife authorised Walshe to sell her sheep and lambs as she could not get any money from her husband. He declared Cluxton could not even recognise his sheep. Mr. Birchall gave a character reference for Walshe declaring that he was always attentive to Mr. Cluxton's business. Other character references were given for Walshe, and the jury came back with their verdict, Walshe was cleared of any charge, the case was closed and Walshe was freed. Bailey was a man who was no longer in control of his life.

The year of the great hunger of 1847 was the darkest in the history of Ireland. No one, from the poorest farmers in the west of Ireland to the wealthiest Irish landlords living *in absentia* in London were immune to its effects. The poor laws were enacted in 1838 to fund relief for the poor. Any persons with properties with a rental value of over £4 were levied with a poor rate tax and for those whose properties were valued under £4, it was the landlord who was liable to pay the tax.<sup>75</sup> Therefore providing relief for the poorest of society became the responsibility of landlords. Consequently, landlords evicted their tenants, consolidated their land, converting them to pastoral farming. This came to a head in 1847 when the effects of the famine brought a loss of rental income and with the added burden of taxation; middlemen

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<sup>74</sup> *Leinster Express*, 7 November 1846.

<sup>75</sup> Joseph Byrne, *Byrne's dictionary of local history* (Cork, 2004), p. 242.

were being squeezed out of existence. Bailey Cluxton was no exception and in 1848 this respectable farmer began a descent into brutal senselessness.

In October of that year Bailey Cluxton was back in the courts and lucky to be alive after being assaulted by John Maher.<sup>76</sup> Maher was charged with grievous assault at Naas assizes for an attack on Bailey, an attack that could have cost Bailey his life. Maher and his family lived in one of Bailey's houses and he was paid a small sum to be its caretaker along presumably with free lodgings. Maher agreed he would leave the house when instructed to do so by Bailey. When the time came, Cluxton asked Maher to leave but he did not comply. Bailey decided to take matters into his own hands and visited the house on 9 October to evict Maher. Quite possibly due to his financial circumstance, he did not have the means to pursue the matter any other way. In his court statement, Cluxton claimed "he had his hand on a bed when Maher attacked him with a sharp knife or dagger and then made a second attempt at his body". The record does not state what he did next, but it is safe to assume he ran for his life. He claimed Maher "was not his tenant but a caretaker of one of his houses whom he paid 1d per week for this task". Maher in his defence claimed "that he was in an outhouse pigsty when some of his children came to tell him Cluxton had thrown out their belongings". When Maher ran home, he found Cluxton throwing out the contents of the house. He alleged Cluxton had taken his children by the hair and beaten his wife. He claimed Cluxton owed him arrears of 1d per week for caretaking and therefore he wouldn't give up the house. The jury found Maher guilty of grievous assault and he was bound to his recognizance of £10 to appear for sentence when called upon.

Less than six months after Maher's eviction Bailey Cluxton's tempestuous life was to take a disastrous turn. An incident in March 1849 ruined the reputation of a respectable family and had disastrous consequences for them in their community.<sup>77</sup> According to the three witnesses Bailey Cluxton was drinking in Isaac Scott's pub in Kilcullen on 10 March 1849. His servant named John Jones brought an ass and dray to Isaac Scott's before entering the pub and asking Cluxton to leave. Cluxton made no reply but upon hearing that Jones went home leaving the ass and dray outside the pub, he became enraged. He swore he would kill Jones and left the town on the ass and dray 'vociferating in a most uproarious manner'. Cluxton arrived at the house of a man named Stanley at Sunnyhill, Kilcullen. He asked Mrs. Stanley if her husband was home, and she replied in the negative. Mrs. Stanley and her daughter testified Jones then arrived through the gate and stood at the back of the car. Cluxton called him a robber and then took a side rail from the dray and hit him with it. Jones went running into the house to get refuge, but the lower half of the door was shut. Jones tried to evade Cluxton but was confused in the fracas and met him face to face. Cluxton with the stick uplifted in his hands came down on him with force. Jones bowed his head trying to protect himself and instead got a blow of the stick on the neck and shoulders. Jones said, 'easy Master Bailey' and fled the yard. Mrs. Stanley gave Cluxton a drink before he left the yard on the ass and dray shouting and yelling that 'he was a whole man' and he 'would kill everyone he met'. Jones went home and ate a small portion of porridge and went to bed feeling sick. He didn't eat again and died the following Wednesday, five days after the incident.

Cluxton was arrested from the bed where he was sleeping at a public house in Newbridge on

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<sup>76</sup> *Leinster Express*, 4 November 1848.

<sup>77</sup> *Freemans Journal*, 24 March 1849.

15 March by Constable Denis St. Hilliard. From reading the testimonies it seemed Cluxton had no remorse or sympathy for Jones, but he was quite drunk. St. Hilliard testified that upon reading his rights Cluxton replied 'Ho killed Johnny Jones, Ho killed Johnny Jones, had I been three minutes earlier would have been in time for the train and you might go looking for me, he had a right to be killed twenty years ago' he was 'sorry he didn't do it himself then'. Hilliard then arrested him for murder and marched him 4 miles to Kilcullen. Bailey Cluxton was committed to Naas Gaol on Saturday 17 March 1849.<sup>78</sup> Bailey, upon legal counsel, decided to have his trial in the spring assizes on 19 March, the following Monday. Legally he was entitled to be given bail and wait until the next assizes that year to give him time to prepare his defence.<sup>79</sup>

Evidence given in Bailey's trial told of the discovery of bruises on Jones's neck and disease in his lungs. There were no skin abrasions but one of his lungs was particularly inflamed and it was deduced that the blow increased the inflammation of the lung, and this was the cause of death. Dr. Fredrick Faulkner concluded that Jones would have lived longer if the inflammation of the lungs had not been augmented by the blows Cluxton inflicted upon him. Mr. Hayes in Cluxton's defence said the inflammation was not from the blows but from the lung disease. The judge contended he could not accept the defence as he stated that Cluxton had committed manslaughter thirteen or fourteen years previously. There is no evidence of this previous manslaughter case to be found and all his prison records state he was convicted of a previous assault twelve years earlier. If there was another manslaughter it would have been on his prison records. This was misreporting by the newspaper. The judge was most likely referring to the assault in the 'Justice Rent' case in 1836.<sup>80</sup>

The jury returned a verdict of manslaughter with a recommendation for mercy as he 'must have been mad from excessive drinking'. Another juror declared 'he is insane'. Described as a respectable-looking farmer, Cluxton took the stand making a plea in his defence protesting his innocence. He referred to the charity he had shown to Jones and his family for the previous twenty years. The judge iterated that he was lucky it was not a murder he was being indicted for. He sentenced Bailey Cluxton to ten years transportation. Justice Blackburn issued an order on Cluxton as he was in rent arrears of almost £400. The prospect of financial ruin, excessive drinking, marital strain, and a short temper drove Bailey Cluxton to the brink of insanity. Although not mentioned in the court reports Bailey, like Jones, was ill and suffering from pulmonary lung disease.<sup>81</sup> He was not in a rational state of mind and his mental state was observed by the jury who seemed to pity him.

Bailey Cluxton was committed to Naas Gaol to wait for further proceedings. Naas Gaol had 666 prisoners in July 1850 and the cells were so damp that the bed sheets and blankets were

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<sup>78</sup> NA CRF//C11/1851, Convict Reference files, Bailey Cluxton's petition for commutation of prison sentence

<sup>79</sup> NA CRF//C11/1851, Petition by Sam H. Walker on behalf of Bailey Cluxton to Lord Lieutenant

<sup>80</sup> NLI Ms. 3016, Convict register of an Irish prison (Spike Island Government Prison) giving detailed particulars of prisoners, including many transported to Bermuda, Van Diemen's Land and Gibraltar, 1849-1850.

<sup>81</sup> NA CRF//C11/1851



wet on inspection.<sup>82</sup> Bailey became gravely ill during his time at Naas Gaol. A medical inspection by Patrick Walsh, the medical attendant on 10 May 1850, reported he was suffering from pulmonary consumption.<sup>83</sup> It was recommended that he be discharged to his natural air to alleviate his condition. At this stage, it seems Bailey had made a good impression on his jailers, his record states his conduct could not have been better, and he was of good character.

Bailey hired a memorialist to petition the Lord Lieutenant, Lord Clarendon in a letter sent from Naas Gaol on 13 May 1850.<sup>84</sup> Approximately 8,500 petitions were received between 1791 and 1853. Most successful petitions were on the grounds of old age, chronically bad health, or insanity.<sup>85</sup> In very simple language the petition made a plea stating Bailey had been suffering from lung disease for several years and a small quantity of drink affected his nerves thus depriving him of reason leading to the ‘melancholy catastrophe’. It further states Bailey’s imprisonment had made his medical condition worse and his wife and four small children, one of which was born while he was in prison, were depending on him as a means of support. Only for the kindness of his wife’s father and friends, they would be facing the poorhouse. The farm, pending a suit in Chancery, was not providing any income and he was owed money by several people. The petition concluded with an emotive plea full of religious overtones asking for clemency. The letter was received by John Doherty, the solicitor general for Ireland, who replied to the memorialist on the following day stating that mercy could not be shown in the circumstances. He acknowledged Bailey’s medical report which stated how he would not survive passage to one of His Majesty’s colonies but could not offer an opinion on the subject.<sup>86</sup>

Bailey was transferred to Kilmainham gaol on 27 May 1850 to be transported. Details from the prison register of Kilmainham Gaol record his particulars. He was 5 feet 10 1/2 inches tall, with brown hair, blue eyes, and a pale complexion.<sup>87</sup> Conditions at Kilmainham Gaol were horrendous with overcrowding, mostly people waiting on transportation. He did not stay there long and was committed to Spike Island, Cork, on 31 May 1850 and arrived there sometime in June.<sup>88</sup> Spike Island started to take transportation prisoners in 1847. It had 2,500 prisoners in 1850 and prisoners were fed and worked fairly according to an account by James Coleman.<sup>89</sup> The island’s first governor was Richard Grace. Governor Grace was a former governor of Cork County Gaol and whilst in that position was praised for his ‘habits of

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<sup>82</sup> *Leinster Express*, 2 Aug. 1851.

<sup>83</sup> NA CRE//C11/1851

<sup>84</sup> NA CRE//C11/1851

<sup>85</sup> NAI Website information-

<http://www.nationalarchives.ie/topics/transportation/transp8.html> (Accessed on Feb 2017).

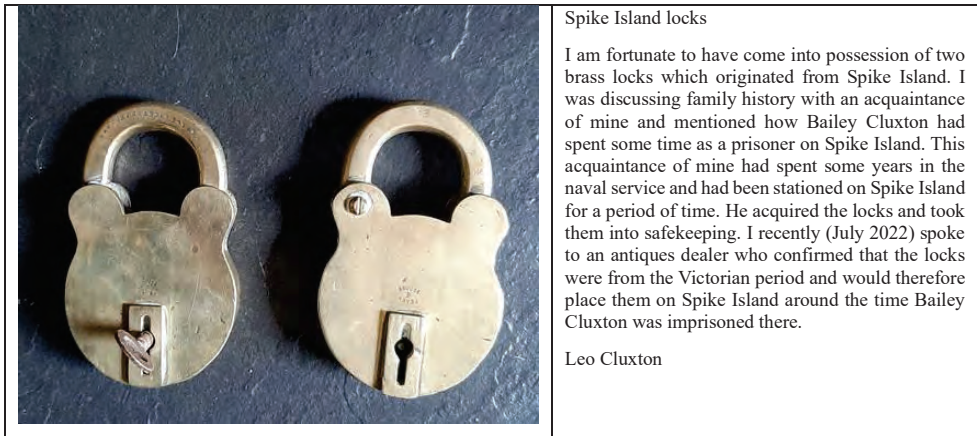
<sup>86</sup> NA CRE//C11/1851.

<sup>87</sup> NAI, Prison Records Kilmainham Gaol, (accessed on findmypast.ie Feb 2017).

<sup>88</sup> NLI, Ms. 3016 Convict register of an Irish prison (Spike Island Government Prison?) giving detailed particulars of prisoners, including many transported to Bermuda, Van Diemen's Land and Gibraltar, 1849 - 1850.

<sup>89</sup> G. E. H. Barrett-Hamilton, 'The story of Spike Island' in *Journal of the Cork Historical and Archaeological Society*, Ser. 1, Vol. II, 1893 pp. 1-8,

steady discipline united with kind treatment to the prisoners.<sup>90</sup> In 1838 his superiors reported that he was ‘a person highly qualified to conduct an extensive gaol on the best principles.’<sup>91</sup> However, he had his critics and was accused of being too mild-mannered in his dealings with Spike Island’s convicts.<sup>92</sup>



Bailey’s prison record from Spike Island states that he was Roman Catholic. Changing from Protestant to Catholic was a common strategy used by prisoners to improve the conditions of their confinement.<sup>93</sup> It notes he had a previous assault conviction but no mention of a previous manslaughter conviction which proves it was wrongly reported during his trial. Of his character it was noted he was ‘industrious and a respectable person’. Interestingly he is the only person on the prison record page who has a person named in the field ‘Name and Address of Friends’, where Anne Cluxton his wife is mentioned. His physical condition and health had deteriorated at Spike Island. Richard Grace the governor at Spike Island informed Sam H. Walker who was acting as a memorialist and petitioner on Bailey’s behalf that there was little hope of his recovery and that he was being taken care of as well as circumstances would allow.<sup>94</sup> Sam H. Walker was a lawyer and politician with great ability, who eventually held many high positions including that of the attorney general of Ireland.<sup>95</sup> He was a man with political connections whose services most likely didn’t come cheap. He was connected to the Cluxton family and possibly friends with Bailey’s half-sister Fanny Cluxton at that time. Fanny married Alfred Ellery in 1854 and Sam H. Walker was Ellery’s best man.<sup>96</sup>

<sup>90</sup> Cal McCarthy and Barry O'Donnabhain, *Too beautiful for thieves and pickpockets: a history of the Victorian convict prison on Spike Island*, (Cork, 2016).

<sup>91</sup> Ibid.

<sup>92</sup> Ibid p. 126.

<sup>93</sup> Ibid p. 181.

<sup>94</sup> NA CRF//C11/1851.

<sup>95</sup> Wikipedia, [https://en.wikipedia.org/wiki/Sir\\_Samuel\\_Walker,\\_1st\\_Baronet](https://en.wikipedia.org/wiki/Sir_Samuel_Walker,_1st_Baronet) (accessed April 2017).

<sup>96</sup> Civil Records, [civilrecords.genealogy.ie](http://civilrecords.genealogy.ie)

On 8 July 1850, Sam H. Walker sent a letter to Sir George Grey, the home secretary petitioning for Bailey's release.<sup>97</sup> Petitioning Sir George Grey was a calculated decision as he was known to have deep religious convictions and was described as a 'Whig moralist' and 'the evangelical equivalent of Gladstone'.<sup>98</sup> Sir George was exceedingly tolerant of diversities of opinion and known to be patient, reasonable, and firm.<sup>99</sup> It was well known he had an interest in the plight of the Irish and regarded the Established Church as an outrage on the convictions of the Irish people. In his early political career, he introduced the Convict Discipline Bill which sought to put prisoners into public works as a substitute for transportation. He also tried to introduce better conditions in prisons.<sup>100</sup> It may have seemed like a long shot petitioning a politician of Sir George's rank but if there was any hope of clemency for Bailey Cluxton, Sir George Grey was the obvious candidate. The petition was written in simple language and carefully worded to remedy the failure of the first petition to the Lord Lieutenant. The opening referred to Bailey's failing health and how there was no chance of his recovery, imploring the plight of his 'helpless offspring'. With death or transportation imminent it pleaded to have his sentence completed in Naas near his family where his 'bones may be placed in the tomb of his fathers'. It stated how the manslaughter was committed in a state of intoxication with no malice intended as the victim was a man to whom he had previously shown the greatest kindness. The recommendation of the Jury for mercy was used to highlight the severity of the sentence imposed. He was not asking for his liberty as that was no boon considering his physical state, but he only requested to be near his family upon his death. The plea, full of religious sentiment and with its deprecating description of Bailey as a 'wretched convict' and a 'miserable culprit' was fully intended to evoke pity and appeal to the conscience of Sir Grey.

The appeal was a success; a reply to Sam H. Walker the petitioner on 12 July 1850 from H. Waddington on behalf of Sir Grey directed the commutation of the sentence to be finished in Naas.<sup>101</sup> A letter was sent to Spike Island on 16 July ordering the return of Bailey to Naas Gaol to complete the sentence. On the same day, a medical cert by Robert Calvert at Spike Island believed further confinement would hasten Bailey's death and 'a change of air would be of service' and his life 'might be prolonged' and 'mind relieved' as he was 'in a very unhappy state'.<sup>102</sup> On 20 July the paperwork was all in place for Bailey's removal to Naas and officers were arranged for his escort. They received £5 to meet the expenses incurred. The same day the governor of Naas Gaol W. Clarke acknowledged the receipt of a mitigating order of Bailey's sentence and to discharge him after completing three years of imprisonment.

A medical examination of Bailey on 23 July advised he was in such a precarious state that the only way he would survive the journey to Naas was if it all happened in one day and not by sea.<sup>103</sup> A letter on 24 July from the inspector's office at Dublin Castle noted that the convict was in such a state of health it would be too dangerous to move him in the manner

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<sup>97</sup> NA CRF//C11/1851.

<sup>98</sup> Robin Haines, *Charles Trevelyan, and the Great Irish Famine* (Dublin, 2004), p. 42-3

<sup>99</sup> Ibid.

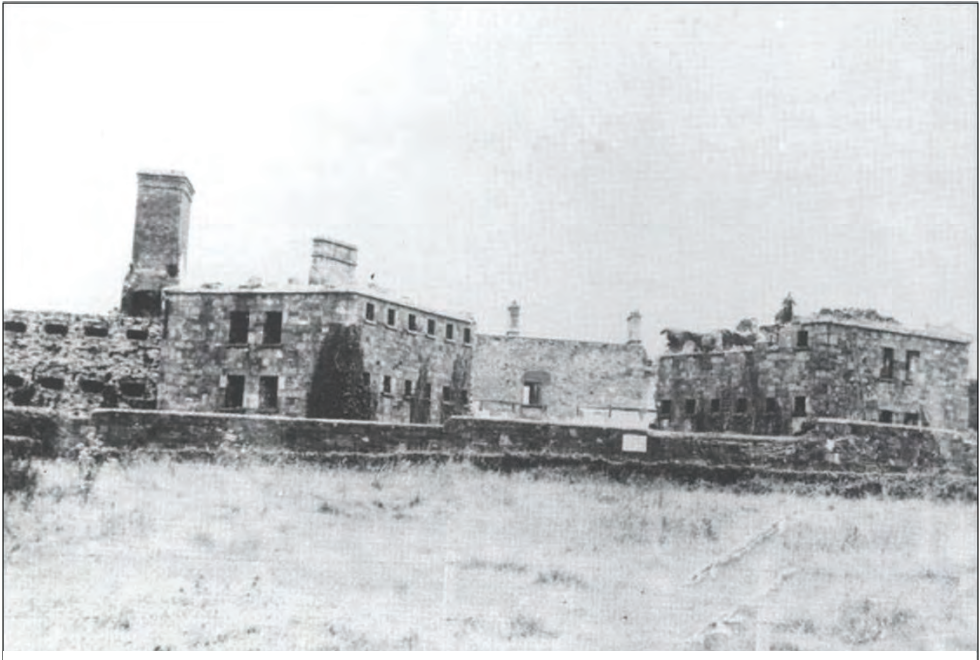
<sup>100</sup> Mandell Creighton, *Memoir of Sir George Grey* (London, 1901), p. 56.

<sup>101</sup> NA CRF//C11/1851.

<sup>102</sup> NA CRF//C11/1851.

<sup>103</sup> NA CRF//C11/1851.

proposed by the medical officer.<sup>104</sup> There was a delay in getting Bailey out of Spike Island and Sam H. Walker wrote a letter on 26 July appealing to the Governor Mr. Grace that while Bailey's sentence was commuted, he was still being treated like a convict and not allowed to write to his friend.<sup>105</sup> His death was forthcoming and it would be of great consolation for him to be able to communicate. Walker also appealed for the immediate transfer of Bailey to Naas. A police escort arrived for Bailey on 31 July as communicated in a letter from Spike Island, written by Larry Balfour Esq who must have had the task of providing his passage. He was commuted back to Naas Gaol on 3 August 1850.<sup>106</sup>



*Naas Gaol before it was demolished in 1966. Picture courtesy of Naas Historical Society.*

A medical report by James Kellett of Naas Gaol stated Bailey's suffering would be alleviated by the constant attention of his family should he be discharged.<sup>107</sup> Bailey most likely got to see his infant child Catherine for the very first time as there was genuine sympathy for him in Naas Gaol. The closeness of his family must have given him a reason to fight for his survival as Bailey survived the winter of 1850 and made it into the New Year. Bailey's petitioner Sam H. Walker was not prepared to stop fighting on his behalf and he again petitioned the Lord Lieutenant, the Earl of Clarendon, with a letter dated 7 February 1851.<sup>108</sup> His approach this time was to petition from the legal perspective of his trial. It was stated

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<sup>104</sup> NA CRF//C11/1851.

<sup>105</sup> NA CRF//C11/1851.

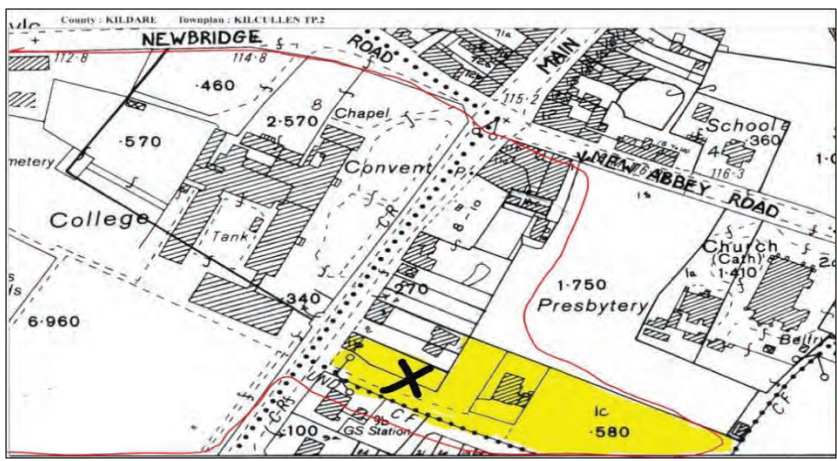
<sup>106</sup> NA CRF//C11/1851.

<sup>107</sup> NA CRF//C11/1851.

<sup>108</sup> NA CRF//C11/1851.

that Bailey “had the right to postpone the original trial” and be tried later in the year, but he chose the Spring Assizes which were only three days after his arrest. His legal counsel advised him wrongly and should he have chosen the assizes later that year it would have given him time to prepare a better defence. The plea left out the emotive language and got straight to the point asking for the duration of the three-year commuted sentence to be calculated from his original imprisonment. The letter concluded by stating the ill health of the prisoner.

Bailey did not live to become a free man and enjoy life with his young family. Two hours after he got news of his commutation and imminent freedom he died with his wife Anne by his side at Naas Gaol on 14 February 1851, aged 37.<sup>109</sup> From the well-documented cases and prison records, it is possible to get a little insight into the character of Bailey Cluxton. He was not to be hated but pitied and had his farm not been in Chancery, life could have been different for him and his young family. The mounting financial pressure from debtors and heavy drinking led an otherwise respectable person to act impulsively. He was described as a lot of things, industrious, hard-working, respectable, drunk, and insane, but he certainly was not evil and was loved by those dear to him. He had a wife who cared for him and their four small children whom he worked hard to provide for. There was sympathy for Bailey even amidst the desensitisation to death and disease in famine-torn Ireland. This was evident in the compassion shown to him by the medics and governors at the gaols and the lawmakers in the higher echelons of society who campaigned on his behalf.



*Cluxton's home marked X, they leased and sublet all the properties from their house down to where the Hideout Pub is now. They also owned the lease on the land where the Cross and Passion convent is now. It was known then as “Newtown”*

109 NA CRF//C11/1851.

## JAMES CLUXTON AND BANKRUPTCY

Bailey's wife Anne (Kearney), his heir-at-law inherited the farm and the legal difficulties and debts associated with it. Whatever happened with the Chancery court litigation it is not clear, but Anne got on with the business of running the farm as it was retained by the Cluxtons for another generation. At the time of Bailey's death, her young children were all under ten years old and she had the added responsibility of running the farm. Her name appears as Anne Clugston in the 1854 Griffith Valuation.<sup>110</sup> In the 1853 Griffith valuation book, Bailey's name is crossed out and replaced by Anne, spelled Anne Clugston, this happened after Bailey's death.<sup>111</sup> Life had dealt Anne a hard deal and to make matters worse in September 1863, a man named James King of Ashfield, Kings County stole a sum of money from her home. It amounted to £6 12s 8d, one bank of England £5 note, one sovereign, 12s 8d in silver.<sup>112</sup> She most likely never saw this money again. She was having financial difficulties as she was brought to the petty sessions for owing £1 to shoemaker George Blundell of Newbridge in 1861.<sup>113</sup> In March 1864 a case was brought against Mrs. Anne Cluxton for sheep trespassing on a neighbour's land.<sup>114</sup> The case was thrown out as the prosecution should have brought it against James and not Mrs. Cluxton. This may suggest the farm was kept in trust for James until he reached a certain age. A few months later Anne appeared again in court when a neighbour James Francis accused her of poisoning four of his ducks and beating one with a stick.<sup>115</sup> Francis's wife corroborated the story with much volubility but after hearing Cluxton's defence the bench dismissed the complaint. It seemed that the Cluxtons were not on good terms with their neighbour. They were being taken advantage of possibly because of their tarnished reputation or maybe because of Ann's vulnerability as a widow. The Cluxtons were not outcasts, and they were still respected members of their community in Kilcullen. James married a local lady named Dora Maria Beard in 1868.<sup>116</sup> They had only one child Maria Emilia, in 1875.<sup>117</sup> Sadly she would never get the chance to know her father, James.

James Cluxton inherited a farm that was encumbered with debts and had to work hard to pay his debtors. He was also owed money which made matters worse. In August 1870, the farm was productive as James Cluxton advertised a large amount of produce for sale at auction advertised in the *Leinster Express*.<sup>118</sup> The sale comprised 64 large filled stacks of black tartary oats, a very heavy and full crop of 40 field stacks of

*Mainstreet, Kilcullen c.1880-1900 Picture courtesy of NLI.*

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<sup>110</sup> NAI, Griffiths valuation, (accessed on findmypast.ie website Feb 2017).

<sup>111</sup> Ibid.

<sup>112</sup> *Hue and Cry, police gazette*, sept 11<sup>th</sup> 1863.

<sup>113</sup> NAI, Petty sessions registers, (accessed on findmypast.ie website Feb 2017).

<sup>114</sup> *Leinster Express*, 19 Mar. 1864.

<sup>115</sup> *Leinster Express*, 25 Jun. 1864.

<sup>116</sup> NLI, Parish Registers Kilcullen, (accessed on findmypast.ie website Feb 2017).

<sup>117</sup> Ibid.

<sup>118</sup> *Leinster Express*, 20 Aug. 1870.

malting barley, and 50 large field cocks of meadow hay.<sup>119</sup> The following February, James generously donated £3 to the building fund of the Church of the Sacred Heart of Jesus and St Bridgid in Kilcullen, clearly showing where his religious loyalties lay.<sup>120</sup> Sadly financial difficulties forced James into bankruptcy and five years after this the family farm and all his Kilcullen properties were sold to pay his debts. In June 1873 James Cluxton owed James Byrne a shopkeeper in Kilcullen £280.<sup>121</sup> He sold the lease of the lands of Carnalway to Michael Maguire, a tailor in Kilcullen, for £160 in December 1874.<sup>122</sup> He owed Maguire a further £100 in February 1875 and money



to Michael Purcell, a shopkeeper in Kilcullen, and Patrick Neil, a farmer from Kilcullen.<sup>123 124</sup>

The Encumbered Estates Act passed in 1849 was used to clear indebted estates and provide clear titles to the purchasers. Any land encumbered with debt over half the yearly rental value could be brought to court where a creditor could bid on it. Any person owed money could bid on the land except the encumbered party.<sup>125</sup> Landed estates still suffering financial woes from the aftermath of the famine were being cleared and purchased by the newly emerging Catholic middle-class. Ironically the new Catholic bourgeoisie emerged out of the Protestant ideology of liberal capitalism

<sup>119</sup> Ibid.

<sup>120</sup> *Freemans Journal*, 1 Feb. 1872.

<sup>121</sup> RD, 1873 Book 49 record 11.

<sup>122</sup> RD, 1874 book 49 record 237.

<sup>123</sup> RD, 1875 book 48 record 284.

<sup>124</sup> RD, 1875 book 13 record 204.

<sup>125</sup> Joseph Byrne, *Byrne's dictionary of local history* (Cork, 2004), p. 111.

and the Protestant ascendancy and middlemen unwittingly disenfranchised themselves both politically and economically.

**IN THE COURT OF BANKRUPTCY,  
IN IRELAND.**

In the Matter of  
**JAMES CLUXTON,**  
of KILCULLEN, in the County of KILDARE, Farmer, a Bankrupt.

**TO BE SOLD BY PUBLIC AUCTION,**  
Before the Court,  
**AT THE FOUR COURTS, DUBLIN,**  
On **FRIDAY, the 21st day of APRIL, 1876,**  
At the hour of Twelve o'clock noon,  
All the Estate and Interest of the Bankrupt, his Assignees and  
Mortgagees in and to  
The **LANDS and PREMISES**  
Comprised in and demised by an Indenture of Lease, for three lives,  
renewable for ever, dated 2nd March, 1749, and in the last renewal  
thereof described as:—“All that and those the **State House and Garden,**  
“with two small Cablos, lying between John Moore, Thomas Maber,  
“and James Myler, deceased, their holdings, formerly held by William  
“Owens, and now in the possession of the said Bailie **Cluxton** (the  
“Leasee), situate in the **TOWN of KILCULLEN BRIDGE,** in the  
“Barony of Kilcullen, and County of **Kildare;** together with the  
“**Town and Lands called NEWTOWN,** containing by estimation 27  
“acres, 5 roods, and 9 perches, also situate in the Barony of Kilcullen,  
“and County of **Kildare;** together with liberty to the said Bailie  
“**Cluxton** of cutting Turf on the old Bog of Kilcullen, to be used on  
“the premises only;” subject to the annual rent of £21, and a renewal  
fine on the fall of each Eve of £20 4s 4d.

A Statement of Title and Conditions of Sale, and Rental, are lodged  
in the Office of the Court, and may be seen also in the Office of the  
undersigned Solicitor having charge of the Sale.

Dated this 20th day of March, 1876.

**THOMAS FARRELL, Chief Clerk.**

**DESCRIPTIVE PARTICULARS.**

The Premises to be sold consist of a Farm of Land in the Townland  
of Newtown, containing about 27½ acres, Irish plantation measure, at  
present in the Bankrupt's possession. There is a substantial and  
comfortable Dwelling house and good Offices on the Lands, all in a  
fair state of repair; with a Yard and Garden in the rear of said House  
and Offices. The Land is extremely good, and suitable for pasture or  
agriculture, and its advantageous position greatly enhances its value.  
It may be said to be within the Market Town of Kilcullen Bridge,  
County **Kildare,** and is surrounded by the County Road on three sides.  
It is only distant a mile and a half from the Carragee Camp, and about  
two miles from Newbridge, both excellent markets for forage and  
provisions. The remainder of the premises consists of a Row of Houses  
on the margin of the said Lands of Newtown, and let to weekly and  
yearly tenants, at present producing a gross yearly rent of £74; also  
a substantial Business House in the Town of Kilcullen, at present let  
to a tenant, for a long term, at £19 per annum.

Proposals for Purchase by Private Contract will be received by the  
Official Assignee, up to the hour of Twelve o'clock noon, on the 15th  
day of April, 1876.

If an offer be made which can be recommended by the Vendors, it  
will be submitted to the Court for approval without further notice.

For further information apply to  
**CHARLES H. JAMES, Official Assignee, 16 Merchants'-  
quay, Dublin.**  
**BROWN and HENRY, Solicitors for Mortgagees, having  
charge of the Sale, No. 26 Bachelors'-walk, Dublin, and  
New; where may be seen Statement of Title, Conditions  
of Sale, and Rental.**  
**W. G. WHITE, Solicitor, No. 15 Upper Ormond-quay,  
Dublin.**

James Cluxton was encumbered with debt and left with no other option but to sell the farm. This must have been a devastating blow to him. The farmlands that were in the Cluxton family for the previous 150 years had to be sold to clear debts and James Cluxton was declared bankrupt on 27 April 1875.<sup>126</sup> It took almost a year for an advertisement for the sale of all his properties to appear in the *Irish Times*.<sup>127</sup> The properties were sold by public auction on 28 March 1876 at the Four Courts in Dublin. All the estate and interest of James Cluxton went up for sale. The same properties his forefather signed a lease for in 1722, the 27.5 acres at Newtown just outside of Kilcullen was advertised, as 'well known for their superior qualities and sweet herbage'.

Legal proceedings were to linger on for two years and to have a devastating effect on James. Another court appearance in June 1876 examined the lease.<sup>128</sup> The newspaper reported that James was unsure when it was

*Irish Law Times April 1, 1876*

last renewed but stated that he inherited it from his mother after she died who had inherited it from his father Bailey on his death. This report is incorrect, his mother Anne did not die until 1888. It was determined that the farm was worth £4000 and that £2000 would be left over after all debts were cleared. The judge set a date of 19 June for any creditors to make a claim and prove any debts owed to them. In August at a further sitting in the court of bankruptcy, some parties claiming to be heirs-at-law

<sup>126</sup> *Freemans Journal*, 8 May. 1875.

<sup>127</sup> *Irish Times*, 28 Mar. 1876.

<sup>128</sup> *The Daily Express*, 3 Jun. 1876.



claimed the farm.<sup>129</sup> The heirs-at-law were Bailey's daughter Catherine (Cluxton) Reimer and her husband Fredrich Reimer who lived in New York at the time. Catherine was claiming as heir-at-law of her deceased father based on the claim the marriage of her parents Bailey Cluxton and Anne Kearney was illegal.<sup>130</sup> Objections to Catherine's claim made by the purchaser T. Quinn a victualler from Dublin. They were overruled and the courts adjourned the final examination until the purchase deed could be executed. The judge warned all parties of perjury and said if it was committed it would be dealt with by a different court. The legality of their marriage hung on the fact that they were married by a 'couple beggar'. A 'couple beggar' was a type of unregistered Church of Ireland minister common in Ireland in the eighteenth and nineteenth centuries. They offered a range of services, including marriage and divorce. Couple beggars were usually ministers of various denominations that had been defrocked and made their living performing church rites for a fee that usually undercut that of a legitimate minister. They were often used by people trying to overcome the difficulties of a mixed marriage like that of a Protestant and Catholic.<sup>131</sup> The minister who performed the ceremony for Bailey Cluxton and Anne Kearney was the Rev. James Maguire. Maguire's predecessor was Rev. Mr. Schultz, a German minister who was a famous couple beggar in his time. It is claimed he ministered to 6,000 marriages between 1806 and 1837.



*Four Courts Dublin c.1880*

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<sup>129</sup> *Leinster Express*, 26 Aug. 1876.

<sup>130</sup> *Ibid.*

<sup>131</sup> Thomas P. Power, *Forcibly Without Her Consent: Abductions in Ireland 1700-1850* (Indiana, 2010), p. 112.

The legal proceedings became very abstruse and pedantic and, in another attempt at falsifying the legality of the marriage, Mr. White, on behalf of Catherine, declared that the marriage certificate stated Bailey and Anne 'was' married, instead of 'were' married by Rev. James Maguire. The legal proceedings resumed in September 1876 and evidence was produced by the widow of Rev. Maguire who attended the hearing.<sup>132</sup> This included documents in the form of letters proving Maguire's ordination by the Bishop of London. The judge refused the motion of the heirs-at-law, and this put an end to that claim.

No mentions of the case arose in the newspapers again until almost six months later when in January 1877 Catherine made one last attempt at holding on to the property.<sup>133</sup> Catherine claimed she had made a trust deed in 1869 of £100 on the property. Mr. Henry the new solicitor of the assignees, said that Catherine had been treated as a spinster throughout proceedings and was now a married woman and therefore had no power to execute such a document. Any further proceedings would have to be from Catherine and her husband Fredrich Reimer as she was now a married woman. The court stated the value of the property was £4000 and there was only a charge of £100 on the lands and other parties that had such claims were willing to accept a simple receipt for payment. The judge ruled that he would allow assignees to take advice from their counsel and hoped they wouldn't fritter away the proceeds of the sale of property in legal fees. This was the last attempt by the Cluxton's at holding on to their property which was eventually sold on 31 January 1877 for £4200 to Thomas Quinn.<sup>134</sup> Quinn donated a portion of the land to the Order of the Host Holy Cross and Passion in October 1878 where the nuns established a convent.<sup>135</sup> This was perhaps a calculated move by Quinn so he would be accepted into the community of Kilcullen after what may have appeared as a land grab to some of the locals. Moreover, there was no doubt the bankruptcy contributed to the untimely deaths of James Cluxton and his sister Kate, which would have sent shock waves through the tight knit community of Kilcullen.

The proceeds of the sale cleared James's debts to Michael Maguire shopkeeper, Kilcullen, Michael Purcell of Kilcullen, shopkeeper, William N Massey of London representing the National Bank, and Patrick Neil, farmer of Kilcullen. The last newspaper mention of the bankruptcy case was in the following June 1877 with an application for a certificate of bankruptcy.<sup>136</sup> The issue of this concluded all litigation and all recorded leases are marked conclusively with Bankrupt Certificate number 8129.

The prolonged litigation lasted almost two years, and, within four months of its conclusion, James was dead at the age of 34. He died at 54 Church Street Dublin on 19 Oct 1877 from inflammation of the lungs, a condition which lasted for twelve

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<sup>132</sup> *Leinster Express*, 2 Sep. 1876.

<sup>133</sup> *Freemans Journal*, 10 Jan. 1877.

<sup>134</sup> RD, 1877 book 14 record 210.

<sup>135</sup> <https://historicgraves.com/new-abbey/kd-nwab-049/grave>

<sup>136</sup> *Freemans Journal*, 22 Jun. 1877.

days, as stated on his death certificate.<sup>137</sup> He was discovered by Eliza Conlon who also shared the same address. His address at 54 Church Street suggests he moved from Kilcullen to Dublin to be close to all the litigation involved. The legal hub of Dublin city is all within walking distance of Church Street, a five-minute stroll from the Four Courts and The Kings Inns which holds the Registry of Deeds. Number 54 Church Street was recorded in 1862 in Thom's Almanac as tenements. Only twelve doors away from where James lived, house number 66 and 67 Church Street collapsed killing 7 people in 1913.<sup>138</sup> The living conditions in tenements in Dublin at the time were horrendous. Dublin was trapped in a plume of sulfuric acid from the burning of bituminous coal. Old Georgian buildings neglected since their former glory days were weakened by acid rain turning them into death traps. The smog-filled air and damp living conditions from badly decayed buildings caused respiratory illnesses which led many inner-city residents to early graves. One can only imagine the loneliness and desolation felt by James living in a tenement in Dublin, a man who had spent his life on the land breathing the fresh county air.

James was brought from the smog-filled streets of Dublin to rest with his forefathers in the serenity of Pollardstown cemetery in his native Co. Kildare. If the bankruptcy case was not dramatic enough, certainly James's funeral was, and the *Irish Times* felt it was newsworthy.<sup>139</sup> Perhaps the 'gossip' the reporter from the ultra-unionist *Irish Times* heard was about the Cluxton's conversion to Catholicism, the Justice Rent case, and Bailey's conviction. The report was a cheap and insensitive attack on a grieving family. The transcript of the article is as follows:

"Some six or seven-and-twenty years ago the quiet little graveyard at Pollardstown, in the county of Kildare, was one fine Sunday afternoon the scene of a not very creditable display of a compound made up of grief and intoxication. The occasion was the burial of a man named Bailie Cluxton. None of the family has since been interred beneath the Gothic ruins that even in their decay still adorn the peaceful cemetery just named, but a few days ago the remains of Bailie's son were brought to this unpretending home of the dead. All trace of the exact whereabouts of the ashes of the before mentioned Bailie would appear to have vanished, for when the cortège arrived with the son there were various opinions expressed as to the precise portion of the ground where it would be likely his dust would mingle with that of his ancestors. A grave that had been prepared was discovered, and when approaching darkness had cast a weird-like appearance over the scene operations were commenced to open another grave. When the burial had been completed those present at it left the spot in the belief that all doubts had been overcome, and that the deceased person had been laid in his proper place. Gossip, however, was not at rest, and since the interment,

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<sup>137</sup> *Freemans Journal*, 20 Oct. 1877, GRO, Ireland Civil Registration Indexes, deaths 1877.

<sup>138</sup> Kevin C. Kearns, *Dublin Tenement life* (Dublin, 1994), p. 34.

<sup>139</sup> *Irish Times*, 5 Nov. 1877.

the remains have been disturbed some three or four times by relatives, and even yet we learn that further disturbance of the corpse is not unlikely. Assuredly there is something horrifying in the fact that a dead person should be thus tossed about, and even allowing for the desire his friends may entertain to have the remains in the same bed of clay as his fathers, still, public decency and a regard for the quiet which is certainly the lot of the deed should suggest a cessation of further disinterment's.”  
*Irish Times Nov 5<sup>th</sup>, 1877.*



The mention of 'gossip' echoes the days when the controversial Cluxtons were on the tip of every tongue from the doors of the Yellow Bog Church to the monster meetings of the O'Connell era. The news article confirms that there was no headstone in Pollardstown cemetery for Bailey Cluxton at the time of James's death even though the headstone inscription states that James erected the stone in memory of his father Bailey. Possibly James requested that a headstone be erected after his death in honour of his father. James's name appears under that of his father, Bailey. Beneath James's name his younger brother Bailey's (John Bailey) name appears, his wife Bridget O'Neill and their son, Charles and grandchild Marcella. Six generations of Cluxtons are buried at Pollardstown.

In the Will of James Cluxton, his widow Dora Manseragh McKeon was the beneficiary. She married John McKeon, a mechanical engineer before the Will

was probated.<sup>140</sup> The fact that Dora remarried within months of James's death, and she was not at his side when he died is indicative that they may have been estranged. Dora's new marital residence was at Seville Place in Dublin. James had effects valued under £450, the remainder of the sale of the land that his forefathers worked for 150 years, thus concluding another sad and tragic chapter in the story of the Cluxton family. James' daughter Maria Emilia was known as Elizabeth and married a civil

<sup>140</sup> NAI, Wills and Administrations book 1878, (accessed on findmypast.ie website Feb 2017).

service clerk Maurice McNally in 1890.<sup>141</sup> They lived in Raheny, Co. Dublin. He was working in the GPO at the time of the 1911 census. They had a son Capt. James Valentine McNally, M.B., R.A.M.C. who was a medic in World War One. James's daughter Lorna married a Civil Engineer, Allan Robert Devereux Capell, son of Robert Devereux Capell and Audrie Clare Lightening, on 2 January 1960.<sup>142</sup> While returning to London on 4 March 1962 she died with her husband, young daughter, and unborn child on Caledonian Airways Flight 153. There were no survivors of the 111 people on Board.<sup>143</sup>



*Memorial to those lost in aBoard G-ARUD, Caledonian Airways Flight 153, Douala, Cameroon.*

#### Summary

Catholic Emancipation in 1829 gave Catholics the right to vote and own land. These rights were initially limited to larger freeholding Catholics but led the way to further political and social reform. The gradual disintegration of the Penal Laws meant Catholics began to hold more positions of influence in Irish society. One of the major effects of the potato famine was the empowerment of the Catholic Church in Ireland. People facing death and destitution found the Catholic Church as their only respite.

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<sup>141</sup> Civil records births marriages and deaths accessed online.

<sup>142</sup> <http://www.thepeerage.com/p28031.htm#i280308>

<sup>143</sup> <http://www.british-caledonian.com/G-ARUD1.html>

It influenced all aspects of Irish life, political and social. While the famine empowered the Church it had the effect of disenfranchising middle-class Protestants. Many emigrated or migrated to Northern Ireland and some integrated into the Catholic community. The Protestant ethos of liberal capitalism democratised society and further weakened Protestant dominance and power. The Cluxton family was not immune to these social changes and a family that once held a position of influence in their locality was now on equal terms socially with their Catholic neighbours. Many members of the Cluxton family emigrated or migrated, but the heirs to the Newtown land integrated into their locality by marrying into Catholic families. The family of Bailey Cluxton's wife, Anne Kearney, was of the new Catholic middle-class. The Kearneys supported Anne and her young family while Bailey was in prison. There were two Kearney families in Kilcullen at the time. John and Edward Carney (Kearney) are mentioned in *Pigot & Co's Provincial Directory of Ireland*, John, as a butcher, and Edward, as a baker on main street Kilcullen. They are listed in Griffiths Valuation as John and Edward Kearney.

By the turn of the century, the Cluxton family had fully integrated into the Catholic community in Kilcullen. The original Cluxton land was gone but the family remained a presence in the Kilcullen area for further generations. The once middle-class Protestant family were now Catholics and they gradually moved away from farming. John Bailey and his large family lived in Calverstown, Kilcullen in the late nineteenth century. He became a relieving officer for the Poor Law Union in Athy, Co. Kildare.<sup>144</sup> The next section tells his story.

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<sup>144</sup>

*Leinster Express*, 11 Dec 1880.

Whitchall,  
12 July 1860.

Sir,

I am directed by  
Secretary Sir George Grey  
to transmit to you the enclosed  
Memorial from Mr. S. H. Walker praying the  
release of Bailey Cluxton, a convict under  
sentence of transportation in the convict Depot, N. B. I.  
and I am to request you to submit  
the same to the consideration of  
His Excellency the Lord Lieutenant  
and acquaint the applicant with  
the result thereof.

I am,  
Sir,  
Your most obedient  
humble Servant,

A. Waddington

Sir S. H. Roddington  
L. C. B.

Letter from Home Office of Sir George Grey commuting Bailey Cluxton's sentence.

15/7/51  
Naas Gaol  
14<sup>th</sup> July 1851

Sir

Since writing to you, acknowledging the receipt of the discharge for Bailey Cluxton - I beg to acquaint you that <sup>he</sup> died about 2 hours after the receipt of your communication - His wife was with him at his death -

I am Sir  
Respectfully your Obedient  
Servant  
Wm Clarke  
Governor

The Under Secretary  
do do do  
Dublin Castle

Letter from Naas Gaol to Dublin Castle informing them of Bailey Cluxton's death.



**2. JOHN BAILEY CLUXTON, RELIEVING  
OFFICER FOR THE ATHY POOR LAW UNION**



*Picture courtesy of Tom Heron*

John Bailey Cluxton was born in 1847 as the second non-inheriting son of a Protestant farmer, Bailey Cluxton and a Catholic Anne Kearney. He was christened John and like his father was known to all as Bailey Cluxton. John Bailey was baptized in the Yellow Bog Church of Ireland outside Kilcullen. Although he was baptized into the Protestant faith like his siblings he was raised as a Catholic. His early years were turbulent ones as his father faced bankruptcy and struggled to hold on to the farm in Newtown, Kilcullen. He was two years old when his father was convicted of the manslaughter of John Jones at the Naas Assizes. His father's death from pneumonia in Naas Gaol in 1851 left Bailey Cluxton and his siblings in the care of their mother and her family, the Kearney's or Karney's. Anne Kearney's father John was a baker and publican on main street Kilcullen. It is most likely that the Kearney's and Cluxtons were friends or business acquaintances. The Kearneys seem to have originated in the Broadleas area near Ballymore Eustace Co. Kildare and held leases on properties on main street Kilcullen in the mid-nineteenth century.

After his father's death, the family farm and properties in Kilcullen were managed by Bailey's mother Anne Cluxton Kearney. By the time Bailey's elder brother James took over the farm, it was heavily encumbered with debt. James was declared bankrupt in 1876 and the farm was sold in January 1877. The year 1877 was one of tragedy and loss for the Cluxton family. The early part of the year brought some joy with the birth of Bailey's second son James that March. At his baptism, Bailey's brother James and his wife Dora stood for the child. However, during that year James was living in Dublin where he died of pneumonia in October, and it appears he was estranged from his wife Dora. He left behind one daughter baptized Maria Emilia known as Elizabeth. Also, in October 1877, Bailey lost his sister Kate who had emigrated to Manhattan and married a German named William Fredrich Reimer. Kate died ten days after giving birth to her first child also named William Fredrich Reimer. This must have been a devastating blow to Bailey and his mother Anne. Bailey had one other older sister named Elizabeth who married Joseph Woods. Records show they had four children. There was no fear of the Cluxton name disappearing, Bailey Cluxton and his wife Bridget Neill, like all good Catholics at the time had a large family. They had thirteen children.

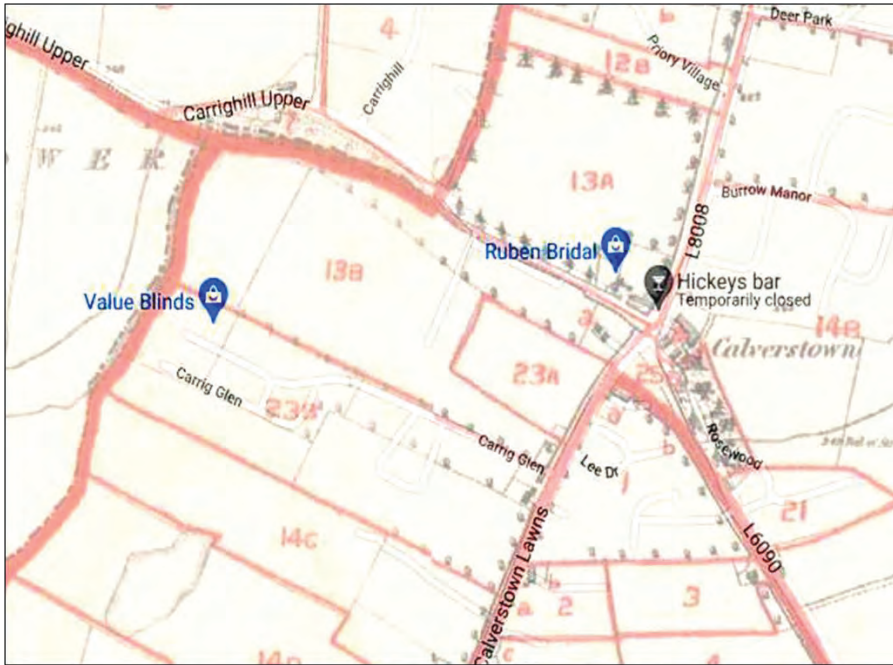
Bailey followed in the footsteps of his father and worked as a farmer. Primarily, he considered himself a farmer as that was the occupation listed on his children's birth and marriage certs and not his occupation as a relieving officer. He rented land outside Kilcullen in Calverstown in the Barony of Narragh and Rheban. Looking at Griffiths Valuation and other historical records, there were Kearney's living in Calverstown, which may explain why he settled there. Bailey's mother Anne bought the lease on the property in Calverstown and lived with him and his wife Bridget until she died in 1888 aged seventy-nine.<sup>145</sup> In Griffiths Valuation the land was leased by Daniel Horan in 1851 from the Burrows estate. Land records show Bailey's mother Anne took over the lease of the lands in 1874 from Widow Horan, paying £13-15s per annum in rent. In the original lease, Anne had "Customs of Fairs."<sup>146</sup> This tells us

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<sup>145</sup> Civil records, Irishgenealogy.ie

<sup>146</sup> Info obtained in Land registry offices in Irish Life mall, Abbey St Dublin.

that a market was held there which cost £3 per annum. It was struck off the lease in 1879 due to the abolition of Fairs. At that stage, the lease was in Bailey's name. On the valuation map areas 23a and 23b both add up to 15 acres 3 Perches and 33 roods. This is the precise amount of land that Bailey Cluxton purchased from the land commission in 1909. His house was in Area 23a, and his daughter Mary Anne Cluxton Melia lived there until she died in 1959.



- Area 23a and 23b was Bailey Cluxton's land, Carrig Glen estate today.

In 1874 when Anne purchased the lease from Borrowes, Bailey married Bridget Neill, the daughter of Pat Neill and Marcella Loughran in Kilcullen Catholic church on 24th June 1874. This tells us that the lease was Bailey's inheritance. Even though he was the non-inheriting son, his life, as challenging as it was, proved to be more fruitful than his siblings. He married late for a man of that time; he was in his late twenties. The Neill's were a long-established farming family in the Kilcullen area and the Loughran family was long-established near Dunlavin Co. Wicklow. It is not known what level of education Bailey had but it can be assumed it was not beyond the national school level. Despite the basic education, it is evident from his correspondence with the Guardians of the Athy Poor Law Union he was articulate and intelligent. His handwriting still exists as he was the registrar of births, deaths, and marriages in the Fontstown district. He had a clear and legible script which may explain why he was successful in his application for public service in 1879.

From anecdotal evidence, it is known he was six feet tall and had a long red beard.<sup>147</sup> A tall man for his time, he would have had an imposing figure. What one can tell from the proceedings of the meetings at the Athy Poor Law Union is that he was not in any way aggressive. He accepted his mistakes with humility, but he did not suffer fools. His quick wit and dry humour frequently brought amusement to those present and made interesting content for the local newspapers. He struggled financially throughout his life and was threatened with eviction on several occasions in the early 1900's. He fought for years to get fair remuneration from the local authorities for the work he did for them. His great grandson, Leo Cluxton recalls going for a meal in Fallon's Restaurant of Kilcullen with his aunt Julia O'Connor nee Cluxton back in the 1990s. An old ledger book was opened in the window on display. On the page was an outstanding account for Bailey Cluxton for the purchase of lime. He used a lot of it in his work to disinfect houses that had fever cases and for burying dead animals. Julia was quick to change the page so that no one could see that her grandfather Bailey owed money to no one. It is hard to comprehend how he managed to keep up with all the tasks he had. Therefore, one can assume he was a man of tremendous energy and drive. What drive he had was to keep what he had but not at the expense of others. He never missed an opportunity to make a little money if the circumstances allowed. From his actions, it is evident he was socially conscious, being both fair and just in his dealings.

He had an interest in horses and was a steward at the Calverstown races on New Year's Day 1886.<sup>148</sup> He was also involved in horse breeding. In 1887 the powerful draft horse, The Black Diamond owned by Thomas Broughall of Kill, was to be let to mares at £1 and 2s-6d to groom at Cluxtons in Calverstown<sup>149</sup> During the 1880s there were advertisements in the local newspapers for "Cluxtons at Calverstown" as the venue for local farmers to bring their mares. He also liked to have a drink but as far as the records tell, it never interfered with his work. He had close friends in his locality, one of which was a man named John Bermingham who was one of his sureties for the Union and a drinking partner. He had an interest in local politics where he attended weekly meetings of the National League at Narraghmore throughout the 1890s.<sup>150</sup> <sup>151</sup> He supported Parnell after the Parnell split. His name was among the names of supporters of the National League party printed in *The Nationalist and Leinster Times* after a party meeting during a bitter local election in 1892.<sup>152</sup> They were mocked and dubbed as "Factionists." There were bitter divisions between nationalists during the 1890s and it was not until 1900 that the wounds of the Parnell split were healed.<sup>153</sup> He donated 2s-6d to the local church in Narraghmore in July 1900.<sup>154</sup> This was printed in the *Freemans Journal*; therefore, his contribution

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<sup>147</sup> Interview with Veronica Cluxton Corley April 2021.

<sup>148</sup> *Leinster Leader*, 26 Dec 1885.

<sup>149</sup> *Leinster Leader*, 7 May 1887.

<sup>150</sup> *Irish Daily Independent*, 3 March 1893.

<sup>151</sup> *Leinster Leader*, 10 Nov 1894.

<sup>152</sup> *Leinster Times*, 6 Feb 1892.

<sup>153</sup> Alvin Jackson, *Ireland*, p. 142.

<sup>154</sup> *Freemans Journal*, 28 Sept 1900.

suggests it was a statement. Perhaps it was a peace settlement with the Church and anti-Parnellites when the two opposing Nationalist parties put their grievances behind them when they consolidated in 1900. From his work with the Athy Poor Law, he was deeply involved in the politics and social issues of the day, and whatever political feelings he had, they were never expressed at meetings of the Union. However, he often expressed his feelings on matters of social injustice.



*Bailey Cluxton's wife Bridget Neill, daughter of Patrick Neill and Marcella Loughran.*

He was almost thirty when his first child, also named John Bailey, was born. Three years later in 1879, he had three young children therefore the farm alone was not enough to sustain his young growing family. An opportunity arose in November 1879 when an advert appeared in the *Leinster Express* for a relieving officer, sub-sanitary officer, and common lodging inspection officer for the Athy Poor Law Union.<sup>155</sup> This role was to cover the areas of Ballyshannon, Burtown, Fontstown, Kilrush, Narraghmore, exclusive of Moone and including Skerries for sub-sanitary purposes. Handwritten applications with two references were to be sent to the Athy workhouse. At the meeting of the Athy Poor Law Union on February 4<sup>th</sup>, 1880, it was announced that Bailey Cluxton was to be appointed relieving officer for the Fontstown district. The Athy Guardians met weekly at the courthouse in the town. It would have taken Bailey just over an hour to get to Athy on horseback from Calverstown.

Before there was a social welfare system poverty was dealt with through the Poor Law Unions established in 1838. The area covered by each union was usually the large town and the area surrounding it within a ten-mile radius.<sup>156</sup> The Athy Union had a population of 27,961 in 1881, 38 electoral divisions, and a poor law valuation of £111,025 with the Board of Guardians meeting on Tuesdays.<sup>157</sup> The Unions were funded by ratepayers whose land was valued at four pounds and over. They were supervised by a Board of Guardians, many of whom were locally prominent individuals such as large landowners. There were two forms of relief, indoor which was the workhouse, and outdoor which was any relief dispensed outside the walls of a workhouse. Outdoor poor relief rose in the 1850s and '60s and the crisis years of

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<sup>155</sup> *Leinster Express*, 8 November 1879.

<sup>156</sup> Byrne. p.242.

<sup>157</sup> Kildare county Directory.

1879-81 are the years that outdoor relief exceeds indoor relief for the first time<sup>158</sup> The cost of relief also included the salaries of those employed to administer it.<sup>159</sup> The salary for Bailey Cluxton's position was advertised as £16 per annum with £4 given for the sub-sanitary duties and £2 for the inspection officer. He remained on this salary for seventeen years and fought hard to get fair remuneration.

Relieving officers were appointed by the Board of Guardians, subject to the approval of the central authorities. The basic requirements for the role of relieving officer were to be over the age of twenty-one, able to read, write, and keep accounts, not be engaged in retail trade, and be financially stable.<sup>160</sup> Bailey was thirty-three when he commenced his employment at the Athy Poor Law Union. Relieving officers were responsible for large sums of money which meant they were prominent members of their local communities.<sup>161</sup> As there were large sums of money involved, he was bound to have two sureties who were his bonds if money was ever misappropriated. They were James Byrne, of Kilcullen, and John Bermingham, of Oldtown. The officers always carried money; dispensing relief where necessary, so keeping records was an important part of the job. Managing money and expenses was also one that could be difficult considering how tight the purse strings were kept at the Union. Most disputes and discussions at the Union meetings concerned the financial aspects of dispensing relief. At a meeting in 1884, one of the Guardians, Mr. Redmond, was signing cheques, one of which was for Cluxton. He asked Cluxton how much was in hand and Cluxton said he had £13, a considerable sum at the time. His weekly expenditure was £4 or £5 so Redmond refused to sign the cheque. Other officers were also refused while others were successful depending on how much money they had in hand relative to their weekly expenditure.<sup>162</sup> Managing the finances was a juggling act and occasionally, Bailey Cluxton dropped the ball. However, he always managed to stay within the boundaries of what was acceptable to the Guardians.

What must have been one of the most deflating and demoralizing aspects of the job was reading the weekly papers and being discussed in the roughest terms. Discussions about Cluxton's performance and salary were often printed in the minutes of the local newspapers. For a casual observer, the operation of the Unions looked transparent. However, a scathing report of the Poor Law Medical system in Ireland by the British Medical Journal published in 1904 highlighted the cronyism and corruption in the system of how the Guardians were elected. The Poor Law Guardians and Local Government officials were often judges and large landowners who were afforded some discretion while the lower-paid servants and clerks had their performance and finances published in the local papers. Local newspapers are a valuable source of the proceedings of the poor law unions. This study was compiled out of printed minutes of the Athy Poor Law Union which appeared in the local newspapers such as *The*

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<sup>158</sup> Virginia Crossman, *Poverty and Poor law, 1850-1914* (Liverpool, 2013), p.49.

<sup>159</sup> *ibid*

<sup>160</sup> Crossman, p.66.

<sup>161</sup> Crossman, p.70.

<sup>162</sup> *Leinster Leader*, 18 Oct 1884.

*Leinster Leader, Nationalist and Kildare Observer, Leinster Times, and Leinster Express.*

The minutes of the meetings were printed and laid bare for public scrutiny. Any remark could be misconstrued and used to make sensationalist reading. A headline appeared in the minutes of the Athy Poor Law Union in Oct 1886, titled, "Only A joke". Cluxton was called before the Board and asked were his sureties dead? Cluxton confirmed they were still alive. He was then told that he "stated in hospital last week that both were dead." Cluxton replied it was only a joke and his sureties were James Byrne, of Kilcullen, and John Bermingham, of Oldtown.<sup>163</sup> A relieving officer was a mediator between the poorest in society and the feeding hand of the Poor Law Guardians. The Guardians scrutinized the finances and operations of the officers often with a sense of mistrust. On the other hand, the public could be resentful and willing to report the officers to the Board if they had any grievance with them. As a result, officers were at risk of assault and criminal damage. One night in November 1884 Cluxton was attacked by two men and seriously beaten with sticks. He was unable to identify them.<sup>164</sup> An assault happened again on 17<sup>th</sup> August 1897 when Bailey and his wife Bridget were attacked by Michael Costello with no fixed address.<sup>165</sup> On 2nd July 1906, someone tried to burn Cluxton's home. It was reported that six windows were broken of which five were destroyed and the hind wheel and the brake of a bicycle were damaged<sup>166</sup>. He was able to put in a bill into the Union that August for malicious injury claims and constabulary reports for £7-10s.<sup>167</sup> These are the reported cases, but it can be assumed he was regularly abused and threatened.

Relieving officers were required to attend the meetings of the Guardians and keep diaries and records of their duties and payments made. They had to deal with applications for relief and had to investigate each case and report it back to the Guardians. Applications were made in writing to the Boards of Guardians<sup>168</sup> The officers were instructed to exercise humanity, judgment, impartiality, and vigilant attention in their work and to make sure that the people who needed relief got it and not people who were taking advantage of the system.<sup>169</sup> Once again, the internal politics of the Unions were laid bare in the printed minutes. For example, the clerk of the Athy Union reported in May 1883 that Cluxton had neglected to "write up" his diary. The Clerk said the other officers wrote up their diaries, but Cluxton said he always left it until the end. The chairman politely informed Cluxton that he should strive to be first so as not to inconvenience the clerk. Relieving officer Cluxton was called in and said in the future he would be more careful.<sup>170</sup> The Clerk embarrassed

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<sup>163</sup> *Kildare Observer*, 23 Oct 1886.

<sup>164</sup> *Leinster Leader*, 22 Nov 1884

<sup>165</sup> IRE Petty sessions

<sup>166</sup> *Leinster Express*, 28 July 1906.

<sup>167</sup> *Leinster Leader*, 11 August 1906.

<sup>168</sup> Crossman, p.87.

<sup>169</sup> Crossman, p. 67.

<sup>170</sup> *Leinster Leader*, 26 May 1883.

that he threw Cluxton under the bus defended himself by saying that Dr. McCabe would hold him responsible if the diaries were not written up.

The Athy Poor Law Union was in a state of disarray when Cluxton was hired and the clerk who hired him, Matthew McGrath, was under investigation for fraud and had a warrant out for his arrest.<sup>171</sup> There were allegations of forged cheques and misappropriation of money. The father of McGrath appealed to the Board of Guardians to withdraw the prosecution and confirmed he would pay all expenses.<sup>172</sup> After the matter was investigated the Board concluded that McGrath acted out of simplicity rather than dishonesty. It was decided to drop the charges against McGrath as it would put extras cost on the Union. McGrath's father had to provide two sureties so that he would pay the money misappropriated by his son. Mr. McGrath owed £53-15s-6d in total from forged cheques and other misappropriations.

McGrath's neglect and incompetence cost Cluxton money and time. A letter was received from Mr. Lord, returning Mr. Cluxton's bond as it was in an improper form.<sup>173</sup> All officials had to enter a bond and provide two financial sureties, this was to be done in the presence of an attorney. Due to McGrath's neglect, this was not done in Cluxton's case.<sup>174</sup> Cluxton incurred expenses of £1-1s to get his "bail bond" witnessed. It was agreed to put the matter before the local government Board to have Cluxton reimbursed. On Feb 12<sup>th</sup>, 1881, at a Union meeting Cluxton put in a request to be refunded £1-1s for expenses incurred for getting his bond re-signed, this was the cost of hiring a car and providing a meal for his two sureties. The request was rejected.<sup>175</sup> The following week at the meeting the issue was brought up again and Mr. Lefroy stated that the Board should pay the expenses as it was the late Clerk Mr. McGrath's fault that Cluxton had to pay this expense.<sup>176</sup> It was decided that the expense should be put on Mr. McGrath's father. For Cluxton, he saw how tight the purse strings were kept at the Union and it was the beginning of a career-long struggle between him and the Guardians to receive fair remuneration.



*An early photo of John Bailey Cluxton  
courtesy of Veronica Cluxton Corley*

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<sup>171</sup> *Leinster Express*, 11 December 1880.

<sup>172</sup> *Leinster Express*, 05 February 1881.

<sup>173</sup> *Leinster Leader*, 22 Jan 1881.

<sup>174</sup> *Kildare Observer*, 29 Jan 1881.

<sup>175</sup> *Kildare Observer*, 12 Feb 1881.

<sup>176</sup> *Kildare Observer*, 19 Feb 1881.



The Poor Law unions were much associated with the workhouses and many records still exist of people entering and leaving. Outdoor relief has not been discussed as much as there were fewer written records kept about it. Poor Law authorities associated outdoor relief with expense, welfare dependency, and lax administration.<sup>177</sup> Under the Poor Law Act of 1838, outdoor relief did not exist, and it was not until post 1847 that it was introduced.<sup>178</sup> The workhouses were viewed as the result of the failure of the British administration. Reform was called for by the Catholic Church which felt that as most recipients of relief were Catholic, the church should be the ones to administer it.<sup>179</sup> At the time of the Great Famine, Poor Law Unions were mostly run by Protestants but post-famine the Catholic Bourgeoisie emerged, and the Poor Law Union Boards became dominated by Catholics. The Boards that had more Catholics were more in favour of outdoor relief as the church was in favour of keeping the respectable poor out of the workhouses.<sup>180</sup> Indoor relief was there for most people that needed it. However, outdoor relief was provided on a local level to people who met the criteria of old age and ill health.<sup>181</sup> The publication of names of those who sought relief was a deterrent for many as it was the law to post relief lists.<sup>182</sup> There was no discretion when it came to publishing the minutes of the meetings where recipients of relief could be mocked and ridiculed. The newspapers even participated. In the minutes of the Athy Poor Law Union on July 22<sup>nd</sup>, 1899, a headline appeared “Margy Byrne’s expansion”.<sup>183</sup> The sixty-nine-year-old woman applied for an increase from the 2s a week she had received the previous seven years. Cluxton said she had gotten “as big as a barrel” in the previous two weeks and the crass reply from one of the Guardians was, “the relief ought to be increased in proportion.” They granted her an increase of 6d. Outdoor relief could be granted such as food, medicine, or lodgings but ordinary relief was given out in cash or kind.<sup>184</sup> Cluxton provided relief to a man named English in the form of bread, milk, and meal. The type of meal came into question. Cluxton replied it was oatmeal and not Indian corn meal that cost 2s a stone which was questioned by the Guardians. The clerk replied that was “the cost of buying it in small quantities”.<sup>185</sup> The paternalism coupled with the penny-pinching was not unlike the laissez-faire attitude of the Liberals during the famine of 1847.

Under a revision of the regulations in 1882 relieving officers had to carry out more duties and responsibilities. All persons that received outdoor relief or were sick were visited weekly by the relieving officer and all others once a month. The officers were to dispense the relief at the person's home and in no circumstances at a public

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<sup>177</sup> Crossman, p.63.

<sup>178</sup> Crossman, p.64.

<sup>179</sup> Crossman, p.64.

<sup>180</sup> Crossman, p.59.

<sup>181</sup> Crossman, p.61.

<sup>182</sup> Crossman, p.65.

<sup>183</sup> *Leinster Times*, 22 July 1899.

<sup>184</sup> Crossman, p.91.

<sup>185</sup> *Leinster Leader*, 10 Oct 1891.

house.<sup>186</sup> There is little evidence of the amounts that were given out but for an individual, they were mostly between one and two shillings a week. In most circumstances, this was not enough so the individual had to find other ways of getting aid through charity or otherwise.<sup>187</sup> The powers of the relieving officer were limited as all cases were scrutinized by the Guardians. Any relief not sanctioned by the Board of Guardians could be surcharged to the officer. For instance, Cluxton was surcharged for £1-1s-8d given as outdoor relief on account of it not having been initialised by the chairman.<sup>188</sup> In this case, the money was given back to Cluxton after an audit.<sup>189</sup> During the crisis years of the early 1880s, there was a huge increase in outdoor relief. There was a lack of direction from the Local Government Board which meant the Guardians were uncertain about what powers the relieving officer had to give outdoor relief without authority.

At a meeting in 1881, Cluxton stated that he had in some instances relieved able bodied persons who were in great distress though not sick. The doctor for the Union, Dr. O'Neill, said as far as that was concerned, he had practical experience of how hunger could bring on fever and cause hospital admission. Cluxton added that these people were unable to find work. Another Guardian, Mr. O'Beirne, added that if relieving officers were to indiscriminately administer relief, they would swamp the funds of the Union. It was stated that relieving officers should not give outdoor relief on their own authority and in the future, the Guardian of the division should make the order. Cluxton then said he only gave out small sums to a person like 1s and 6d and in some cases people had pigs, but they were in great want. Another guardian, Mr. Cooper stated "that relieving officers had no power to give relief to able-bodied people unless they were sick or by the special sanction of the Local Government Board". It was said that it was possible under the Relief of Distress Act to give relief by way of work when practicable; therefore relief could be given without making the person work for it. It was concluded that able-bodied people should be given some sort of labour even if it meant employing them to 'throw snow out of the ditches and throw it back in again.'<sup>190</sup> The Guardians learned nothing from the failure of the famine roads that were built in the West as the liberal government did not want people to become welfare dependent.

## THE OLD THE INFIRM AND THE DYING

When the old age pension was introduced in 1908 the number of people seeking outdoor relief dropped.<sup>191</sup> For many old people, the only way they could survive was by the outdoor relief system. The notion of deserving and undeserving poor was part of the Irish psyche.<sup>192</sup> Those who had fallen into hardship, such as the elderly and

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<sup>186</sup> Crossman, p.93.

<sup>187</sup> Crossman, p.95.

<sup>188</sup> *Leinster Leader*, 29 Jan 1899.

<sup>189</sup> *Leinster Times*, 18 Feb 1899.

<sup>190</sup> *Kildare Observer*, 29 Jan 1881.

<sup>191</sup> Crossman, p.85.

<sup>192</sup> Crossman, p.3.

disabled, deserved relief while those, who had been unwanted by society such as vagrants and prostitutes were classed as undeserving. The latter were sent to the workhouses while the former were afforded outdoor relief. Such a case of the deserving poor was an old woman named Mary Kelly who applied for outdoor relief. Her application was supported by Mr. Carroll of Moone and several ratepayers, who represented her to be a most industrious and deserving old woman. Mrs. Kelly was called before the Board and stated she was 71 years of age and unable to work. She was entered as 51 years of age by Cluxton who had her in his books. It was not known if she was telling the truth or Cluxton had made a mistake.<sup>193</sup>

Bailey Cluxton also had a case of what he and the Guardians considered the undeserving poor. Being old did not guarantee eligibility for outdoor relief. If the person had any family, it was deemed their responsibility to take care of their elders. If they were unwilling it meant the individual was sent to the workhouse. An 84-year-old man named John Neill applied for relief but was refused. Cluxton said he was well able to work and had three sons to support him, but it was decided to admit him to the poor house.<sup>194</sup> Father Ramsbottom, CC of Suncroft Curragh Camp, brought a case regarding two old women living in Newtown, Eagle Hill who he claimed were "most helpless and superannuated with no friend to look after them." On this occasion, the older woman was found lying outside in the field after being there all night. The priest asked if Cluxton could have them removed to the hospital. He warned they would have to be compelled to go as they were most obstinate and wanted to remain in their cabin. The priest relieved himself of any further duty "I will not hold myself responsible further." Mr. Doyle, Chairman and one of the Guardians felt it was a serious matter if anything happened to the women that a certain amount of responsibility would be attached to them. It was discussed as to how they would get them to the workhouse and Cluxton stated that one of the two sisters was "stone blind." The Chairman said he was sure the police would give Cluxton some assistance. Cluxton said "It would take more than a policeman to frighten the same "auld hayro" and "the one that's blind is the devil entirely" (laughter). He added that they knew all about law and order and what went on at the Union. It was asked why they had not come to the union. Cluxton said it was from "nationality or pride" and "they'd die with hunger before they'd come in." Cluxton was directed to have the women brought into the house if possible.<sup>195</sup> These women may have worked as "Wrens," prostitutes that were used by the British Army stationed on the Curragh. The blindness and madness suggest they may have had syphilis and the lack of sympathy from the Priest and the authorities suggest they were unwanted.

Despite what people thought whether people were deserving or not was inconsequential as it was the Guardians who decided who should get relief or not. That did not stop members of the public from writing to the Union to petition cases they were aware of or report the relieving officers if they felt they were not doing their job. A charge was brought against Cluxton by M. Kelly Inchaquire who accused

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<sup>193</sup> *Kildare Observer*, 8 Sept 1888.

<sup>194</sup> *Kildare Observer*, 30 June 1883.

<sup>195</sup> *Leinster Leader*, 23 December 1905.

him of not giving relief to Bridget Owens, an old lady of eighty-four. Kelly claimed he lent her 2s so she would not starve. Cluxton said he paid her on the 17th of February. Kelly said he saw in the local papers the answer to his charge against Cluxton was false. He claimed to have her card and no payment was made between 3rd Feb and 3rd March when Cluxton paid her 8s. If he paid her on 17 Feb as he claimed, Kelly asked why he gave her 8s on March 3rd. Kelly claimed he just wanted Cluxton to do the job he was being paid to do. Cluxton responded saying she was paid all she was entitled to and that it was “just spite.”<sup>196</sup>

The duty often fell on the relieving officer to arrange to bury people that they were giving relief to. In February 1883, Cluxton presented a bill for 24s. the cost of the interment of an old woman named Catherine Shiel, at Ballyshannon. She had died on a Friday and was not found until Sunday. As usual, the Guardians questioned the cost of everything and complained about it. They mentioned the barbarity of people in Ballyshannon, that there was no one to bury her. Making light of the situation one Guardian added “the next funeral I would advise the relieving officer to have pipes and tobacco.”<sup>197</sup>

As well as burying paupers it was the duty of the sanitary sub-officer to make sure dead animals were disposed of if they had no owner. Reimbursing Cluxton for his expenses in these cases was always met with disapproval but was a source of great amusement for those present. In one such case, Cluxton placed a bill before the Guardians for 5s for hiring a man to bury a sheep that was laying outside Lee’s public house. Explaining the matter, he said the police constable had told him if it wasn’t buried, he would take proceedings against him. One guardian crassly asked Cluxton if he could not find the owner or “could it be eaten,” Cluxton added to the amusement when he replied, “it died of maggots.” The chairman said he would leave the matter between the police and Cluxton. Cluxton replied that he had paid 5s to have it buried. Hickey, one of the Guardians said the sheep itself would not cost that much. Cluxton said that it cost a half-sovereign to bury it and even if it cost £1 the policeman said it should be done. It was referred to the Guardian of the district.<sup>198</sup> In 1898 he put in a bill for burying an ass that was found dead on the roadside at Oldgrange.<sup>199</sup> The proceedings provided much humour when Mr. Brennan said, “I believe you gather up all these dead asses and mules that way you can bury them, you charge 7s-6d, what is it worth alive?”<sup>200</sup> Cluxton said it took two men and one would not go near it. He was asked why, and he replied, “I don’t know.” The bill was refused. The chairman said, “2s.-6d. is enough, it was a tinker’s ass”.

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<sup>196</sup> *Leinster Leader*, 10 March 1894.

<sup>197</sup> *Leinster Leader*, 24 Feb 1883.

<sup>198</sup> *Leinster Leader*, 16 Sept 1893.

<sup>199</sup> *Leinster Times*, 19 Feb 1898.

<sup>200</sup> *Leinster Times*, 5 Feb 1898.

## EVICTION WITHOUT NOTICE

Cluxton dealt with evictions regularly. His years as a relieving officer were at the height of the land war. Evictions were widespread in the late 1880s during the Plan of Campaign. Due to a drop in livestock and crop prices in 1886 many tenants could not pay rent.<sup>201</sup> Initiated by John Dillon and William O'Brien, landlords were petitioned to reduce rents. Those who were unwilling were boycotted and any rent due to them was paid into a fund to support evicted tenants. Anyone who took over the tenancy of an evicted tenant was deemed a land grabber. Landgrabbers were socially isolated or boycotted in their communities. The term "Boycott" came into the vernacular through the actions of Captain Boycott an agent to the Earl of Erne who was socially isolated by his tenants during the land war in 1873.<sup>202</sup> Cluxton dealt with the case of Shirley the Landgrabber of Ballynagassaun farm.<sup>203</sup> Cluxton was asked about the eviction at a meeting. He made inquiries and Shirley gave up peaceful possession. At the height of the land war, the provision of outdoor relief became political. Giving generous relief to evicted tenants was used to support tenant activists while at the same time sending a message to the Landlord class that their influence in rural authority was waning. This was evident in the Luggacurren evictions which was one of the most well-known mass eviction cases in Kildare during the Plan of Campaign.

Luggacurren is 10 miles south of Athy and was part of the Union. A dispute arose between the landlord Lord Lansdowne and the main tenant of his estate Denis Kilbride who was a Poor Law guardian in the Athy Union. As a result, Kilbride and 45 tenants were evicted. In support of the tenants, Daniel Whelan vice-chairman of the Athy Board of Guardians gave out relief way above the normal rate to the evicted tenants.<sup>204</sup> The Guardians could be generous when they felt evictions were cruel and unjustified. In May 1887 Cluxton applied for relief for two families that had been evicted by Christopher and John Deegan.<sup>205</sup> Both men acted as bailiffs themselves and threw the families out with all their belongings. One family had seven children who had to be divided up among the neighbours. The Board declared that cases like this should be given careful attention. They said they would follow the example shown in the Luggacurren case by giving £1 relief per week for a month.

The Board of Guardians felt justified in giving this relief and even felt that ratepayers approved.<sup>206</sup> However, the Local Government Board felt differently and did not approve of such large sums being given as outdoor relief in these cases. As a result, they seized the personal belongings of Daniel Whelan who had sanctioned the relief in the Luggacurren case. Cluxton was present at a large meeting held after Whelan has his personal effects seized by the Local Government Board to be auctioned to pay

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<sup>201</sup> Byrne, *Dictionary of Irish Local History*, p.236.

<sup>202</sup> Byrne, *Dictionary of Irish Local History*, p.40.

<sup>203</sup> *Leinster Times*, 7 July 1894.

<sup>204</sup> Crossman, *building the nation*, p.198.

<sup>205</sup> *Leinster Times*, 14 May 1887.

<sup>206</sup> *Leinster Times*, 14 May 1887.

back the excess.<sup>207</sup> A war of words resulted within the union about support for Whelan. It was declared that they collectively sanctioned the relief, but Whelan was paying the price for a decision made at the Guardians meeting. On the day of the auction, the local clergy were in support of the Athy Guardians and Whelan was regarded as a local hero. The Guardians were going to use the money from the Union to buy all of Whelan's effects back. This resulted in the Athy Union being later declared illegal and as a result, the Local Government Board took over direct administration of the Union.<sup>208</sup>

The Local Government Board did not waste any time before auditing the Athy ledgers going back as far as 1879 and declaring that many cases of outdoor relief were in excess. The Local Government Board auditor debited sums to various relieving officers of the district including Bailey Cluxton of £5-8s. for "illegally" giving relief to George Hendy.<sup>209</sup> The auditors also called into question why Cluxton continued to give relief to a woman named Mary Conlan without a doctor's note. They said his action was 'not in accordance with the spirit and intention of Irish Poor Relief Acts' and 'distorting the law'.<sup>210</sup> Other payments on the Luggacurren estate with Daniel Whelan's initials were to be debited to him. It was clear the Local Government Board were going to punish everyone that worked for the Athy Union and scrutinise all their actions.

### **ON THE LOOK OUT FOR "NANNY"**

A case of eviction in Calverstown came before the Guardians in May 1886. Tom Nolan was renting from Mr. Jackson, a middleman on Borrowes estate. Nolan was earning 15s a week as a labourer on the railway. Cluxton had the case in his books. In this case, no written notice of eviction was given by the Landlord to the relieving officer as was required by law. Cluxton got six days of verbal notice before the eviction but got no written notice. The Police took Nolan out. Jackson had support from the Guardians, one of which was Mr. Doyle who said that Jackson was not a bad man and that the tenant owed him rent. As Calverstown was not a market town the magistrates had no power to give an order for possession. The Guardians were divided but they had to follow the rule of law in the case to ascertain if the notice Jackson gave was legal. The clerk was directed to instruct Mr. Kilbride, solicitor, to take proceedings in the County Court against Mr. Jackson<sup>211</sup>

The following week the clerk read a letter from Mr. Valentine Kilbride, solicitor, about the case of the eviction by Mr. Jackson. Mr. Kilbride believed that under strict law the Guardians were entitled to recover the penalty of £20, as verbal notice was not sufficient. The Guardians debated over the legality of the conviction and the proper course of action to take. They were caught in a moral and legal dilemma. They sympathized with both parties, but it was necessary for them as Guardians to follow

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<sup>207</sup> *Kildare Observer*, 26 May 1888.

<sup>208</sup> *Kildare Observer*, 30 June 1888.

<sup>209</sup> *Leinster Express*, 18 Aug 1888.

<sup>210</sup> *Leinster Express*, 28 July 1888.

<sup>211</sup> *Kildare Observer*, 8 May 1886.

the rule of law in this case. If the family remained without shelter for any length of time a case of hardship could be shown, but if the relieving officer was present no such hardship could be alleged. The Guardians argued about the strength of the case, and they could not be throwing good money at a weak case considering they did not seem to have “fortune in law cases.” If they were to proceed, they would not be seeking a tough penalty for Jackson but just that they were “seen to be acting properly”. It was said it was not the wish of the Guardians or the people of the locality to press for the penalty. However morally they had to put ‘a stop to men being put out on the roadside to die.’ It was said if Cluxton was there when they were evicted, they would lose the case. Cluxton said he was not at the eviction but at his own house when one of Nolan’s children came to him to tell him what had happened.

When Cluxton was on his way to the house which was near his own home he met the Sergeant of Police and Mr. Jackson. Jackson had at this stage cleared the contents of the house out onto the road. Mr. Jackson asked Cluxton to look after the Nolans and they were brought to the workhouse that day. Cluxton said Jackson had given him verbal notice every day for the previous six days by saying to him, “be on the lookout for Nanny.” This caused laughter at the meeting while at the same time it annoyed the Guardians who said it was not proper notice. Therefore, any personal feelings about Jackson were to be put aside and the proper course of action was to be taken, which was to bring the case against Jackson.<sup>212</sup>

The Athy Guardians v. Henry Jackson case came before the courts in June. The plaintiffs claimed a £20 penalty from Jackson for the eviction of the Nolan family, without having served the relieving officer with the usual written notice. Mr. Valentine Kilbride, the solicitor, appeared for the plaintiffs, and Dr. Toomey for the defendant. Mr. Kilbride referred to the legislation which provided that forty-eight hours before an eviction the landlord had to give notice in writing to the relieving officer. Mr. Kilbride showed a warrant in evidence to which Dr. Toomey objected. This judge said it was “a rather invidious case,” and that the proof is “very strict.” The defense accused the plaintiffs of being “worse than Shylock”, wanting their pound of flesh. Mr. Kilbride examined the Petty Sessions book, in which an order had been made in the case of Jackson against Nolan on the 19th of March, where a warrant for possession was issued on the 19th of April. Bailey Cluxton was examined and deposed as he was the relieving officer and Mr. Jackson did not serve him with written notice of eviction.

Mrs. Anne Nolan was then examined by Mr. Kilbride and said on the day they were evicted 'between 11 and 12 o'clock. Mr. Jackson and two "peelers" came and evicted her and six of the family while her husband was twenty miles away. She sent her daughter to the relieving officer not knowing what to do. It was about an hour before Cluxton arrived on the scene. Cluxton unsuccessfully tried to get some neighbours to take them before he yoked his horse in the car and drove them into the Union. When Mrs. Nolan was cross-examined by Dr. Toomey, she said she could see Cluxton's house from her door as it was about twenty perches from her, and he was not at home.

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<sup>212</sup> *Kildare Observer*, 15 May 1886.

She got a notice to leave the house from Mr. Jackson and she offered to pay him the rent which he would not accept. Her husband was served with a summons, and she expected the eviction on Monday before the day it took place.

Cluxton was recalled and in reply to Mr. Kilbride said he remembered the day of eviction, the 28th of April. He got no written notice of it. When cross-examined by Dr. Toomey he said he got a verbal notice from Mr. Jackson about five or six days before the eviction and he knew the woman was about to be evicted. Cluxton said he thought Jackson was only “humbugging” him all month by telling him to “look out for Nanny” (Anne Nolan). Cluxton said Jackson was always humbugging and saying what kind of “yoke” he would have for her. Cluxton said he was at Calverstown, but not in his own house when the eviction took place. He was out working in the field and did not see the police going down to the house. Dr. Toomey tried to sway the opinion of the Judge by questioning Cluxton’s respect for the authorities by asking him if he would look at ‘a peeler.’ Cluxton was not going to be caught out and said he would, and that he had “great respect for them.” Mr. Kilbride said this closed his case before reading the sections of legalese providing that notice of eviction should have been given.

Dr. Toomey said he had never heard of such a case before and that the Guardians were trying to take it out of the pocket of a farmer who was working hard to pay his rent. He argued about the fine of £20, based on the most miserable technical point of law imaginable. Toomey argued that Cluxton was given notice of the eviction, therefore it waived the necessity for written notice. He made a long-winded closing argument to the judge. Mr. Kilbride then added his notice was mandatory and the court of appeal had decided that it was mandatory. The judge thought it was a hard case because a verbal notice was given to the relieving officer, and he appeared to have given the necessary assistance to the people. He said if he were a guardian, he certainly would object in the strongest manner possible to proceedings to recover the penalty. But the question for him was, “had he any jurisdiction to give a dismiss, and had he any power whatever?” He said there was the Act of Parliament that stated that there must be written notice and he had no power to mitigate the penalty but wished he had. Therefore, he had no option but to impose the penalty and would be presenting a memorial to the Lord Lieutenant to look at the case. Dr. Toomey argued intensely and said he would bring it to a higher court of appeal. The Judge made an order for Jackson to pay the penalty at the rate of 15s per month.<sup>213</sup> The following month Bailey Cluxton put in £1-1s expenses for travelling to the case against Jackson. When questioned about the sum he said Mrs. Nolan would not appear at the court unless she got £1.<sup>214</sup> Jackson eventually had to face the court again in 1896 to save himself from eviction on the Burrowes estate, he was in arrears of £46.<sup>215</sup> It seemed like easy pickings to get a conviction in Jackson’s case but to take an action against one of the bigger landlords like the Borrowes or the La Touche’s was a different matter.

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<sup>213</sup> *Kildare Observer*, 12 June 1886.

<sup>214</sup> *Kildare Observer*, 17 July 1886.

<sup>215</sup> *Nationalist and Leinster Times*, 12 January 1896.



## LA TOUCHE EVICTION

It was an easy win for the Guardians in the case of Jackson as he was a middleman on the Borrowes estate. The result would have been different if Jackson was one of the more powerful local landlords like The La Touche's. None of Bailey Cluxton's cases that went to court against the big landlords were successful for the Union. While it would have given many of the Catholic-dominated unions great pleasure in delivering a blow to one of the bigger landlords, it was mostly a fruitless affair as many of the landlords were the local judges. John La Touche lived in Harristown and owned large swathes of Land in Kildare. He was also a judge in the Naas Assizes.

In July 1886, an eviction notice was laid on the table, sent by John La Touche landlord against his tenant Thaddeus Farrell. The holding was situated at Lipstown and contained 52 acres 3 roods 11 perches.<sup>216</sup> Farrell was a ratepayer and one of the rate collectors for the Union was having difficulty getting paid by him and various other tenants on John La Touches land.<sup>217</sup> Despite many visits to Farrell's farm, the collector could not find any stock to seize for payment. Mr. La Touche had written a letter that stated Farrell had plenty of stock on his land for the past two years. Cluxton brought the case of Farrell to a Board meeting as Farrell and his wife were quite destitute and were staying at a neighbour's house. Cluxton said Farrell had a farm of about seventy acres and had not seeded his land for the previous three years. According to Cluxton they were extremely poor and had nothing, not even furniture. He was a man about 43 years of age and was able to work. The Board granted two and sixpence relief a week for two weeks.<sup>218</sup>

There were a substantial number of evictions in Cluxton's district in the late 1880s and he had three cases of evictions to deal with in the first two years of the 1890s. The first concerned the eviction of a man named Byrne near Narraghmore, who spent the night in a ditch after the eviction. Cluxton said he had heard nothing of the eviction until afterward, and when he went to the man, he said he did not want relief. The Board decided to give him 15s.<sup>219</sup> Another Cluxton report was that of John Dunne, who was evicted from his home near Ballyshannon by Sir E. Borrowes and left to live "in a very destitute condition" in a ditch with his four children.<sup>220</sup> Another case was of a man named Byrne from Suncroft, who had been evicted by Mr. Roche-Borrowes without proper notice being given. The land was twenty-one acres which was in Cluxton's district, but the house was on two acres which were in the Naas Union. It was said that the law was to serve notice where the house was situated.<sup>221</sup> At a meeting of the Naas Guardians, it was said if the land was in Athy, Mr. Borrowes had complied with the law.<sup>222</sup> The Landlords always won, they knew the law better

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<sup>216</sup> *Kildare Observer*, 3 July 1886.

<sup>217</sup> *Kildare Observer*, 8 Sept 1888.

<sup>218</sup> *Kildare Observer*, 8 Sept 1888.

<sup>219</sup> *Kildare Observer*, 15 Nov 1890.

<sup>220</sup> *Leinster Leader*, 1 Nov 1890.

<sup>221</sup> *Kildare Observer*, 24 May 1902.

<sup>222</sup> *Kildare Observer*, 17 May 1902.

than anyone else and were always within their rights. There was little social justice for the poor therefore the only weapon against the landlords was to boycott them.

## **REGISTER OF BIRTHS AND DEATHS**

Bailey Cluxton was the local registrar of births and deaths in the Ballyshannon district. On the 13th of November 1896, he registered the birth of a child under a statutable declaration for Mr. Morrin. At that time Mr. Morrin told Cluxton that there was another child of his over two years of age whose birth he had never registered. Cluxton was directed by the Registrar General to prosecute. The court said they did not press for heavy penalties in similar cases as they felt that the only offence committed was one of neglect. However, some penalty had to be imposed. Cluxton had costs involved with the case for the three days involved for which he applied for £2 expenses including car hire. Another case on the same day involved Mr. Timothy Flanagan who had also neglected to register the birth of a child that was born two years previously. Cluxton believed the child was dead, but he was directed by the Registrar General to bring on the prosecution. Mr. Flanagan, in reply to the bench, said the unnamed child was born prematurely, and only lived 48 hours so felt it unnecessary to register. After a consultation, the chairman said the Bench believed the case against Mr. Flanagan was one of a more trivial nature than that against Mr. Morrin. It was said that Mr. Flanagan was a poor man while Mr. Morrin was a man of independent means. The bench imposed a fine of 6s, and 2s-6d costs with 20s special costs in Mr. Morrin's case and 6s fine and 2s-6d costs in Flanagan's case.<sup>223</sup>

The job of relieving officer and sanitary sub-officer was a twenty-four-seven occupation. If a woman was going into labour a ticket had to be issued for the services of a midwife. In this instance, a man was in Athy looking for the local relieving officer to procure a midwife. The relieving officer of the district was not there but Bailey Cluxton happened to be. Cluxton issued a ticket for Mrs. McEvoy as the dispensary midwife was not available. Mrs. McEvoy was the midwife of the workhouse but was unwell resulting in no midwife present at birth. The relieving officer for Athy, Mr. Hyland, had to defend the situation. A doctor could not be procured either, so the birth went ahead without any qualified medical professionals. The relieving officer said it was very dangerous not having a midwife and he added: "handy women" who were unqualified should not be used as midwives under any circumstances. He referred to a case in the previous day's paper where a "handy woman" was charged for manslaughter.<sup>224</sup>

## **HOTTENTOTS AND BRADLAUGHITES**

In the nineteenth century, women were very much at the mercy of their husbands. Very few had any financial independence and therefore, if a woman was deserted by her husband, it became a problem for the Poor Law Union to deal with. The Irish Vagrancy Act of 1847 put into law that it was the duty of a husband to maintain his

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<sup>223</sup> *Leinster Express*, 11 January 1896.

<sup>224</sup> *Kildare Observer*, 17 Jan 1903.

wife and children.<sup>225</sup> A maximum prison sentence of three months was imposed on a husband who deserted his wife or child so that the wife became destitute and had to seek relief in the workhouse. This, however, was an act of punishing the husband rather than protecting the wife. In 1886, the legislation changed when the Married Women (Maintenance in Case of Desertion) Act was passed. This legislation empowered a magistrate to order a husband to pay maintenance to the wife. Today's legislation is based on this Act.

As a relieving officer, Bailey Cluxton had to deal with situations of wife desertion and domestic violence. An application was made for the admission of a woman to the lying-in-hospital. She was the wife of a man named John McEvoy, a small farmer, from Thomastown. Although his wife was about to give birth to a child, he brutally turned her out of the house. Cluxton said the husband was well able to support his wife and had five acres of the best land in the district at £1 an acre. He was also employed by Mr. Jackson. One of the Guardians said McEvoy was worse than a "Hottentot"<sup>226</sup> or a "Bradlaughite"<sup>227</sup> and it was said he ought to be summoned and prosecuted. It was asked why he was not prosecuted as his last child "got dead on the floor." It was said that it was hearsay, and it was decided that if the woman came into the house the husband would be prosecuted.<sup>228</sup> While many emigrated to England and Scotland for seasonal work they left their families with no other option but to seek relief from the Union. In 1907, Cluxton brought an application to the Board, made by Bridget Nolan, Colbinstown, for outdoor relief. She had been deserted by her husband. At the meeting it was said that over the previous few weeks, five or six men had left the town, deserted their wives, and went off to England and Scotland. The Board granted relief and decided to prosecute the husband of Bridget Nolan.<sup>229</sup> The Local Government Board for Ireland received the minutes of the vice-Guardians of Athy Union about outdoor relief afforded to a woman named Conlan who occupied two acres of land. The Local Government Board inquired whether the woman or her husband was the recognised tenant of the land, and who was entered in the rate book as the occupier. Cluxton said the woman's husband was in the asylum. The Local Government Board wanted to know who the tenant of the farm was. Cluxton was to give her relief until the information came back.<sup>230</sup>

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<sup>225</sup> William Duncan, Desertion and cruelty in Irish matrimonial law, *Irish jurist*, winter 1972, new series, Vol. 7, No. 2 (WINTER 1972), pp. 213-240, p.219.

<sup>226</sup> A South African Khoikhoi woman with a large buttock, like Kim Kardashian today was exhibited as freak show attraction in 19th-century Europe under the name Hottentot Venus—"Hottentot" Source: [https://en.wikipedia.org/wiki/Sarah\\_Baartman](https://en.wikipedia.org/wiki/Sarah_Baartman).

<sup>227</sup> The term Bradlaughite came from Charles Bradlaugh who was a freethinker involved in secularism. They believed in separation of church and state and contraception. Ref: [https://en.wikipedia.org/wiki/George\\_William\\_Foote](https://en.wikipedia.org/wiki/George_William_Foote)

<sup>228</sup> *Kildare Observer*, 23 June 1883.

<sup>229</sup> *Kildare Observer*, 12 Oct 1907.

<sup>230</sup> *Leinster Express*, 21 July 1888.

## FEVER

As a sanitary sub-officer Cluxton had to inspect houses, dispensaries, and schools to make sure they met sanitary conditions. Fines could be issued when the person responsible did not act following the law. The officers worked closely with the medical professionals and worked as couriers for the doctors. Cluxton was appointed at two guineas for the half-year to bring in the medical officer's books from Fontstown every second Wednesday.<sup>231</sup> He also handed out summonses and made sure that forms were displayed at the local dispensaries. The doctor at Cluxton's local dispensary at Fontstown wrote to the Guardians to say that Cluxton had not posted some notices "Form N," as he needed to do. Cluxton denied the accuracy of Dr. Young's statement, alleging that he had posted the notices in the dispensary. It was said that there should be a place outside to post them so people would know to whom they were to apply for relief tickets. It was said to put them outside the police barracks.<sup>232</sup> In June 1882, Cluxton submitted a bill for £2-4s expenses in sanitary prosecutions which were referred to Mr. Brown, who acted as a solicitor in the cases.<sup>233</sup> He was paid one shilling to serve these notices.

The task of making sure that all new babies were vaccinated fell upon the relieving officer.<sup>234</sup> Under the Compulsory Vaccination Act, all babies were required to be vaccinated before the age of three months. The registrar of births was to inform the parent to get the child vaccinated and if this was not done then the relieving officer had to remind them. The vaccination defaulters were brought before the Board of Guardians to explain and were subsequently fined. The sheer number of defaulters can be quantified as Cluxton was allowed £17-6s expenses in 1895 for notifying vaccination defaulters.<sup>235</sup> It was said at a meeting in Athy that it would be a great hardship if the child was vaccinated and the doctor failed to issue a cert and as a result, the parents were fined. One of the Guardians, Mr. Brennan, knew of such a case. Cluxton also stated that he had his child vaccinated but had received no cert from the doctor. It was agreed that if a prosecution failed because of neglect by the registrar or a cert was not supplied that they would have to pay charges incurred by the Union.

There were often disputes over boundaries and what areas various doctors and officers should cover. Emergency cases that arose were often brought before the Board for debate, especially if fees had to be paid. Cluxton reported that on the 27th of December 1890, he received a telegram from the Athy relieving officer to provide medical attendance for an 18-year-old labourer Kate Hanlon of Burtown Little. Dr. O'Kelly of Castledermot refused to visit her because the townland was situated outside his district. Cluxton visited and he found the patient better and not requiring the services of a doctor. He left his address if she got worse. Cluxton had to get a

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<sup>231</sup> *Leinster Leader*, 30 Sept 1899.

<sup>232</sup> *Kildare Observer*, 22 Sept 1883.

<sup>233</sup> *Leinster Leader*, 24 June 1882.

<sup>234</sup> *Kildare Observer*, 18 June 1881.

<sup>235</sup> *Leinster Times*, 7 Dec 1895.

doctor for her eventually, but Dr. O'Kelly would not attend. After some discussion, the Board decided to ask Dr. Kilbride to attend to cases from this district until the Local Government Board clarified the matter.<sup>236</sup> Cluxton was also careful not to work outside his area. He was requested to get the clothes from a woman named McDonald and her children, at Mount Hawkins and have them disinfected. He declined the request, saying he would not undertake any duties outside of his district.<sup>237</sup> On another occasion, there was an outbreak of typhoid and measles in Cluxton's district. Another relieving officer, Watts from a different district had to deal with it as it was an emergency case. One man named Doran and his son had died of typhoid and it was recommended to bring the whole family to the fever hospital which Watts refused to do as it was out of his district. He was told that as an officer he was bound to go over the whole union if necessary. It was said that the fever would spread while they argued over a technicality. Cluxton was directed to get the necessary certificate to get the family into the hospital even though it was overcrowded with forty cases of mostly children with measles.<sup>238</sup>

Outbreaks of diseases were common. It was up to the sanitary sub-officer to make sure that houses were disinfected and safe. Poor people were undernourished and disease spread easily among family members. Dr. M. F. Kenna, the Fontstown dispensary medical officer, reported cases of scarlatina in several houses at Inchaquire. The cases were isolated and Cluxton, as Sanitary Sub-officer, had to disinfect them.<sup>239</sup> Cluxton was often criticized as to how he dealt with these cases while it was clear he did not take the issue of disease as seriously as the doctors he worked with. In one case Cluxton was ordered to remove a child who lived with her grandmother to the fever hospital. The grandmother was also sick, and they were described as very poor. Cluxton was met by the doctor while procuring chickens for them. He was criticised for not acting immediately.<sup>240</sup> Four cases of diphtheria were reported in the Ballyshannon district. Cluxton disinfected the houses, but it was elicited from him that they were only sprinkled with disinfecting fluid. He was told they had to be thoroughly disinfected and they questioned the costs involved. He put in £1-7s for expenses and said he could not get a person to do it for less.<sup>241</sup> Cluxton was brought to question why he had sent the children of Mr. Doyle to the poorhouse knowing they were sick with fever. He said at the time he was unaware they were sick but realised that after the father and one of the children had a fever. Cluxton said he acted on a doctor's note and verbal instructions. He was reprimanded and told it was a stupid thing to do. It was said that it could have potentially infected the whole poor house only for the doctor arrived in the "nick of time".<sup>242</sup> The Local Government Board wrote referring to a report that Cluxton sent regarding the health of the children "out at nurse" in the district. They wanted to be informed if the children he referred

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<sup>236</sup> *Leinster Leader*, 11 Jan 1890.

<sup>237</sup> *Kildare Observer*, 22 September 1883.

<sup>238</sup> *Leinster Times*, 13 March 1886.

<sup>239</sup> *Leinster Leader*, 6 Feb 1897.

<sup>240</sup> *Leinster Times*, 15 Oct 1898.

<sup>241</sup> *Leinster Express*, 21 Jan 1899.

<sup>242</sup> *Leinster Express*, 3 April 1886.

to as having “chin cough” were attended to by the dispensary medical office. Mr. Cluxton said he did not know whether they were or not. He was informed they were better and would be able to go back to school next week.<sup>243</sup> Even if Cluxton reported unsanitary conditions there was no guarantee the Board would take action. He asked for the school in Old Grange Monasterevan to be limewashed and the tank cleaned up, which was refused.<sup>244</sup>

The local doctor had the power to summons a landlord if one of his rental properties was not fit for habitation. Dr. Young reported that the house occupied by Michael Connor, Battlemount, was unfit for human habitation. Cluxton stated that it was a weekly tenancy, and the landlord was Mr. Patrick Byrne.<sup>245</sup> The landlords were mostly unwilling to do repairs and many of the cases were fought out in the courtroom. In a case brought before the Monasterevan Petty Sessions in April 1884, Cluxton was a witness on the stand in a case where the landlord was successful in reversing an order for him to close several houses. As part of his job as a sanitary sub-officer Cluxton served notices on several houses in Bailey’s Row, Main Street Monasterevan. The landlord argued in court that the notice was insufficient as it did not specify the work needed to be done to the house, the time involved, and what defects the houses had. The judge ruled that the notices were properly served. The doctor of the Union examined the houses and reported they were in an unfit condition. The houses were reported several times as being unsanitary and nothing had been done about them. It was reported the houses had no yards and the walls of the lofts of three of the houses were only three feet six with a small window in each, and they were unfit for human habitation. A case of cholera was reported where it was said the people were generally healthy. The landlord said he was willing to put the houses in a sanitary condition. He said the homes were palaces in comparison with many labourers’ cottages throughout the country. The Judge inspected a notice supplied by the clerk of the Athy Union and said that it was not proper, before reversing the decision of the magistrates.<sup>246</sup>

It was extremely hard for the Guardians to bring a successful case against a landlord. The Athy Board of Guardians summoned the Marquis of Drogheda, under the 110th Section of the Public Health Act, for neglecting to comply with the order of the Sanitary Authority, calling upon him to repair the house of a tenant named Glennan, near Monasterevan. Cluxton reported the house was unfit for habitation, so the Guardians issued an order calling on Lord Drogheda to repair the house. The order was disregarded so a summons was issued. Cluxton described the dwelling as being in a “frightful state of dilapidation” and “was not fit for pigs to live in.” The side walls had fallen in and it was in a dangerous state. The defense did not dispute that the house was in an uninhabitable state but contended that the landlord had no right to repair the house of a yearly tenant. Mr. Kilbride acting as the plaintiff said the rent

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<sup>243</sup> *Kildare Observer*, 27 Nov 1886.

<sup>244</sup> *Leinster Times*, 17 July 1894.

<sup>245</sup> *Kildare Observer*, 27 Oct 1883.

<sup>246</sup> *Kildare Observer*, 12 April 1884.

charged was £2-10s. per year, which he deemed a rack-rent. The bench considered that the summons could not be sustained and dismissed the case with £1 costs.<sup>247</sup>

It was almost impossible to get a conviction and landlords could be cunning in how they addressed these cases if they knew they were on the wrong side of the law. At a meeting on May 14<sup>th</sup>, 1881, Bailey Cluxton noted that houses at the Harristown estate owned by Mr. John La Touche were reported to be in a bad state, and notices were served but nothing was done. They were waiting on a man to sink a sewer.<sup>248</sup> A case was brought against La Touche, a powerful and influential landlord in the area. It was a brave move to go against him and there were a lot of intentional delays with the case against him as it was adjourned on a few occasions. On April 1<sup>st</sup>, 1882, when the case came against the court in the Petty Sessions Cluxton asked for it to be put back for a fortnight as the solicitor for the Guardians could not attend.<sup>249</sup> The Board of Guardians refused to pay Dr. Young, the medical officer attending to the case, as he had the case further adjourned.<sup>250</sup> This was a ploy to give La Touche time to have his sewer in place before the prosecution. When the case finally came to court the Guardians were seeking to prohibit the recurrence of the nuisance and get costs from La Touche. Cluxton and the doctor were examined, and it was ascertained that initially the condition of the cottages was brought by Cluxton to medical officer Dr. Young. Young confirmed that the premises were “very dangerous”. When Cluxton inspected the cottages in March he found them in an unsanitary condition. By the time of the court case, the sewer was finished up and the Guardian did not have much of an argument. The defence hinged on the fact that LaTouche had addressed the issue. Cluxton had to be paid to make the inspections and £2 for the Doctor. The judge ruled that the Guardians sue for costs.<sup>251</sup>

## **T. M. CARROLL AND HIS CRITICISM OF CLUXTON**

Complaints against relieving officers and how they performed their duties were common.<sup>252</sup> Cluxton was frequently interrogated by the Board of Guardians who demanded explanations from him about how he performed his duties. He was often apologetic and willing to accept his mistakes but was also able to defend himself when he felt justified in his actions. One of the main criticisms was the way he distributed his relief. As he had a large area to cover, he often found it difficult to dispense relief when people were not there when he called. Often in these circumstances, he left the money in the care of a neighbour. In January 1888 he was accused of not giving relief to Mrs. Nolan. The Guardians were taking the issue seriously on account of the time of year. Cluxton said he visited Mrs. Nolan and as she was not there, he left it with her neighbour, Mrs. Flood. He said he would go and

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<sup>247</sup> *Kildare Observer*, 22 Sept 1883.

<sup>248</sup> *Leinster Leader*, 14 May 1881.

<sup>249</sup> *Kildare Observer*, 1 April 1882.

<sup>250</sup> *Leinster Leader*, 26 Nov 1881.

<sup>251</sup><sup>251</sup> *Leinster Express*, 15 April 1882.

<sup>252</sup> *Crossman*, p.94.

give her relief on Christmas Eve if he had to, but if she was not there, he could do nothing. He was told to be careful and fix a depot for handing out relief.<sup>253</sup>

T.M. Carroll J.P., a Judge from Moone had a frequent issue with Cluxton. Carroll was a locally prominent official and landlord who lived at Moone Abbey where the famous High Cross stands. Carroll often chaired the meetings of the Board of Guardians. In Sept 1887, he complained about Cluxton, who he said was in the habit of giving outdoor relief to people on his list through an old woman, who was also in receipt of outdoor relief. She came before the Board to make a complaint about Cluxton. In his defense, Cluxton said it was not a regular occurrence and it only happened once. One of the Guardians, Mr. Brennan, asked him how he got the signature on the cards. Cluxton said he signed them himself before Brennan accused him of forgery. Cluxton defended his position saying most of them could not write. Another Guardian, Mr. McLoughlin, said that to allow one poor person to distribute relief to others was most reprehensible. Cluxton promised he would not let it happen again before the matter was dropped. At the same meeting, Carroll then brought attention to the cost of 18s-9d for telegrams Cluxton sent. He questioned the volume and nature of them and made an issue with him mixing expenses up. Cluxton said that a sick car could not be sent without a telegram. Cluxton's ethics were brought into question when a Guardian, Mr. McLoughlin questioned him, asking him if he were the postmaster. Cluxton stated he was the postmaster. McLoughlin stated that every month there were bills for telegrams. Cluxton was quick to say that the bill was for three months and that for the previous six months, telegrams only came to 8s. It was decided that the amount should not be paid until Cluxton put in separate bills for telegrams and vaccination notices and Cluxton was directed to be more careful in the



*Athy Courthouse, Courtesy of James Durney, Kildare Library Services.*

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<sup>253</sup> *Kildare Observer*, 14 Jan 1888.



future.<sup>254</sup> The Guardians scrutinized every aspect of Cluxton's income and made sure he was not going to profit from sending telegrams from his own post office.

Carroll again had an issue with Cluxton in Nov 1887 and brought into question how Cluxton distributed outdoor relief. On three occasions on the 12th, 19th, and 26th of October, a pauper named English, who received outdoor relief went to Athy to get paid and carried back the outdoor relief to the other recipients in the Moone district. On each occasion, English was paid at the house of Mr. Lee who was a publican in the town. Under a law laid down in the Act of Parliament, applicants could not be paid on premises licensed for the sale of alcohol. Cluxton defended himself saying he got some change at Mr. Lee's where he paid English. Mr. Carroll asked how it was that English had to remain in the town until eight o'clock. Cluxton said he had come to town to buy a pair of boots. Cluxton was told he was bound to visit the houses to see if the people in receipt of outdoor relief needed it and see if they were alive or dead. He was accused of giving "one pauper the money to bring back to another pauper," Mary Nolan, who distributed it amongst others. When Cluxton was asked when he was there last, he replied had been there the previous day and had given him a week's pay. Carroll and Cluxton argued over the amounts and the time the relief was given while Cluxton confirmed they were all paid to date. Carroll said he thought the way Cluxton distributed the relief was a gross neglect of duty. Carroll was a judge and was prepared to use all his experience to subjugate Cluxton. He had all the facts laid out and continued to argue with Cluxton about times, places, and amounts. It was evident that Carroll was trying his best to catch Cluxton out, but Cluxton's sharp intellect and good record-keeping saved the day. The Guardians lost patience with Carroll and declared that as no money was due to the parties the discussion was a "tempest in a teapot." It was said many a labouring man had to wait until after six o'clock on Saturdays for his wages. Getting a dig at Carroll, Mr. Hickey, one of the Guardians, then said, 'Mr. Carroll, you will exonerate him this time, he will be a better boy in future' before the matter was dropped.<sup>255</sup> Carroll brought the case of English up again in January 1888. English had eight children who could not attend school as they had no clothes. Carroll requested that they get an increase in relief payments. It became clear that Carroll had skin in the game as it transpired that Carroll was Mr. English's landlord and Mr English was unable to pay him his rent.<sup>256</sup>

T. M. Carroll brought another charge against Cluxton in 1893. He sent a letter with a list of complaints against Cluxton in the way he distributed relief in Moone. It was claimed the payments were irregular and paid at Miss Greene's public house in Timolin which was a great inconvenience to many. It was also said Cluxton came when it suited him. Carroll wrote a letter to the Board of Guardians saying that Rev E. Dukay, PP called upon him to bring the complaints to the Board. The letter was

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<sup>254</sup> *Kildare Observer*, 3 Sept 1887.

<sup>255</sup> *Kildare Observer*, 12 Nov 1887.

<sup>256</sup> *Leinster Express*, 28 Jan 1888.

read to Cluxton at the meeting, and he was given a week to send in a written explanation.<sup>257</sup> The following week Cluxton's reply was read out:

*Gentlemen, —I beg to submit the following explanation as requested with regard to the complaint made against me by Mr. Carroll and Rev E Dukay, PP. I attend in Moone on every alternate Friday according to agreement to distribute outdoor relief. I have no place to pay the relief except on the road for the last fourteen years. Sometimes I wait there two or three hours for the people to come for their money. I had to bring back some of the people's relief on a few occasions that they failed to meet me on these days. It was at the people's own request that I left their money with Mrs. Greene, as they themselves that left their cards with her and asked her to take the money for them. They got their provisions and groceries from Mrs. Greene, and it was to oblige me that she undertook the trouble. Independent of going to Moone on every alternate Friday, I often go there twice a week as the necessity of the case requires. —Your obedient servant, Bailey Cluxton*

The Board discussed the matter, and it was ascertained that Cluxton only had to visit every fortnight. Cluxton said he had no place to pay the relief at Moone except on the roadside where he went every second Friday. Since the dispensary day had changed to Saturday, he visited there every second Saturday as he wanted to see the doctor. He said if he could not make it himself, he would send his son. Cluxton's explanation was considered satisfactory, and he stated he would visit Moone Dispensary in the future every second Saturday to distribute relief.<sup>258</sup>

## **RENTS OF COTTAGES.**

When the 1898 Local Government Act was passed some of the responsibilities of poor law administration were transferred from the Poor Law Boards to the County Councils.<sup>259</sup> This was the beginning of the provision and maintenance of social housing that exists today. As land was transferred from the old landlords to tenants under the 1885 Purchase of Land Act,<sup>260</sup> the Local Government Board began to provide labourers cottages at low rents. Under the Act, a proposal was made to provide 222 labourers cottages in Kildare in 1888. Of these 130 were sanctioned by the Local Government Board, eighty-six had been authorized by the Privy Council, four were abandoned, thirty-five were built, eighteen were in progress of erection, and forty-three had not commenced. The relieving officers also worked as rent collectors for labourer's cottages. Cluxton was appointed rent collector for his district at a rate of 10 percent.<sup>261</sup> He had at least twenty-four cottages on his books and collected £24-4s-7d for the second quarter of 1899.<sup>262</sup> Relieving officers carried large

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<sup>257</sup> *Kildare Observer*, 12 Aug 1893.

<sup>258</sup> *Kildare Observer*, 26 Aug 1893.

<sup>259</sup> Crossman, p.50.

<sup>260</sup> Byrne, p.174.

<sup>261</sup> *Kildare Observer*, 5 May 1888.

<sup>262</sup> *Leinster Leader*, 29 July 1899.

sums at the time and were required to make regular lodgments. Whenever amounts were outstanding, they were often recorded in the minutes of the meetings and published in the local newspapers. In July 1898, the relieving officer of the Athy district Mr. Hyland had a half-year of un-lodged cottage rents amounting to £171-9s-8d. This was a huge sum of money at that time. Cluxton at the same time owed a sum of £35-12s. He then lodged £20 leaving £15-12s outstanding.<sup>263</sup> This was brought to the attention of the auditor from the Local Government Board. By that time Cluxton had cleared most of his outstanding amount, only owing £1-2s while Hyland had cleared his. The Guardians said it was a serious situation and asked if Cluxton had sureties.<sup>264</sup>

It was common for tenants not to pay rent if they were in dispute with the Union over the maintenance of their properties. In one of Cluxton's cases, a tenant refused to pay as he claimed the Guardians owed him £2 for a sewer while another refused to pay despite selling a harvest for 35s. In November 1898, a list of all Cluxton's defaulters was printed in the *Leinster Times*.<sup>265</sup> Some of them claimed the Union was indebted to them for building drains. Cluxton had to serve notices on three of the defaulters but had difficulty getting the paperwork off the clerk. Cluxton was blaming the clerk and the clerk was blaming Cluxton. The clerk was anxious to have the books balanced and told Cluxton if he had not submitted his rent by the end of half-year, he would have to pay the money himself. Cluxton replied to the clerk's demand, saying "Well, I'll have to evict them so."<sup>266</sup> As part of the agreement of paying the rent, the Union had the task of maintaining the houses. A tenant on Cluxton's books named John Melia from Ballyshannon damaged the roof of his labourers' cottage while cutting down a tree. Fifty-six slates were broken, and the ceiling was damaged. The Council was waiting for a claim, but none had arrived. It was said the tenant would be the last to complain.<sup>267</sup> There was also the danger of the tenants selling off council property as the collectors had to inspect the cottages to make sure doors and gates and everything that was put into them were still there.<sup>268</sup> Sometimes letters from tenants would be read out at the meetings. One concerned a man in Cluxton's collection district of Monasterevan, who had thirteen in his family. He had the cottage for eighteen years when his family was small, but he needed help to build an extra room. He had buried three children and the eldest boy died of consumption because of overcrowding. The tenant was willing to pay more rent if another room could be added. The district council sent an engineer to look at it as the prevailing attitude was anything that prevented emigration was supported.<sup>269</sup> Some tenants illegally kept lodgers in their cottages. Cluxton had to serve notice on Patrick Halloran in

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<sup>263</sup> *Leinster Leader*, 23 July 1898.

<sup>264</sup> *Leinster Leader*, 28 Aug 1898.

<sup>265</sup> *Leinster Times*, 26 March 1898.

<sup>266</sup> *Leinster Leader*, 18 Nov 1898.

<sup>267</sup> *Leinster Leader*, 18 Nov 1898.

<sup>268</sup> *Kildare Observer*, 25 May 1907.

<sup>269</sup> *Kildare Observer*, 27 Apr 1907.

Narraghmore to stop him from keeping lodgers after Dr. Kenna requested repairs to his cottage.<sup>270</sup>

Cluxton was a reasonable man and from what evidence is available from the minutes he was reluctant to send people to the poor house. He was a man guided by his principles and was willing to break the rules when he felt it was the just thing to do. On at least one occasion when a tenant was brought to court by the Union, Bailey Cluxton paid their rent to save them from the workhouse.<sup>271</sup> On another occasion, he handed in the key to a cottage at Kilrush, of which he had got possession. There were 12s arrears of rent due. Cluxton was asked if he was going to pay the rent to which he indignantly replied, "I'm not." He was told the auditor would make him pay it. There was a huge demand for social housing. Cluxton replied, "Sure, I can get it from the man that will get the cottage (laughter). I could get £5 this minute". Cluxton was warned against entering into an arrangement or taking money behind the backs of the Guardians. Cluxton replied, "Oh, this is a thing that would come before the Board for its sanction." The blame was being put on Cluxton as it was deemed he should not have allowed the rent arrears to mount up. Cluxton said "what have I to get from him? sure, he has neither house nor home, only the hat on his head", much to the amusement of those present. It was also said there were rent arrears of £2-18s due from a man named Doolan .. Cluxton expressed his belief that Doolan would pay so the matter was dropped. These types of arguments were typical jousts between the officers and the Guardians.<sup>272</sup> While the Guardians could complain about the issues of non-payment of rent there was no appetite for the heavy-handed approach of the bailiffs that assisted the landlords in evicting tenants during the land wars.

Despite the difficulty in rent collection, the authorities paid close attention to the public purse. The accounts of the Union were regularly audited by the Local Government Board. They had difficulty with the audit in 1890 because the districts had not written up the accounts except for Cluxton, Watts, and Cleary's districts.<sup>273</sup> The clerk was responsible for chasing up the officers to get the rent from them and if there was an irregularity, he would be held responsible. The officers were frequently late making lodgments and Cluxton along with other officers in Kildare had a problem making the payments.<sup>274</sup> This caused the clerk and the officers much frustration. An order was made by the Guardians that they would make a monthly lodgment. Cluxton was asked why he had not lodged and in frustration, he told the Clerk "I'll square up and give it up." One of the Guardians replied "You will give up all if you do!"<sup>275</sup> The rent accounts were audited every half year and reports were sent to the Guardians. In the early years of the 1900s, Cluxton had great difficulty getting the rents in. For the half-year ended 31st March 1902, the cottage rents were

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<sup>270</sup> *Leinster Times*, 6 Jan 1906.

<sup>271</sup> *Leinster Times*, 27 May 1905.

<sup>272</sup> *Leinster Leader*, 26 Nov 1898.

<sup>273</sup> *Leinster Leader*, 29 March 1890.

<sup>274</sup> *Kildare Observer*, 5 March 1892.

<sup>275</sup> *Kildare Observer*, 11 June 1892.

deemed very satisfactory in the district except for Cluxtons.<sup>276</sup> A similar report was presented on 30th September 1902 with a note from the auditor saying he considered that Cluxton should show more energy.<sup>277</sup> Again in 1903, the pattern continued with a report on 31st March 1903 urging the council to exercise more diligence.<sup>278</sup> The audit for the half-year ended 31st March 1904 was satisfactory except for Cluxton, whose arrears amounted to £12-9s-2d.<sup>279</sup> <sup>280</sup> This problem was addressed in 1904 by the clerk in three areas in Kildare, including Cluxtons. He withheld their percentage until they lodged the full amount and proposed he would follow the same course of action in 1905.<sup>281</sup> Despite the clerk's best efforts, rent collection was an ongoing problem. In April 1907, all the collectors were having huge difficulty getting rent and a meeting was held where the Guardians discussed the issue. The clerk was asked to write to Cluxton who had £9-16s-6d outstanding.<sup>282</sup>

While the relieving officers were always under pressure to make lodgements, they were often slow to be paid by their tenants. In December 1898, Cluxton and his counterparts in other districts sent a letter to the presiding Chairman of the Board of Guardians to draw attention to the fact that they had repeated applications for their service in connection with the Labourers Act for attending and giving evidence at an inquiry for three days.<sup>283</sup> In Oct 1890, Cluxton had £6-17s-6d of arrears, most of which was for a man named Conlan who owed £6-3s-6d. He refused to pay because the doctor condemned his house for smoking.<sup>284</sup> Cluxton was told to serve him with notice and if he did not pay, he would be evicted. Other officers had similar problems where tenants would not pay until their houses were repaired. The Board did not tolerate non-payment of rent and therefore officers were told to serve notice.<sup>285</sup> The rent collectors found it extremely hard to get paid, especially in the winter months. It was reported that some of the tenants were lazy and did not cultivate their lands. It was suggested to take the land from them if they did not till it. Cluxton reported that all the tenants in his district cultivated their plots except one, and that one was bogland. There were numerous complaints about parties who had cottages but did not live in them.<sup>286</sup>

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<sup>276</sup> *Leinster Leader*, 27 Dec 1902.

<sup>277</sup> *Leinster Leader*, 14 March 1903.

<sup>278</sup> *Leinster Leader*, 12 Dec 1903.

<sup>279</sup> *Kildare Observer*, 20 Aug 1904.

<sup>280</sup> *Leinster Leader*, 10 Sept 1904.

<sup>281</sup> *Kildare Observer*, 10 Mar 1906.

<sup>282</sup> *Kildare Observer*, 27 Apr 1907.

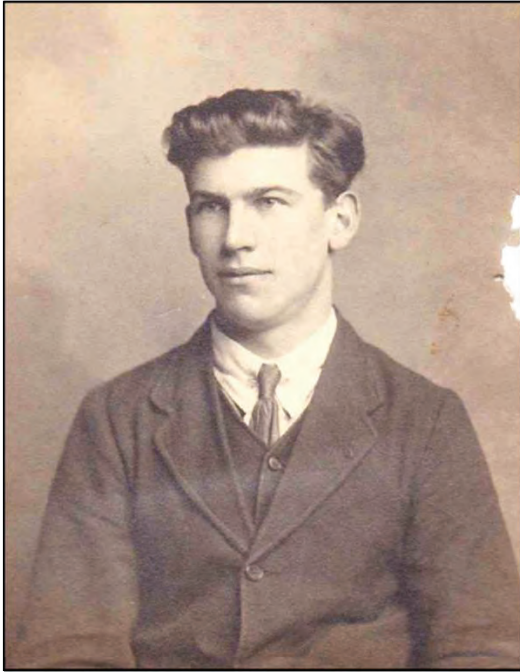
<sup>283</sup> *Leinster Express*, 18 Dec 1898.

<sup>284</sup> *Leinster Express*, 18 Oct 1890.

<sup>285</sup> *Leinster Leader*, 18 Oct 1890.

<sup>286</sup> *Kildare Observer*, 25 May 1907.

The officers often had to serve notices of eviction when tenants refused to pay their rent. While the Guardians were quick to point out the cruelty of evictions on the large estates, they tended not to discuss their own evictions. When tenants were evicted, they were moved to the workhouse. A complaint came in from Rose Doyle of Narraghmore who claimed her eviction was cruel and irregular. She received outdoor



*Son of John Bailey Cluxton*

relief and Cluxton said that she had the notice to quit six months previously.<sup>287</sup> It was noted at a meeting that Cluxton had a bad lot of tenants. One of these was a tenant named John Dowling of Kilrush who was in a prolonged dispute with Cluxton.<sup>288</sup> Cluxton had tried to serve notice but encountered difficulties in the legal process.<sup>289</sup> Dowling also had many complaints about the property, refusing to pay his rent until a bridge was built to his land. Cluxton said he could easily get a ton on a horse and cart over the bridge. Dowling's mother and brother agreed to pay the rent if the tenancy were to be given to them. Dowling was given a week to pay, or notice would be served. The case ended up in the courts in December 1897 when Cluxton was empowered to prosecute him.<sup>290</sup>

Cluxton's duty was to serve notices before legal issues were dealt with in the courts. Cluxton reported that he demanded possession of a cottage from Robert Smith, as he refused to sign his Agreement. The matter was referred to the solicitor.<sup>291</sup> All of this tension must have been difficult for Bailey Cluxton. He was a fair and reasonable man, and it was clear he had difficult tenants at a difficult time in the most rural part of Kildare.

With all the stress of work, Bailey Cluxton had to escape every now and then. He liked to have a drink and had an interest in horses and horse racing. He worked hard and played hard and ended up in court on more than a few occasions on account of

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<sup>287</sup> *Leinster Times*, 21 Sept 1901.

<sup>288</sup> *Leinster Times*, 6 Nov 1897.

<sup>289</sup> *Leinster Times*, 12 June 1897.

<sup>290</sup> *Leinster Times*, 11 Dec 1897.

<sup>291</sup> *Leinster Express*, 24 Nov 1906.

being drunk. A case in 1906 came before the courts in Dunlavin where Cluxton and John Bermingham had been drinking together. Peter A. Doran of Dunlavin was charged with allowing drunkenness on his premises. Cluxton had bought calves and Bermingham was waiting on Cluxton's cart outside Doran's pub while Cluxton was paying for them in another pub. Cluxton then went into Doran's and Bermingham followed sometime later to find out what was causing the delay. A man named Bagenal had raised a row with Cluxton. Constable O'Neill and Sergeant Carroll went into Doran's at 5.30 and told Cluxton not to take any more drink. Bermingham said he never saw Cluxton drink anything other than sherry and did not know if he was drunk or not. Doran said he did not serve Cluxton, and that Bermingham would have gotten it for him. Doran was fined 5s which was raised to £1 as it was his second conviction within five years.<sup>292</sup> Bailey Cluxton appeared before the courts on three other occasions for being drunk. On August the 12<sup>th</sup> 1883 Cluxton was charged with being drunk in the licensed premises of James Orford in Suncroft.<sup>293</sup> He was also fined for being drunk on the street in Kildare Town on 20 Sept 1899.<sup>294</sup> On January 5<sup>th</sup>, 1905, he was fined 5s for being drunk on the street with a charge of a horse and cart.<sup>295</sup> It was a hard-working life under the Poor Law system where the Guardians held a powerful position as did the Local Government Boards and anyone in between was "a grain of wheat ground between" them.<sup>296</sup> Cluxton was under constant scrutiny as a poorly paid public servant. He also had to manage a farm to pay his rent and provide for a large family. His job meant dealing with the public in extremely tough times while leaving him open to assault and abuse. He had to blow off a little bit of steam now and again, so these minor indiscretions seem justified.

### THREAT OF EVICTION

On June 03, 1882, at a meeting of the Guardians, Cluxton mentioned a man named Ball evicted from the estate of Mr. Borrowes. Ten years later Cluxton himself was in a similar predicament. Bailey Cluxton rented his home and land from Major Robert Borrowes. Borrowes was a Judge that lived at Barretstown Castle, Ballymore Eustace. He owned most of Calverstown and had the lands rented out through middlemen on long-term leases or directly to the tenants themselves. Cluxton's plot comprised 15 Acres 3 perches and 33 roods. Cluxton appeared in court to defend himself against ejection orders from Borrowes for non-payment of rent in 1893, 1895, and 1896.

At the Athy Quarter sessions in June 1893, P.J. Kilbride represented Cluxton when he owed Borrowes for two years' rent at £12 a year. The solicitor for Borrowes, Mr. White was trying to prove the case by the affidavit of an agent, but Mr. Kilbride refused. Cluxton was called by White who asked him if he was a relieving officer to

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<sup>292</sup> *Leinster Leader*, 17 March 1906.

<sup>293</sup> IRE Petty sessions, findmypast.com

<sup>294</sup> IRE Petty sessions, findmypast.com

<sup>295</sup> IRE petty sessions, findmypast.com

<sup>296</sup> Poor Law Medical system in Ireland by the British Medical Journal was published in 1904.

which Cluxton affirmed. White then asked him if he had a good salary to which Cluxton replied “indeed I don’t”, White then said, “don’t you see Mr. Orford laughing at you?” Cluxton replied, “he is laughing because you say I have a good salary”. Cluxton said he was paid quarterly by the Guardians, and he received £5-10s per quarter. A decree to stay was given provided he paid £6 on July 1<sup>st</sup> and another payment on Oct 1<sup>st</sup>.<sup>297</sup>

Another ejectment order was brought against Cluxton at the Athy Quarter sessions in January 1895 for non-payment of rent. He was due to pay £18 in arrears on 29<sup>th</sup> Sept. Cluxton said he was not able to pay as times were so bad and he had already paid a year’s rent in August. In his defence Mr. Gaussin said Cluxton had sold his harvest since and was employed as a relieving officer. Cluxton in his defence told the judge he had a large family to which the judge replied that was not Mr. Borrowes fault. A decree was given that he could stay until March 1<sup>st</sup> with a further stay to June if a half year’s rent were paid in March.<sup>298</sup> Another appearance at the Athy Quarter sessions in June 1896 was an ejectment for non-payment of rent. Cluxton owed £18 in rent with Mr. Kilbride representing him,<sup>299</sup> the only defence was a plea of inability to pay and an application for time. The Judge decreed there was no time.<sup>300</sup>

Cluxton was not going to have any unnecessary quarrel with his landlord Borrowes. A letter came from J. Wilkinson complaining about the sanitary condition of Martinstown Wood which was on Borrowes land where “millions of starlings had taken possession of it”. This was causing a “suffocating stench along the road”. Cluxton said he was a sub-sanitary officer and did not think they could make a wood ranger out of him which brought amusement.

## **BIG BILLS**

The reason Cluxton could not pay his rent in 1896 can be explained by a turn of events in April 1896 when he hired Dr. Kilbride for his services at the Fontstown dispensary. At the time Dr. Kenna, the local doctor was unwell, and an emergency case arose which left Cluxton with no alternative but to hire the service of Dr. Kilbride. Cluxton’s claim for expenses brought the matter to the attention of the Local Government Board. In March they sent a letter to the Athy Union to inquire why a temporary medical officer was not appointed for the Fontstown district. They demanded that a written explanation be obtained from relieving officer Cluxton in respect of the circumstances under which he employed and paid Dr. Kilbride to discharge the duties of medical officer in his district for fourteen days.<sup>301</sup> The Local Government Board pointed out that a temporary medical officer should have been appointed in the usual course for the Fontstown district by the committee of management during the illness of the medical officer, Dr. Kenna. They said Cluxton

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<sup>297</sup> *Nationalist and Leinster Times*, 10 Jun 1893.

<sup>298</sup> *Nationalist and Leinster Times*, 12 Jan 1895.

<sup>299</sup> *Nationalist and Leinster Times*, 13 Jun 1896.

<sup>300</sup> *Leinster Express*, 6 Jun 1896.

<sup>301</sup> *Leinster Express*, 4 April 1896.



should not have been a party to the arrangement between the committee and Dr. Kilbride as regards the discharge of the medical officer.

While the Local Government Board was investigating the circumstances Cluxton continued to pay Dr. Kilbride and engage his services. On 6<sup>th</sup> April Cluxton put in a bill for £5-5s. which he paid Dr. Kilbride for acting for five days for Dr. Kenna for work in the three dispensaries in his district.<sup>302</sup> Again, he required the services of Dr. Kilbride on April 19<sup>th</sup> when an urgent case arose where he paid Dr. Kilbride a fee of £2-2s. A meeting of the Dispensary Committee was subsequently held, and Dr. Kilbride was appointed at £4-4s per week. Cluxton personally conveyed the decision of the committee to Dr. Kilbride, who refused to act for less than £1. 1s. per day. He again consulted the Honourable Secretary of the committee, and it was moved to employ Dr. Kilbride on his terms. Cluxton informed the committee that the matter was altogether out of his hands, but they insisted on him paying Kilbride.

Cluxton was caught between a rock and a hard place when he found himself between the Dispensary Committee, the Board of Guardians, and the Local Government Board. The Local Government Board pointed out that Cluxton had acted over his duty in paying Dr. Kilbride.<sup>303</sup> It was ordered that the explanation be forwarded to the Local Government Board. This put the Board of Guardians in a difficult position as the first they heard of the matter was when Cluxton came before them and presented a receipt for £7, which he had paid the doctor. No one wanted to take responsibility for paying Cluxton the £19-19s he had paid to Dr. Kilbride. The Board argued if it was a matter then between Cluxton and the Local Government Board. In the rules outlined for relieving officers, they were bound to give immediate relief to those in need of urgent attention or they could be liable for manslaughter because of neglect.<sup>304</sup> In that context, a Guardian, Mr. Brennan defended Cluxton arguing that if Cluxton required the services of a doctor and did not procure one, he would be held responsible if anything happened.<sup>305</sup>

At the Poor Law meeting on the 23<sup>rd</sup> of May, a letter was read from Cluxton stating he was due £19 19s for paying Dr. Kilbride and he felt justified in acting as he did. It had an apologetic tone saying if the matter ever arose again, he would follow the guidelines of the Local Government Board. It was then argued he continued to pay Kilbride even though the Board of Guardians warned him it would not be paid. Cluxton said it was the dispensary committee that pressed him to act as he did. The clerk was directed to ask the Local Government Board to sanction the payment as Cluxton “did the best he could”. It was said if he did not act as he did and someone died, he would be locked in jail. A much-relieved Cluxton thanked the Board and brought the house down with laughter with his dry remark, “the woman he got the doctor for is now dead”.<sup>306</sup>

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<sup>302</sup> *Nationalist and Leinster Times*, 6 April 1896.

<sup>303</sup> *Leinster Express*, 23 May 1896.

<sup>304</sup> Crossman, p.171.

<sup>305</sup> *Leinster Express*, 2 May 1896.

<sup>306</sup> *Nationalist and Leinster Times*, 23 May 1896.

If Cluxton had not had enough to deal with regarding answering to the Local Government Board, he had other in-house issues that were causing his financial difficulty and mental strain. The costs of the day-to-day management of affairs for Relieving Officers were difficult not knowing if their expenses would be sanctioned yet they were obliged to fulfil their duty. The four relieving officers of the union, Cleary, Cluxton, Lyons, and Hyland applied to the Guardians for payment for attending a local inquiry to give evidence. They were three days engaged and had to pay for Board and lodging in Athy. No order was made.<sup>307</sup> At an audit by the Local Government Board in Sept 1896 Cluxton and other officers were surcharged for giving illegal relief. Cluxton was surcharged 35s for providing relief to Bernard Fox who had a labourer's cottage and a half-acre of land, it was deemed he should have been sent to the workhouse.<sup>308</sup> Another case was for £1-12s, illegal relief given to a man named Fisher.<sup>309</sup>

## SALARY

It was well known that Cluxton was the worst-paid officer in the Union.<sup>310</sup> His area was large but not as heavily populated as the north county therefore he did not have as many people to deal with. However, as his district was large it required long journeys. Attending weekly meetings of the Guardians cut into his busy schedule. In 1902, he applied to leave early from meetings on account of the distance he had to travel but was refused.<sup>311</sup> He had his farm to keep, he was the register of births and deaths, and he ran the post office. All these tasks impacted on his time and personal finances. He likely employed labourers to do some of his farming work. With all the jobs to juggle it did not stop him from applying for the job as sanitary sub-officer for the Castledermot district in 1890 at an extra salary of £7.<sup>312</sup>

On 16<sup>th</sup> February 1895, he put in for an increase in salary to £30 a year. He said he had a horse to keep and was engaged five days a week. He felt that the Guardians should feel his case was justified.<sup>313</sup> The following month the Guardians considered Cluxton's salary. The Board was divided on the issue with Mr. Brennan in favour and Mr. Hickey in opposition. Mr. Brennan argued he was on only £18 per year, and he had a large district.<sup>314</sup> He asked the question if Cluxton was also a sub-sanitary officer. It was confirmed that he was, and he was paid one salary for dual offices. Hickey said it was not good to raise salaries when the country was in such a state. He also pointed out that Cluxton spent £90 on relief in the previous six months while other officers had paid out over £200.<sup>315</sup> The clerk said all the relieving officers were on £30 a year and Cluxton should get the same. Mr. Brennan proposed raising his

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<sup>307</sup> *Leinster Express*, 30 May 1896.

<sup>308</sup> *Nationalist and Leinster Times*, 05 Sept 1896.

<sup>309</sup> *Leinster Express*, 06 Sept 1896.

<sup>310</sup> *Leinster Express*, 17 Oct 1903.

<sup>311</sup> *Leinster Times*, 18 June 1892.

<sup>312</sup> *Leinster Times*, 22 March 1890.

<sup>313</sup> *Nationalist and Leinster Times*, 16 Feb 1895.

<sup>314</sup> *Leinster Express*, 2 March 1895.

<sup>315</sup> *Nationalist and Leinster Times*, 2 March 1895.

salary and Mr. Waters proposed the amendment that he should get £26 which was voted on and carried by a majority of two. The salary was fixed at £26 pending sanction from the Local Government Board. The papers published the votes, so it was easy for Cluxton to see who his enemies and friend were on the Board.

The Board of Guardians sent a letter on the 27th of February proposing to increase Cluxton's salary from £22 to £30 a year. The Local Government Board replied to state that Cluxton received the same remuneration as his predecessor, and they requested to know the Guardians reasons why the amount should be increased. The clerk pointed out that there was a mistake in the amount of the salary increase as the proposed increase was from £22 to £26 a year. It was said Cluxton applied for a salary increase, as he could not perform the duties for the small salary he was receiving. The local Guardian who proposed the increase was not present, so the issue was brought up again at the next meeting.<sup>316</sup> At the next meeting, it was said he had 17 years of service and he was badly paid. He had ten miles to travel to come to meetings. Some of the members of the Board of Guardians were in favour of increasing his salary to £30. It was said that working men's wages had increased over the previous twenty years. Mr. Brennan said that no honest man could keep a horse and be on £22 as a salary. He said he did not wonder at Cluxton charging £1 to bury a goat or 30s to buy an ass which caused some amusement. Another Guardian discussed the state of the economy saying it was not a time to be increasing salaries while ratepayers were struggling. He said he was not against Cluxton getting a rise and it was agreed to send the reasons to the Local Government Board for their decision.<sup>317</sup> The Local Government Board wrote back to say they would sanction an increase from £22 to £26 per annum.<sup>318</sup>

Cluxton was always struggling with his finances. He would put his hand to anything that brought in some extra income. He acted as a courier and a clerk for one of his clients and most likely his daughter Mary Anne was assisting him. In 1902 Cluxton engaged in a civil case that was brought against him by P Finn. This was an action for goods sold amounting to £3-7s which Cluxton owed Finn. Finn was a manure agent and seed merchant in Athy and held the position of Poor Rate collector. Cluxton had an agreement with Finn and filled out his invoices for him and handed them out. Cluxton swore the rate agreed was £3-10s per year. Cluxton in turn purchased seed from Finn. Finn produced accounts to show that the amount agreed was £3. Cluxton agreed that £3 was the original agreement but when the Clerk of the Union refused to do the invoices for him, he had to do it himself for which he charged 10s. This was to pay his daughter Mary Anne to perform the clerical work. Finn denied any knowledge of this arrangement. The matter was complicated by the fact that they had a cross-account with each other. The Judge ruled in favour of Finn and Cluxton had to pay. Cluxton asked for time and Finn said he would not press for it. It must have

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<sup>316</sup> *Leinster Express*, 23 Mar 1895.

<sup>317</sup> *Nationalist and Leinster Times*, 30 March 1895.

<sup>318</sup> *Nationalist and Leinster Times*, 10 April 1895.

been a blow to Cluxton but the fact that Finn allowed him time suggests that the dealings were amicable.<sup>319</sup>

The issue of Cluxton's salary came up again in 1903. An application was sent for an increase in the salary for relieving officer Lyons from £28 to £38. It was deemed he was a good officer who did his work carefully, punctually, and with great satisfaction.<sup>320</sup> Lyons received £28 as a returning officer, £13 as a sub-sanitary officer, about £10 as a cottage rent collector, and £2 as superintendent of dairies which amounted to approximately £53 a year.<sup>321</sup> It was remarked by one of the Guardians, "You will have Cluxton applying next" while another replied, "Well, Cluxton should have got it long ago, for he is justly entitled to a rise". Another Guardian objected to an increase for Lyons as Cluxton's salary was £20 and he had 25 years' service. They decided not to increase Lyons's salary but instead to grant an increase of £5 to Cluxton. The following month Cluxton put in for a pay rise. At the time he received £21 as a relieving officer, £5 as sub-sanitary officer, and about £1 as a Collector. With a total salary of £29, it made him the worst-paid officer in the whole Union. The argument came up again about Mr. Lyons' salary, it was said a bank clerk had not as much as Mr. Lyons. It was proposed that Cluxton's salary be increased to £30 a year as he had an exceptionally large district. The Guardians jested about the size of the Cluxton family saying, "he was supporting seventeen children." They unanimously agreed to raise Cluxton's salary.<sup>322</sup> The Local Government Board sanctioned the increase in salary from £20 to £30 a year the following month.<sup>323</sup>

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<sup>319</sup> *Kildare Observer*, 7 June 1902.

<sup>320</sup> *Leinster Leader*, 17 Oct 1903.

<sup>321</sup> *Leinster Express*, 17 Oct 1903.

<sup>322</sup> *Leinster Leader*, 28 Nov 1903.

<sup>323</sup> *Leinster Express*, 19 Dec 1903.

## SICK LEAVE

Cluxton spent his life making sure the sick and poor were looked after but the same treatment was not afforded to him when he was sick. The attitude of the Guardians to officers who were sick was not one of sympathy but one of distrust. When Cluxton became sick in 1902 the clerk reported that the rents of the cottages were all satisfactory except for Cluxtons. His collection for the half-year amounted to £69



*One of John Bailey Cluxton's sons.*

11s-6d, out of which he had only lodged £28, leaving a balance of £36-18s-10d. Cluxton said the Union was aware he had been in poor health for some time and that he would not be able to attend to his business. He said he would lodge the outstanding balance within a week and produce a medical certificate.<sup>324</sup> He was ordered to lodge the money by May 1<sup>st</sup>.<sup>325</sup>

Bailey Cluxton became sick at various times during his career so during those times other officers would cover for him. When his children were older, they fulfilled his duties when he was on certified sick leave. On one occasion his eldest son Bailey performed his duties and on another, his daughter Mary Anne.<sup>326</sup> Before that, it was up to one of the other relieving officers to act for him. Mr. Thomas Mooney, relieving officer for Stradbally, was appointed to act during Mr. Cluxton's illness in May 1885 at an extra salary of £1 per week.<sup>327</sup> Cluxton was suffering from cataracts in his eyes in 1890 and he was

covered by another officer named Cleary who had to fight the Guardians to get paid a lesser sum of 10 shillings.<sup>328</sup>

Getting cover for being sick was always a sore point with the Guardians as they had to pay the sick officer's salary as well as the substitute. When Cluxton's eldest son Bailey acted for him in August 1902 there was a dispute amongst the Guardians about paying his salary. Bailey Jr requested £1 a week for discharging his father's duties. Cluxton was granted a month's leave with a doctor's certificate and under those conditions, that the Union would have to pay a substitute. Just because he was Cluxton's son they felt that they should not have to pay him. One of the Guardians Mr. Orford said he understood that the applicant was to discharge his father's duties

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<sup>324</sup> *Kildare Observer*, 19 April 1902.

<sup>325</sup> *Leinster Leader*, 19 April 1902.

<sup>326</sup> *Leinster Times*, 30 March 1907.

<sup>327</sup> *Leinster Express*, 23 May 1885.

<sup>328</sup> *Leinster Express*, 08 February 1890.

free of charge.<sup>329</sup> It was then suggested to pay him 5s a week. It was then argued that he could sue, and they would have to give him £1 a week anyway. It was also argued that they would not be able to get a stranger to do the duties as well and they would still have to give him £1 a week. Cluxton's honesty was then brought into question as one of the Guardians Mr. Brennan suggested he was not sick at all, and it was easy to get a doctor's certificate. Another Guardian defended Cluxton's position "If the man had treated us badly or done anything wrong, it would be another matter, but here the poor man, is suffering from the hand of God". It was proposed to pay Cluxton Jnr 10s a week and "let him do what he wants afterward".<sup>330</sup> At the following week's meeting, it was decided that Cluxton's salary had to be paid while his son was acting. Cluxton Jnr. was not a consenting party in this affair and when he saw the matter being discussed in the local papers, he immediately acted on it. He said to one of the Guardians Mr. Walsh, he never agreed to work for free, "the Guardians could get who they liked" but he "was not going to work for nothing". He said he would do no more work so Mr. Walsh told him to stay on and he would present the matter to the Guardians. Mr. Walsh said it was hardly fair to expect a man to do work without getting remuneration. Every official of the Board was entitled to get leave when he sent in his medical certificate, and the Board had to employ a substitute.<sup>331</sup> The Guardians knew they were in a corner, so they agreed to pay Bailey Cluxton Jnr 10s a week for five weeks.<sup>332</sup>

## RESIGNATION

One of the last mentions of Cluxton in the minutes of the Guardians is related to the price of a chicken. After years of arduous work this must have been a demoralizing situation. However, he was not a man of means so he had to put up with all the idiosyncrasies and whims of the Board. In this case, in November 1909, Cluxton submitted a bill for 4s. the price of a chicken he ordered for a patient. The chairman said that chickens could be bought in Athy for 1s each. Cluxton said they could not be got at that price in his part of the country. A refusal was made as it "would be a shame to let such a price go on the books."<sup>333</sup> The following week the Guardians sanctioned the payment, as 4s covered the purchase of two chickens, not one.<sup>334</sup>

In January 1911, Bailey Cluxton was 64 years old and he had thirty-one years' service behind him. Considering that life expectancy did not reach over fifty until 1905, he lived a long life for the time and deserved to retire.<sup>335</sup> Despite his age, loyalty, and clean working record he was still under scrutiny as a public servant. Sometime in either late 1910 or early 1911, he was inspected by C. H. O'Connor, an inspector from the Local Government Board. Cluxton received a report from the inspector which

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<sup>329</sup> *Leinster Leader*, 23 Aug 1902.

<sup>330</sup> *Kildare Observer*, 23 Aug 1902.

<sup>331</sup> *Leinster Leader*, 13 Sept 1902.

<sup>332</sup> *Kildare Observer*, 13 Sept 1902.

<sup>333</sup> *Leinster Leader*, 19 Nov 1909.

<sup>334</sup> *Leinster Express*, 2 Nov 1909.

<sup>335</sup> Statista.com

was discussed at the weekly meeting of the Guardians. Cluxton gave explanations concerning the cases that were referred to in the report. One concerned the frequency in which he gave relief to Eliza Stynes. He gave her relief every fortnight but at the time of inspection, he was a week late. He explained he had just given the money to Stynes at the depot ten minutes after the inspector left. Cluxton said he visited her every two weeks where she lived with her brother in a labourer's cottage that he rented. Cluxton gave her 2s every week and no relief money was stopped for rent. Her rent was 1s and he said she might have paid the rent out of the relief money, but he was not sure. He also paid a man named John Keally on the same day and on Keally's instruction he left the money with Mr. Kenny of Narraghmore when his messenger did not attend. Cluxton said the inspector was misinformed concerning the case of Bernard Fox. A relief voucher was always left with him or his wife where afterward it was exchanged at Mr. Lees shop. A letter from both Mr. Lee and Bernard Fox was presented to support this. The inspector claimed that Cluxton was in the retail trade, which was not allowed as a relieving officer. Cluxton said his daughter sold tobacco and stationery and not retail goods or provisions so therefore he did not consider himself involved in the retail trade. The explanation was accepted by the Guardians and the chairman stated that Cluxton was "a very old and faithful officer."<sup>336</sup>

A month passed before the Local Government Board replied to Cluxton's explanation. It was deemed unsatisfactory, and they would not accept it. They said he was not competent to fulfill his duties as he was invested in the retail trade and under those circumstances, he should resign. An acknowledgment was made of his age and length of service; therefore, he would be entitled to an allowance due to his age. The Guardians discussed the situation saying that Cluxton had said it was his intention not to remain much longer in service. The clerk said he had thirty-one years of service without a record or unsatisfactory mark against him. They decided they would refer the letter from the Local Government Board to Cluxton for his opinion.<sup>337</sup>

The following week Bailey Cluxton wrote to the Athy Guardians to tender his resignation and thanked them for their kindness to him after thirty-one years. He said he would leave the question of superannuation in the hands of the Guardians. His resignation was accepted with regret. Then the matter arose of the appointment of Cluxton's daughter to replace him. It was asked if it was legal to appoint Cluxton's daughter to which the Clerk confirmed it was. The chairman said the salary of £30 would be reduced as there was little to be done. It was reported at a previous meeting in 1907 that Cluxton had twenty-one people on permanent relief.<sup>338</sup> The clerk explained that Cluxton was also a sanitary sub-officer to the district council. It was proposed to amalgamate the roles. It was noted that a relieving officer's salary was

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<sup>336</sup> *Nationalist and Leinster Times*, 18 February 1911.

<sup>337</sup> *Nationalist and Leinster Times*, 4 March 1911.

<sup>338</sup> *Leinster Times*, 21 Dec 1907.

£30, a sub sanitary and inspector of dairies £11, and remuneration from cottage rents approximately £13 yearly.<sup>339</sup>

A month later in April, the Guardians discussed the amount of superannuation to be allowed to Cluxton. The clerk said that Mr. Cluxton would be entitled to the maximum allowance. The Council allowed Cluxton £16 a year superannuation for his services as relieving officer and another £12 a year from the sanitary role making his entire superannuation allowance to be £28 a year.<sup>340</sup> The Local Government Board felt differently and only approved £16 superannuation for Cluxton on May 20<sup>th</sup>, 1911.<sup>341</sup> This must have been a blow to him considering he was expecting £28. If life could not have been any harder, he was to receive another blow. He had been made the beneficiary in the Will of James Kearney who died in December 1910. James Kearney left effects amounting to £43-11s-5d to Bailey Cluxton in his will.<sup>342</sup> Part of this was the lease on Kearney's land in Calverstown. However, Joseph Judge, the brother of James Kearney's late wife, brought an ejection action against Cluxton to recover possession of the land. Joseph Judge claimed it was left to him in the Will of his sister Mrs. Margaret Kearney. Cluxton's solicitor claimed under the Will of James Kearney, Cluxton had the lands since his death and that he had paid the rent regularly. The judge ruled that Mrs. Kearney married after 1883, which was after the married owner's Property Act, so Mr. Kearney had no title to the lands. A decree for possession was granted to Mr. Judge.<sup>343</sup>

## RETIREMENT YEARS

After the threat of eviction in 1903 it must have given Bailey Cluxton great satisfaction when the Irish Land Act of 1909 was passed. This allowed for tenanted land purchases that the owner was unwilling to sell, to be bought by the commission by compulsory purchase. In 1909, Bailey was finally able to outright own the land on the Borrowes estate that his mother Anne took a lease for in 1874.

Bailey Cluxton had nine years of life ahead of him after his resignation. He saw most of his children get married and had the pleasure of seeing many of his grandchildren. His eldest son Bailey was a cattle dealer who married Bridget Whittle. They opened a grocery store in Dunlavin. His second son James became a pawnbroker and was well known in Dublin, operating out of Summerhill on the north side of the city. It must have given Bailey considerable pride to see his son being invited by the Lord Mayor of Dublin to attend the annual Ball in the Mansion House in 1907.<sup>344</sup> James gave his younger siblings employment, including his younger brother Pat who was serving as an apprentice pawnbroker in 1901. Pat had a large family and settled in Calverstown marrying Mary Anne Byrne from Bushfield, Calverstown. Like his father, Pat had a large family, and most Cluxtons today in Ireland are descendants of

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<sup>339</sup> *Nationalist and Leinster Times*, 11 March 1911.

<sup>340</sup> *Leinster Express*, 22 April 1911.

<sup>341</sup> *Nationalist and Leinster Times*, 20 May 1911.

<sup>342</sup> Index of wills, NAI.

<sup>343</sup> *Nationalist and Leinster Times*, 13 May 1911.

<sup>344</sup> *Freemans Journal*, 13 Nov 1907.



Pat. Bailey's daughters Marcella and Bridget went to England to work as nurses. Bridget served in Ireland, England, Italy, and France as a World War I nurse.<sup>345</sup> While he enjoyed being surrounded by his large family tragedy struck on 13<sup>th</sup> Nov 1919 when his son Charles died of Influenza. Charles was twenty-four years old and working as a carpenter when he was taken by the flu pandemic which swept the globe in 1918. Charles's mother Bridget was by his bedside when he died. His sister, Mary Anne as a registrar of births and deaths, had to record the death of her younger brother. During this time Bailey was ill himself suffering from a form of skin cancer. He passed away only three months after Charles on 9<sup>th</sup> Feb 1920 at his home in Calverstown with his daughter Florence by his side. His death was also registered by his daughter Mary Anne. He was buried in the same plot as his son and father in the ancestral plot at Pollardstown cemetery on February 11<sup>th</sup>, 1920.



*The picture was taken at A & G Taylor, 140 St Stephens Green, Dublin on 20 August 1885 at the wedding of John Neill and Elizabeth Dowling. Bailey Cluxton with the beard was the male witness and his sister-in-law, Marcella Neill, was the female witness. Picture courtesy of Leo O'Connor*

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<sup>345</sup> The National Archives UK reference WO 399/1573



*Daughter of John Bailey Cluxton*

## **TIMELINE OF JOHN BAILEY CLUXTON**

1847 Born in Kilcullen, Co. Kildare Ireland

Birth of Sister Katie Cluxton (1849–1877)

Death of Father Bailey Cluxton (1814–1851) 16 Feb 1851 Naas, Kildare, Ireland

Marriage 1874 Naas, to Bridget Neill (1845-1932)

Birth of Son Bailey Cluxton (1876 -1952) Married Bridget Whittle

Birth of Son James Cluxton (1877-1943) Married Ellen Mullineaux

Death of Brother James Cluxton (1842-1877) 19 Oct 1877 at 54, Church Street, Dublin,

Death of Sister Katie Cluxton (1849-1877) in Manhattan, New York, USA

Birth of Daughter Marcella Cluxton (1878-1942) Married Henry Gibbs

Birth of Daughter Catherine Cluxton (1881-1937) Married William Alford

Birth of Daughter Mary-Anne Cluxton-Melia (1883-1959) Married Dan Melia

Birth of Daughter Elizabeth (Liza) Cluxton (1884-1972) Married Michael Christie

Birth of Son Patrick Cluxton (1885-1965) Married Mary Ann Byrne

Birth of Daughter Bridget Cluxton (1887-1973) Married Richard Seale

Death of Mother Anne Kearney (1809-1888)

Birth of Daughter Florence Cluxton (1889-1944) Married Lawrence Copeland

Birth of Daughter Jane (1890 - 1890)

Birth of Son Samuel Cluxton (1891-1944) Died in USA, Married Josephine Condran

Birth of Son Charles Cluxton (1894 -1919) Unmarried

Birth of Daughter Christina Cluxton (1896 - 1984) Unmarried

Birth of Son Thomas H Cluxton (1900-1962) Married Eleanor Doyle

Death of Son Charles Cluxton (1894-1919)

Death 5 Aug 1920

### 3. THE CHILDREN OF JOHN BAILEY CLUXTON

#### MARY ANNE CLUXTON



Mary Anne Cluxton was born in 1883 as the fifth child of John Bailey Cluxton and Bridget Neill. She was remembered by family members for operating the post office in Calverstown. There she worked as a Registrar of births, deaths, and marriages for the Fontstown district.<sup>346</sup> Mary Anne was a woman well ahead of her time as she was the first female relieving officer in Kildare and possibly Ireland. She followed her father into public service as a relieving officer at the Athy Poor Law Union. She had performed his duties during periods of his illness before she succeeded him on his retirement in 1911. It was out of necessity that she fulfilled the role of her father. However, she proved that she was well capable of making her way around by horse and cart to perform her father's duties. She

was determined to carve out a career in public service. On Sept 25<sup>th</sup>, 1909, she unsuccessfully applied for the job of matron at Athy Poor Law Union workhouse losing out to the daughter of one of the Guardians, Mr. Brennan. That did not deter her so when her father retired, she competed with two other men for his position. The Guardians had agreed that the new officer would start on the reduced salary of £20 instead of the £30 Bailey Cluxton was paid. Mary Anne Cluxton was unanimously elected by the Board of Guardians as sanitary sub-inspector of dairies and milk shops and inspector of lodging houses at a salary of £10 a year.<sup>347</sup> This salary was £10 less than the £20 they had originally proposed. The Board likely hired Mary Anne, not just for her abilities but so they could save money by paying her less on account of her gender. Mary Anne was also elected cottage rent collector at a remuneration of 5

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<sup>346</sup> *Nationalist and Leinster Times*, 13 March 1920.

<sup>347</sup> *Nationalist and Leinster Times*, 20 May 1911.

percent, on the amount of her collections.<sup>348</sup> The incentive was put on the rent collector to get as much rent as possible.

Mary Anne was an early pioneer for women's rights in twentieth-century Ireland. There is no evidence she participated in any movement. However, she broke down barriers merely by her actions and ability. Although women were unable to vote in local elections until 1898 or in national elections until 1918, women did participate in political life in Ireland. The organisational success of the ladies Land League was an early example of how women played an important role in public life. Mary Anne and Miss Bennett, Clerk of the Ennis, Co. Clare Union were two of the first female public officials in Ireland and certainly the first for the Poor Law Unions. Mary Anne was the first in Kildare.<sup>349</sup> As Mary Anne was acting for her father previously in 1907, she may have been the first female officer working in local government in Ireland. These appointments were looked on favorably by the local media in Kildare. The *Leinster Leader* wrote "experience, seems to prove that the boasted superiority of the man was-merely a boast; and now that the bubble has burst, gentlemen seeking public offices had better look out. Even without "the vote", the ladies are bound to give trouble". The *Leinster Times* wrote that the Local Government Board was to be congratulated on the appointment of Mary Anne Cluxton.<sup>350</sup> They felt that women were at a decided advantage on public Boards and there were many phases of life that they were eminently fitted to deal with. A report from the *Nationalist and Leinster Times* stated:

Athy Guardians are to be congratulated on their chivalrous action in appointing Miss Cluxton to the position. Whether it is a good thing or a bad thing for women to enter public life, it is rather late in the day to discuss the point. Women have on the merits gained a footing in the business life and it will be only a short time until they storm the few citadels that have hitherto been debarred to them through prejudice and antiquated legislation.

A year after Mary Anne's appointment, a position became available in the Athy Urban School Committee. The *Leinster Leader* were interested to see if the role would be filled by a woman. They argued that if women were able to perform duties of office there was no reason why a woman could not sit on the Board. They used Mary Anne as an example of how women could successfully fill roles that were hitherto restricted to men. The editor said she had been performing her father's duties in the past and that her labours had an amount of zeal, thoroughness, good judgement as would reflect credit on the most competent of her male counterparts. At this time the Athy

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<sup>348</sup> *Leinster Leader*, 22 April 1911.

<sup>349</sup> *Leinster Leader* clipping unknown date 1911.

<sup>350</sup> *Leinster Times*, 20 May 1911.

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**OFF TO THE DERBY.**

The Clerk read the following:—"Boardroom, Workhouse Arhs. 21st June, 1911. Gentlemen.—We, the relieving officers of the Union, request the Board of Guardians for a holiday on Wednesday next, "Derby Day," at the Curragh. During the past year we have had most laborious work and we believe, gentlemen, it is your duty not only to look after the wants and necessities of the poor, but also to endeavour to have your officers physically fit and healthy; and what is more conducive to the health, bodily and mentally, of your officers than allowing them a little relaxation during the year; and what better way of doing this than "an outing" or a day off at the Curragh (laughter). It must not be assumed that because we solicit this favour that we encourage or support gambling. It is not because a few are dishonest gamblers, because a few drink more than they can conveniently walk away with, that the many should be prevented from enjoying an innocent and pleasant day on the level plains of Kildare (laughter).

Oh, sweet Kildare. Oh lovely vale,  
Where Dawson breeds the winners,  
There on your plains, on Derby Day,  
We'll meet both saints and sinners.

There the hardened three-card men,  
To find the lady, if they can,  
According to their lights.

There the roulette shark will also be,  
And the lad, with the squares so nice;  
Also the blackguard there you'll find  
With the umbrella and mace.

You put your all upon a horse,  
That horse comes home alone,  
But when you for your money look,  
The bookie he has flown!

Gone! No, no—he's captured;  
From his clients he's getting "socks."  
But this is consolation poor—  
He has left you "on the rocks." (laughter).

We notice, gentlemen, that many of your faces appear seamed with thoughts of the Union, and, no doubt, many an anxious moment has been spent with the perplexing problems of the workhouse water supply (laughter), gas supply, etc., and after this day's debate what better for any Guardian, as well as official, than a holiday? (laughter). Next week your minds will run in a far different channel and the 1st, 2nd, and 3rd "favourites," "the dark horse," or the one that should have won will be the problem (laughter). Though many of you differ to-day, you will be all one mind next week, and we say good must be the cause that can unite so many elements of warfare (laughter). You can have your meetings every Wednesday in the year or oftener if necessary, but you can have the Irish Derby only once in that period. Trusting, gentlemen, that you will accede to our petition.—We are, gentlemen,  
THOMAS E. MURPHY,  
W. LYNCH  
(MISS) M. CLUXTON,  
WILLIAM MURPHY,  
THOMAS CLEARY.

Mr. Thomas Cogan: Maybe "it is to the

Union had recruited a second female relieving officer. Mary Anne opened the door for other women to work in what were considered male only roles.

Although the Guardians were changing with the times, they still kept tight control over public expenditure. Like her father, Mary Anne had to fight with the Guardians for fair remuneration. She also was subject to the same penny-pinching her father was subject to. In 1918 the officers received a war bonus, and Mary Anne along with her colleagues put in for a pay increase from 2s-6d to 5s. The Board rejected it saying what they had was "good enough." At the same Union meeting Mary Anne was denied expenses while attending court to testify against vaccine defaulters in 1918.<sup>351</sup> She had only one defaulter to testify against in court. The bill to the State on account of this was £1-14s-6d and a guinea for the medical officer. The Board resented paying the money as they felt that vaccination was an issue for parents to decide on and not the State. This was the overwhelming attitude of the public at that time.

Mary Anne was not one to let people walk over her. Along with her colleagues, she petitioned the Board for the right to choose their substitutes for their annual leave. Unless their demands were met, they would not take any leave at all.<sup>352</sup> Along with her fellow Relieving Officers in Kildare, Mary Anne petitioned the Board of Guardians for

a holiday for "Derby Day" in June 1911.<sup>353</sup> The Derby at the Curragh was a huge social event. They argued that it was not only the duty of the Board to make sure of the "wants and necessities of the poor" but that the officers were fit and healthy both

<sup>351</sup> *Nationalist and Leinster Times*, 23 March 1918.

<sup>352</sup> *Leinster Leader*, 17 July 1920.

<sup>353</sup> *Leinster Leader*, June 1911.

physically and mentally. The Guardians were in a good mood that day and granted leave for the officers to attend Derby Day.



Mary Anne married Dan Melia; they had no children. Her youngest sibling Christina Cluxton assisted her in the post office in Calverstown until she died in 1959. Christina then moved in with her Sister-in-Law Mary Anne Cluxton (Pat's wife) in Calverstown. On the death of her Sister-in-Law, Christina lived in Valleymount, County Wicklow with her niece Julia O'Connor. Mary Anne Melia (nee Cluxton) is buried in New Abbey, Kilcullen in the same plot as Anne Cluxton's parents, John and Kate Kearney.

**JAMES CLUXTON THE PAWNBROKER**



*John Bailey Cluxton with his son James (Jim) Pawnbroker courtesy of Tom Heron*



James Cluxton was born in Calverstown in Feb 1887, the second child of John Bailey Cluxton and Bridget Neill. He was a well-known pawnbroker based in Dublin with a shop in Summerhill and another in Parnell Street. It is not known how he entered the pawnbroking business. In the 1901 census, he lived at 179 Great Britain Street (Rotunda, Dublin). At the early age of twenty-four, he was listed as the head of the household sharing with two pawnbroker's assistants, an apprentice, and a housekeeper. He mentored his younger brothers Pat and Samuel, and they served as pawn shop assistants in Dublin at that time. In the 1911 census, he was living at number 31 James's St. (Usher's Quay, Dublin) aged thirty-four and still single. He got married late in life, aged forty-five, to Ellen Patricia Mullineaux, a nurse from London. They were married in Crookstown, Co. Kildare on 18<sup>th</sup> July 1922. They had only one child, Pauline, who became a nurse.

James was working as a manager at McPhillips pawn shop in Summerhill in July 1907.<sup>354</sup> He took over the lease of 12a Summerhill and 63 Summerhill in 1925.<sup>355</sup> He was well-known in Dublin and was invited with business owners all over Dublin to the annual ball in the Mansion House in 1907. Old newspapers are full of his advertisements for goods showing that he did a big trade in bicycles. James was elected vice president of the Pawn Brokers Association of Dublin in 1908.<sup>356</sup> Pawnbroking could be a dangerous business. James was robbed on several occasions. In Sept 1922, the shop in Summerhill was broken into where £200 worth of goods were taken.<sup>357</sup> This was reported as the second time he had been robbed that year. Witnesses saw three armed men and a boy at the premises. Two of the individuals entered through the upper portion of the front window while two stayed outside on watch. They spent an hour in the shop but could not open the safe where the money and jewelry were kept. James was asleep upstairs and hadn't noticed until the police arrived at 5a.m. The

following month he was robbed again when three armed men entered and made away with £20. Just the month previous he claimed damage during the Civil War amounting to £388. Claims were made nationally to the value of £10 million. Around this time or shortly thereafter James gave up pawnbroking possibly because it was no longer worth it and too risky. He began to focus on the furniture trade.

<sup>354</sup> *Freemans Journal*, 04 July 1907.

<sup>355</sup> RD, 1925, No.125

<sup>356</sup> *Freemans Journal*, 04 July 1908.

<sup>357</sup> *Freemans Journal*, 30 September 1922.

He also had to deal with the petty whims of the public. In 1926 he was brought to court by Rosanna Brady who bought a fur coat from him. She claimed she got dermatitis from the fur and went to the store and handed James a medical certificate. She claimed that James threw it back at her and ordered her out of the shop, but James denied this happened. The judge said James was not liable and dismissed the case.<sup>358</sup>

James found himself embroiled in a tricky situation in 1929. A man named Edward McGoldrick who used several aliases was charged with forty-six counts of housebreaking, mostly in the Drumcondra area of Dublin. James found himself charged and given bail for accepting a gramophone, a two-valve wireless set, and headphones from McGoldrick. He was accused of knowing they were stolen.<sup>359</sup>

James went on trial and in his defense said he had been in business for 38 years in Dublin and spent seventeen years in the pawn business but in the past five years, he had been in the furniture business. He said he never had a charge brought against him during that time. He said he didn't want the goods but felt sorry for McGoldrick as he needed the fare to go to Liverpool and could not pay the duty on the items. James gave him 30s for the gramophone and he didn't want the wireless as he said it was no use but agreed to keep it in his possession and would forward it on to McGoldrick in Liverpool when he sent him the duty. The Judge dropped all charges and dismissed the case.

The pawn business was steadily in decline in Dublin long before James became a pawnbroker. In 1870 there were seventy-six pawnbrokers in Dublin and in 1942 only twenty-nine remained.<sup>360</sup> As the business was a dying trade James diversified and established himself in the furniture trade where he operated out of his shop at 129 Summerhill and later 158 Parnell Street, Dublin. He was assisted by his nephew Pat Henry Gibbs, the eldest son of his sister Marcella. Pat Henry was known as "Mr. Cluxton" to the customers and the people in the city. He was mentioned in the book *'A long way from Penny Apples'* by Bill Cullen. As Pat was the eldest child of the Gibbs family at the time, James offered to take him under his wing by moving him into his home with the understanding that he would help to both run and learn the trade, which he did successfully. When James died in 1943, the business was valued at £2222 which he left to Pat in his Will. Pat's youngest brother Brendan joined him in the running of both the Parnell Street and Summerhill store until his untimely death in 1989. As with the Cluxtons, the Gibbs' also had a knack for landing on their feet

<sup>358</sup> *Evening Herald*, 10 February 1926.

<sup>359</sup> *Irish Independent*, 5 July 1929.

<sup>360</sup> Philip Doherty, "The Last Pawnshops of Dublin City," *Dublin Historical Record*, vol. 47, no. 1, 1994, pp. 87–94. JSTOR, <http://www.jstor.org/stable/30101060>. Accessed 13 Feb. 2023.

and Pat's only son, his namesake, ended up purchasing the property when his father died in 1999. Pat put his common sense "business mind" to work and eventually purchased the shop next door to Cluxton's at 157 Parnell Street which was owned by Cullen's.

South Islander (1918-1920), 12.10.1918, page 4

# First principal of West Australian nursing college

## DUBLIN NURSE'S NEW POST DOWN UNDER

A DUBLIN-BORN nurse and her husband, a former radio officer in the British merchant navy, are at present preparing a reserve for wild-life and wild-flowers on a seven and a half acre site which they have purchased at Forestfield high in the hills above Perth, the Western Australian capital where they live.

They are Michael and Pauline Lambert (the former Pauline Cluxton) who lived at 23 Spadina Drive, Dublin, before emigrating to Australia in February, 1917. Their own love of birds and flowers, combined with a strong sense of civic duty, is the motivating power behind the scheme.

## PROVIDES RELAXATION

MR. AND MRS. LAMBERT found their residence at Forestfield, besides the property and planning the details of the reserve. It is a garden ideal for the study of birds and flowers, who has just been presented with a large amount of the newly established Forestfield Reserve. Mrs. Lambert now is the only nurse in the district who is still in the service of the British Empire. As well as being a nurse, she is also a lecturer in the College and will also be a full-time lecturer.

In October 1918 she took part in a series of conferences and conferences in the city of Perth in which arrangements were made for the opening up of the College of Nursing which will begin next year. Mrs. Lambert is now in charge of the "nursing" at the Perth Maternity Hospital, Perth.

The Lambers have already established a number of reserves with a variety of wild-life in the Forestfield Reserve. In their garden attached to their house at Forestfield, Mrs. Lambert has a large variety of wild-life to stock the new reserve.

## GEMSTONE

## JEWELLERY

MRS. J. A. ROBERT has opened a new and extensive jewellery stock consisting of the finest quality and beautiful gemstone jewellery. She is a member of the Perth Jewellery Club and has displayed some of her work at Perth Royal



Mrs. Pauline Lambert at her desk at the West Australian Nurses Registration Board.

agricultural show, she and her husband have translated hundreds of miles through Australia studying wild birds and rock formations.

"Every time we go back to the old life of rocks with their delicate traceries of brilliant color," Mrs. Lambert's comment on the subject.

Since 1918 Mrs. Lambert has been assistant education officer to the West Australian Nursing Board which corresponds to our own Board of Nursing. She is a graduate of the University of Western Australia, where she majored in English and is special tutor in the Royal Perth Hospital.

## HOLIDAY IN IRELAND

THE LAMBERTS came back to Ireland on Monday afternoon a week ago. In Dublin they looked up all their relatives and friends and Mrs. Lambert could not check up on the changes in music printing in this country since she left with officers of An Bord Airgann and the Irish Women's organization. She is related to the Cluxton family in Perth.

When she got back to Perth she commented: "While it was wonderful to see our family and friends, the trip was not

enjoyed as much as we had made the trip since in starting a new life in Australia." She and her husband emigrated to Ireland and Australia was chosen, but the conditions were such that they decided to go to Australia. The hospital was closed, but Mrs. Lambert thought the best of her situation and still very proud in Irish interests.

"And what does Mr. Lambert think of it all? He said it is a very good thing that Australia was the country where you can still find a place where you can still get out into the bush and see things which are enjoyed by people all the time."

## SWIMMING ON SIXTH FLOOR

VERY SOON now guests at the G.I.E. Hotel at Perth will be able to enjoy a swim on the sixth floor. During the Christmas break and after a few months of the new heated pool, which was built for the purpose of the pool.

With the possible exception of Germany, the only one of its kind in Europe and of course, the first in Ireland. The pool is 14 feet deep, and is completely closed in. Since after its installation, a

swim bath will be added, as Mr. Manager Harry Marlow will have his bath built, especially as the Company is going to expand accommodation in the hotel from 150 to 200 beds.

During the winter season also, the hotel is to have two swimming pools on all the floors. As the present only one swimming pool is at the bottom, a new one will be built on the top floor. It is all part of the G.I.E. plan to provide swimming pools on all the floors. As the present only one swimming pool is at the bottom, a new one will be built on the top floor.

## STATE COACH

THE STATE Coach has been ordered to buy up to 1000 tons of coal after a long period of which it carried 500 tons. It is now to get a good price for the coal. The coach will travel to Killybeg in May 15, after spending the night in the G.I.E. Hotel. Mrs. Marlow will go to Perth with the coach where she will have a very good view of the coach. A very good view of the coach will also be at hand for their use. And the coach

in which Princess Grace and Prince Rainier stayed has been reserved for the royal couple.

It is said of the coach that it didn't even see the king when the British monarch visited Perth. It was completely redecorated for the visit of the royal couple, who stayed in it from Dublin to Perth and back. Such a trip has been in frequent use.

It has three compartments, known as the Club, Main and the Dining Room. The main room being taken from the top of the building and on each side of the main room are the dining room and the bar.

## LUXURIOUS INTERIOR

DONORAL carpets are used throughout, and armchairs and sofas are covered in gold brocade in the main room and dining room. The main room is covered with oriental red lacquer mahogany with ornate carvings in the Oak Broom. The dining room is covered with the top of the ornamental coffee table. Copper oxidized covers with cross and chain motifs cover the heating pipes. All metal fittings, including the G.I.E. are copper oxidized—except the G.I.E. are finished in chrome.

Special paint in cardinal red is the material used in the curtains and the gold brocade of the material is used in the curtains and the gold brocade of the material is used in the curtains and the gold brocade of the material is used in the curtains.

The coach was built in 1910 and was used to carry King Edward VII and Queen Alexandra to Dublin after their visit to the G.I.E. Hotel in 1910.

The coach will also be used for the G.I.E. Hotel. Mrs. Marlow will go to Perth with the coach where she will have a very good view of the coach. A very good view of the coach will also be at hand for their use. And the coach

—Tattler 11

James Cluxton the pawnbroker's only child Pauline Lambert.

## MARCELLA “MARGE” CLUXTON

Marcella Cluxton was born in 1879, the third child and eldest daughter of Bailey Cluxton and Marcella Neill. Marcella also known as Marge, left Ireland with her



younger sister Bridget, to study nursing in the Salford Union Infirmary, Pendleton, Lancashire. She met Edward Henry Gibbs, son of a chemist, born in 1888 in Berkhamstead, Hertfordshire. He was almost ten years her junior. Marcella and Edward married in January 1913 and had three children in close succession Henry in 1914, Edward in 1915, and Marian in 1916.<sup>361</sup>

Edward first enlisted in December 1915 in the Army Reserve and the following June was posted to France, with the rank of Private in the 17th Cheshire Regiment, part of the Reserve Brigade. Marcella and the children moved back to Calverstown, during the war. On 10 October 1918, Edward was returning to England from visiting them, he travelled on the RMS Leinster which was torpedoed by a German submarine UB-123 just four nautical miles from the Kish Lighthouse with the loss of 501 passengers and crew. He survived the sinking of the ship, though in his Statement of Disability attached to his discharge documents, he said that his rheumatism was made worse from being in the water. Those documents gave his permanent address as Calverstown, but soon afterward the family settled at 45 Aughrim Street in the Stoneybatter area of Dublin. On 17 February 1919, Edward started work as a labourer in the Arthur Guinness Brewery across the River Liffey from where he was living. He was still employed by Guinness when his son Edward married in 1940, though the family had moved to 23 Mount Brown, on James's Street. Marcella died aged 62 in 1942. Her son Edward was known as Henry Pat Cluxton Gibbs. He took over the Pawnbrokers and furniture business from James Cluxton as James only had one daughter Pauline who became a nurse. Henry was known to everyone as Pat or Mr. Cluxton and is mentioned several times in Bill Cullen's book *'A long way from Penny Apples*.

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<sup>361</sup> Ted Gibbs - [https://rmsleinster.com/people/GIBBS\\_Edward%20Henry.htm](https://rmsleinster.com/people/GIBBS_Edward%20Henry.htm)

Leo Cluxton tells his story of Pat (Cluxton) Gibbs:



*Pat Henry Cluxton Gibbs*

Back in the '60s, the north inner city of Dublin was an economically deprived area. It was mostly working class and a large number of people were housed in what remained of the tenement buildings and also corporation flats. There were no apartments in those days, money was scarce and times were hard. Parnell Street was right in the middle of this area and there were quite a number of shops and businesses in the locality. One shop was of particular interest to me and that was Cluxton's second-hand furniture shop. It was owned and run by two cousins of my father, Pat and Brendan Gibbs. They sold everything, beds, sewing machines, tables, and chairs. Anything you needed to make the home comfortable. The first time I stood in that shop I was about 10 years old, and my mother was buying bunk beds for myself and my siblings. My impression of the Gibbs brothers was that they were extremely

affable and seemed to be kind-natured. Years passed and occasionally the brothers would be mentioned in family conversations.

In or around 1986 I was holidaying in Castlegregory Co. Kerry with my wife and three small children. One day we were shopping in Tralee and on the way back to our rented holiday home, we encountered an elderly gentleman thumbing a lift. I recognised him, as I had seen him a couple of nights earlier in Michael O'Neill's public house (The Railway Tavern, Camp Junction). I stopped to pick him up as he was heading for Castlegregory. As we travelled the road, he being an inquisitive Kerry man asked me my name. "Leo Cluxton" I replied "Cluxton! Cluxton!" He repeated." I haven't heard that name since I was a boy". I was intrigued. "How do you come to know that name?" I asked, he replied "when I was a child, I remember being sent to the post office, by my mother, to get a postal order and send it to James Cluxton, Parnell Street, Dublin.", "Why was that "I asked. "She had a Singer sewing machine and needed to replace the bobbin, which was damaged, and Cluxton was the man to get a replacement part from" he said. I left him at Castlegregory and filed away that little piece of family history in the back of my mind.

On another occasion about 10 years ago I was in Clifden in Connemara. I was in the habit and still am of seeking out traditional music/singing sessions in whatever town I might be visiting. I have been known to sing a verse or two. Anyway, I found a session and sat quietly having a drink. One of the musicians noticed that I was enjoying the music and songs and asked me did I sing myself. "yes "I replied. To

which he said “come over here and give us a song “I obliged and during the course of the evening he asked me where I was from. “Does the accent not give it away?” I spoke. “Yeah, but what part of Dublin?”, “Donnycarney “I replied. “Do you mind if I ask your name?” “Cluxton, Leo Cluxton”, “are you any relation to the Cluxton shop in Parnell Street?”, “Yes, my father’s cousins owned it “. The shop had long ceased to exist, by that time. “I remember it well” he said, “that shop, and those two men furnished most if not all the flats in and around Parnell Street, Summerhill, Dominic Street, Gardiner Street, and more,” he said. “My parents bought everything from them in terms of furniture. It was all on the “never, never”. (Back then people would buy their furniture and pay it off over several months or years). “Those two men made a huge difference to the lives of the people of the north inner city. They helped us through hard times. They will never be forgotten.” What a nice compliment, I thought. Those two encounters taught me that if you do good for people it will be remembered. You never know where or when you will meet somebody who benefitted from someone’s kind gestures. It’s nice to know that not all the Cluxtons were “rogues”.



*Courtesy of Ted Gibbs USA. Photo taken on Parnell Street by Ted’s brother-in-law Richard Yuricich in 1967 when he was working on 2001 A Space Odyssey with Stanley Kubrick at Borehamwood Studios outside London.*

**BRIDGET CLUXTON WORLD WAR 1 NURSE**



Sister Bridget Cluxton Q.A.I.M.N.S.R. World War 1 nurse.

Bridget Cluxton was born on 4<sup>th</sup> May 1887 at Calverstown Kilcullen. She was the eighth child of John Bailey Cluxton and Bridget Neill. Her military file was kept in the archives in Kew, London from her service in World War 1 as a nurse. It is a trove of information about her career and training which gives an insight into her character that would otherwise have been lost. Her file shows she was diligent, conscientious, hardworking, and reliable. She had a work ethic instilled in her from her life as a child in Calverstown. Like her siblings, she walked the 3.3 km journey from Calverstown to the national school at Ballymount, Colbinstown. It is not known what education she had beyond national school, but she was listed as a student aged sixteen in the 1901 census. Her father contributed to the Christian Brothers in Athy every year during the 1910s which suggests that some of his children may have had some level of secondary education. Also appearing in the census, her closest siblings Mary Anne aged eighteen was the post office assistant, and Catherine aged twenty was a shop assistant. She likely divided her time between work in the post office and on her father's farm in Calverstown before she took up nursing as a career. At the time of the census, her elder sister Marcella was working as a shop assistant in Newbridge. The influence of her elder sister may have been the reason she left Ireland to train as a nurse in England. She left Ireland with Marcella, to train at Salford Union Infirmary, on 27<sup>th</sup> Nov 1909. Bridget qualified on 27<sup>th</sup> Nov 1912.<sup>362</sup> During her three-year training, she held positions of staff nurse for eight months, ward sister for eighteen months, temporary second assistant matron for four months, and night super for fourteen months. Her probation was spent at the Wigan Infectious Disease Hospital from May 1908 to 27<sup>th</sup> Nov 1909. Bridget trained under Ms. Bradley, matron, while at The Eastern Hospital, Homerton Grove, London. She trained under Ms. Ross, matron, while at Salford Union Infirmary Pendleton Manchester, and Miss Moore at 1 Collin Street Wigan. During her training, she gained ten months of experience nursing enteric fever. She also sat for a massage certificate and passed in practical work. As part of her application, her character reference came from Mrs. Lee who owned the pub in Calverstown. Between her training and her application to join the military nothing is known about her activities.

In 1913 Marcella married Edward Gibbs and started a family. Marcella moved back to Ireland with her young family during the war, while Bridget still single, decided to participate in the war effort. On Aug 6<sup>th</sup>, 1916, Bridget wrote to the matron-in-chief at the war office for application forms for QAIMNS (Queen Alexandra's Imperial Military Nursing Service). The timing of her application to join as a military nurse is interesting. Anti-Irish sentiment existed in England and when the 1916 rebellion broke out it would have added fuel to the fire. Irish rebels fought against the British Empire when it was at its weakest. The Irish public at the time was outraged by the rebellion and it was not until its leaders were executed that public opinion in Ireland changed. There was no mood in England for an independent Ireland especially when the focus was on winning the war. If any sentiment existed for the leaders of the 1916 rebellion it was not a sympathetic one. However, there is no evidence that there was ever any prejudice against Bridget on account of her nationality, as she was highly

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The National Archives' reference WO 399/1573



regarded by her superiors. It is possible that Bridget felt morally obliged to contribute to the war effort considering the situation in Dublin and the sight of all the young men with missing limbs and life-changing injuries convinced her that she could not stay on the sidelines. From her correspondence, it is evident that she was enthusiastic about the prospect of serving in the military. She completed her medical on 18<sup>th</sup> Aug 1916, when she was examined by the medical superintendent at Salford Union Infirmary to say that Bridget did not have any disease or defect that would interfere with her efficiency. Bridget cared about her appearance and her enthusiasm was shown in a letter she sent on Aug 27<sup>th</sup> to the war office asking for advice on particulars and the shade of uniform. She got a reply from the war office saying she was to serve at Clipstone military hospital starting on Sept 23<sup>rd</sup>, 1916.

Bridget signed a contract on 25<sup>th</sup> Sept 1916 for one year of service as a military nurse in service of the Crown at home or abroad. Bridget replied to the war office to say she would be ready for duty on 28<sup>th</sup> Sept, after completing a month's notice at Hope Hospital. Bridget was well prepared and forwarded her railway warrant on the 15<sup>th</sup> of September 1916 in a letter to her new matron. A railway warrant meant that Bridget could travel first class free of charge anywhere in the United Kingdom as part of her duty. She said she would try to get to Clipstone Camp the following Thursday evening and she hoped she hadn't caused a great deal of inconvenience. Nursing was well paid in comparison to the wages Bridget's father had earned as a Relieving Officer for the Athy Poor Law Union. The annual salary for a staff nurse was £63, with a yearly increment of £2-10s to a total of £68. Bridget reached the rank of sister for which the salary was £77-10s with a yearly increment of £5 capped at £92-10s. She was working as an acting Sister before she joined the military. The higher rank of an Assistant Matron was £120-10s with no increment. The highest rank, that of a Matron earned £120-10s with a £10 yearly increment capped at £195-10s.

Bridget's plans were sent off course when she was struck down with influenza the day before her military training was set to commence at Clipstone. On 27<sup>th</sup> Sept 1916, a letter from Assistant Matron Martha Canson was sent to the chief Matron at the war office to say that Bridget was to go to Clipstone on Thursday 28<sup>th</sup> September, but Bridget suddenly became ill with influenza and had a temperature of 102 & 103 F. It was noted she was upset that she was not able to fulfill her duties and was anxious that a letter be sent on her behalf. A telegraph was also sent. The war office and Matron at Hope Hospital Pendleton were anxious to get Bridget to start but her recovery was slow.

A letter from Hope Hospital was sent to the war office on 30<sup>th</sup> Sept 1916 to say Bridget had been instructed by the Matron-In-Chief to inform them of the earliest date she would be ready for duty. However, the doctor advised that she should rest for at least another fortnight, and it was uncertain how long her recovery would take. The Matron at Clipstone Camp was also anxious for Bridget to start. A letter was sent on Oct 13<sup>th</sup>, 1916, from C.A. Steven the Matron in Clipstone camp hospital to enquire about Sister Cluxton's condition and if she was still under orders for Clipstone hospital.

On 28 Oct 1916, Bridget sent a letter to the Matron to say she returned to Ireland on her doctor's advice for a brief period to rest before she would take up her duties. She added that she felt she would be able to resume her duties the following month. Two weeks passed before she sent a letter from Calverstown to the war office to say that she was ready to proceed to Clipstone. Firstly, she had to stop in Manchester to pick up her luggage. In the meantime, Clipstone had sent another letter to Hope hospital asking about Bridget and informing them they had sent back the luggage she had initially sent in advance of her arrival.

Bridget officially became an army nurse on 16<sup>th</sup> November 1916 in Clipstone as part of QAIMNS. This unit was formed on 27<sup>th</sup> March 1902. Queen Alexandra of Denmark married to King Edward VII who was president of the service. There were less than three hundred nurses in the QAIMNS in 1914 but, by the end of the war, this had risen to 10,404 (including reservists).<sup>363</sup> There were upwards of 30,000 soldiers at Clipstone Camp at any one time.<sup>364</sup> They were desperate for medical assistance, which explains why there was so much correspondence when Bridget was sick.

Bridget's military file tells that she was hard-working and practical. On May 1<sup>st</sup>, 1917, after a mere six months of service, she was promoted to the rank of Sister. After one year of service her contract was renewed for twelve months. Her conduct was described as excellent. On 3<sup>rd</sup> June 1918, a draft was issued for Bridget and two staff nurses to be deployed overseas. She signed an agreement for the duration of the war. Initially, she was to be deployed to France before being transferred overseas to Taranto in Italy. She embarked for Italy on 17<sup>th</sup> July 1918 to take up duties at the 79<sup>th</sup> hospital. This was the new name for the former British Military Hospital at Taranto, renamed in October 1917.<sup>365</sup> In August of that year a key railway line 1,400 miles long running from Taranto in southern Italy, up through France to Cherbourg, was taken into British control. It was a key evacuation route for casualties from Egypt, Palestine, and Salonika. It avoided the lengthy sea route through the Mediterranean and the Bay of Biscay. Taranto developed as a considerable place of focus for British medical facilities, with the 79<sup>th</sup> General Hospital, the 6<sup>th</sup> Native Labour Hospital, and a small British West Indies Regiment Hospital all being established there.

The army kept detailed records of its service men and women. An annual confidential report on 18<sup>th</sup> July 1918 about Bridget was recorded as follows: *This Sister has served under me for eighteen months I consider her to be a good ward sister able to instruct and train others, she is good tempered, reliable, and punctual and pleasant to work with, her influence here has always been for good, this lady has acted as my deputy*

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<sup>363</sup> <https://museumofmilitarymedicine.org.uk/about/corps-history/history-of-queen-alexandras-royal-army-nursing-corps/>

<sup>364</sup> [http://www.ournottinghamshire.org.uk/page/clipstone\\_camp\\_1915\\_-2015?path=0p2p445p446p450p](http://www.ournottinghamshire.org.uk/page/clipstone_camp_1915_-2015?path=0p2p445p446p450p)

<sup>365</sup> <https://www.longlongtrail.co.uk/battles/the-campaign-in-italy-2/italy-casualty-evacuation-chain/>

*while on leave and performed these duties successfully. I consider her fit for promotion to a higher rank. Matron P A Stevens.*

The war ended on Nov 11<sup>th</sup>, 1918, but Bridget remained in Italy until late 1919. She had worked hard, and a well-earned rest was taken that summer. She took annual leave from Italy between late June and early July that year. Bridget returned to Ireland in late September, but no reason was given. She returned to Italy for a brief period before a form was filled out on the 28<sup>th</sup> of September when she applied for leave. She returned to Ireland for two weeks. Her father Bailey was unwell, and her brother Charles died of Influenza in October 1919. It is likely that she returned to Calverstown to try and help her family members through their illnesses. At the time she was in Ireland, she was 'struck off strength' in Italy on the 15<sup>th</sup> of October 1919. She had completed her military service abroad and was no longer needed in Italy. A form was filled out at the 79<sup>th</sup> General Hospital in Italy where Bridget claimed gratuity on cessation of service. The money was deposited into the Bank of Ireland College Green Dublin. She returned to Ireland and served as night superintendent in King George V Military Hospital Dublin. During the War of Independence in Ireland, Bridget, continued her service as a nurse with the British Military. She was working in Tipperary, which was a highly active county in the war and where the war kicked off at Soloheadbeg, in 1919. She was probably unaware that her brother Pat was involved in the war effort in Kildare as a volunteer in the IRA. During this time, she filled out a disability claim form after being diagnosed with seborrheic eczema on her neck. The Anglo-Irish Treaty signed on 6 December 1921, heralded the end of Bridget's career in the British military. Shortly after this on 1<sup>st</sup> February 1922, Bridget was demobilized before the ten months of transition of the creation of the Irish Free State on 6<sup>th</sup> December 1922.

Two weeks after demobilization Bridget received a letter sent on 15<sup>th</sup> February from King George V Military Hospital, Dublin to thank her for her services to the nursing staff of QAIMNS. She left the military with a great reference, she was highly regarded, and her efforts were appreciated. A confidential report on demobilization from her Matron L.E Mackay was signed and endorsed by two Colonels, it reported: *Sister Cluxton served under me for about one month as night superintendent, this duty she performed quite satisfactorily, she is self-reliant and energetic, possesses common sense and good judgment. Good-tempered and punctual, Reports on work on temporary duty at our station show duties were satisfactorily performed. Sister Cluxton is recommended for further service.*

Bridget had contributed £3-8s-3d to the National Health Insurance during her period of service from 16<sup>th</sup> Nov 1916 to 1<sup>st</sup> February 1922.

At some stage in the 1920s, Bridget moved back to England, she married Richard Seale and died in 1973.

**PAT CLUXTON OF BUSHFIELD CALVERSTOWN**



Wedding photo of Pat Cluxton and Mary Anne Byrne 1914.

Some people often make the claim they could write a book about their life experiences. If anyone could make that claim Pat Cluxton could have, but he was not a man that had any notions of grandiosity. He was a man of average height and walked with a slight stoop, with both hands clasped behind his back. For the younger ones, he came across as being a gruff man with a no-nonsense approach. At the same time, he was a character, a Jack-of-all-trades, a visual dichotomy sporting a Churchill-like bowler hat and a Hitleresque moustache. His favourite greeting was “good morrow, good luck”.<sup>366</sup> There is no doubt his life experiences, the lessons learned from his father, and being one of thirteen children, shaped his character. Born in post-famine Ireland in 1885 he lived through historic times, the Irish struggle for freedom, two world wars, and the emergence of modern Ireland. He spent his childhood in Calverstown, and his youth in Dublin as a pawnbroker's assistant. In his early adult years, he was involved in the War of Independence while working hard to raise a growing family. This story is told from the memories of his grandson Leo Cluxton, family records, and publicly available civic records.

Pat Cluxton of Bushfield, Calverstown Kilcullen, Co. Kildare was the seventh child of John Bailey Cluxton and Bridget Neill. After he left school, he moved to Dublin to serve an apprenticeship as a pawnbroker. In the 1901 census, he was fourteen years old and living in Lower Dominick Street (Rotunda, Dublin). He shared accommodation with James Monaghan, the manager of a pawn shop, and his assistants and servants. In 1907 he was living at 3 Granby Row and working for Mr. Byrne pawnbrokers as an assistant.<sup>367</sup> His older brother James had established a pawnbroker's business with a shop in Summerhill and one in Parnell Street and was Vice President of the Pawnbroker's Association. Pat was recognised in the business when he was admitted as a member of the Association in 1908.<sup>368</sup> In the 1911 census, he was aged twenty-four, single, and living at 21 Bishop Street (Mansion House, Dublin). He left Dublin and the pawn business soon after this and moved back to Calverstown where he married Mary Anne Byrne on Nov 25<sup>th</sup>, 1914.

When Pat and Mary Anne got married the house at Bushfield was thatched with mud walls.<sup>369</sup> The 6 acres 3 roods and 8 perches of land at Bushfield was where Mary Anne Byrne's family had farmed for generations. There were no boys in the Byrne house and Mary Anne inherited the land and farm there. Mary Anne's mother Julia was a widow at the time, her husband Denis died in 1898 at the young age of 45. As a young widow, she initially struggled to make the payments of her rent to Mr. Burrowes. She owed £11-5s in 1905.<sup>370</sup> That year she agreed with the land

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<sup>366</sup> Leo Cluxton.

<sup>367</sup> *Freemans Journal*, 01 November 1907.

<sup>368</sup> *Freemans Journal*, 04 July 1908.

<sup>369</sup> Leo Cluxton.

<sup>370</sup> Family documents held by Leo O'Connor.

commission to purchase the house for £120. She paid this off with interest until at least 1919 and never defaulted.

Pat was an able man and put the farm to good use. He built a modest bungalow with three bedrooms (one of which doubled as a parlour/sitting room for visitors, although most visitors confined themselves to the big kitchen which was the hub of the house). The original house was a mud wall cabin before being replaced by the bungalow of its time. The old house served as a pigsty and had a galvanised roof. Directly across from it stood a hen house. Beside that was the barn, a two-story affair that served as a grain store, a delivery ward for Bonham's, and it had a loft that doubled as a bedroom, for visiting labourers. It also had a storeroom for horse tackle and saddles. Further down the yard was the cow byre. In the centre of the yard was the dung heap, a common feature in most farmyards at the time. As well as the land he owned, Pat leased land from other farmers in the area. He raised cattle, pigs, and hens and grew potatoes, cabbage, and corn. The house and land were transferred over to Pat's name in 1925.<sup>371</sup>

Pat and Mary Anne raised fourteen children at Bushfield from twenty-one pregnancies. Seven children were lost to stillbirth or miscarriage. Leo recalls his uncle Charlie telling him that he could remember, as a child on several occasions, when his mother was confined to the bedroom, the doctor being summoned and sometime later, his grandfather, Pat would carry a shoe box from the bedroom. He would later bury it in the orchard.

Calverstown was a small close-knit community. Hickeys was the local pub/shop, on the corner of the crossroads that defined the village centre of Calverstown.<sup>372</sup> On the corner opposite Hickeys was the Post Office which was situated in McNamee's house. Opposite McNamee's was the village green where the old hall used to stand. The other corner was bounded by a stream. The tinkers<sup>373</sup> used to refer to Calverstown as streams town. Behind the stream stood Mick Winter's house. There were two fuel pumps on the street at the front of the shop. Entry was gained by a single door at the front, which was used mostly by the women folk when they went for the groceries. There was a side entrance that was used mainly by the men to gain access to the bar.<sup>374</sup> This entrance could be seen from the house.<sup>375</sup> Pat was a regular there having a drink and maybe spent too much time there but for the nature of his work many a business deal was done at the bar.

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<sup>371</sup> Land registry Irish life mall, Abbey St.

<sup>372</sup> Leo Cluxton.

<sup>373</sup> Members of the Travelling community were known as Tinkers. They travelled around earning a living by mending pots and pans. As a result, they were referred to as "tinkers" or "tinklers" (meaning "tin smiths").

<sup>374</sup> Leo Cluxton.

<sup>375</sup> Interview with Julia O'Connor 1995.

Like his father Bailey, Pat had a large family to rear, and having a small farm, he had to employ other methods to supplement his income. As well as the farm Pat gained a contract when the rural electrification scheme was introduced.<sup>376</sup> He employed a team of men and horses, pulling cables across Kildare, as far as the Meath border. He also had Council contracts, one of which was drawing sand and gravel to the site when the Council was building houses at Logstown, just outside Kilcullen. He employed twenty men, with horses and carts to complete this job. He also had road contracts with Kildare County Council during the 1920s.<sup>377</sup>

Pat had a large family to feed, so much like his father before him, he would never let an opportunity pass to make some extra money. He had a contract with the Army, stationed on the Curragh, supplying them with cabbage, potatoes, turnips, and hay.<sup>378</sup> Collecting the hay from Ballitore and delivering it to the Curragh was a two-day job on a horse and cart.<sup>379</sup> He delivered his produce and as everything was paid by weight it wouldn't be unusual to find the snags of the turnips included in the deliveries of cabbage.<sup>380</sup> He also had another trick that involved some cooperation from his sons. There are two main entrances to the Curragh camp, one on the Newbridge side and one at Brownstown. The main road runs through the camp. Pat would always enter the camp from the Newbridge side, especially when he was drawing hay. The hay was weighed on a weighbridge where the soldier on duty checked the weight and signed the docket. Then the cart proceeded to the stable area where the hay was unloaded and stored in the barn. Somewhere between the weighbridge and the stables four or five of his sons would dig themselves out of the hay and make their way to the Brownstown side while Pat delivered the load and went to the Paymaster for his money. He would pick them up on his way home.

One of Leo Cluxton's most vivid memories was a day when his father, uncles, neighbours, siblings, and cousins were brought together to bring in the hay. It was a fun time for the children but was all business and hard work for the men. Work commenced at Jimmy Gorman's field. Pat, assumed the role of gaffer, standing on the horse-drawn dray while the others were forking hay up to him. Leo, as a young child, felt proud of his efforts and had cleared quite a large area before suddenly becoming aware that the tip of the handle of his fork had struck something behind. There was a loud snort from the horse and a roar from his grandfather Pat, "get the hell out of here you are useless". The work stopped and a deeply embarrassed Leo

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<sup>376</sup> Leo Cluxton

<sup>377</sup> *Nationalist and Leinster Times*, 01 December 1928.

<sup>378</sup> Leo Cluxton.

<sup>379</sup> Barry Kinane Interview with Julia Cluxton O Connor 1995.

<sup>380</sup> Leo Cluxton.

had hit the horse under the chin before it reared up and almost knocked his grandfather off the cart of hay.

Leo was given his marching orders as he was told “go on, get out of here”. As he made his way back to the cottage by the cabbage field, someone aimed and struck him in the head with a head of cabbage. The shock of this almighty blow frightened the “bejesus” out of him, and he ran the remaining hundred meters to the farmhouse, bawling like a “suck calf”. Cathy O’Connor remembers how Pat used to read his newspaper and if the kids were getting boisterous or loud, he would peer over the broadsheet pages with his reading glasses hanging off his nose. He didn’t have to say anything. His silence and look of disapproval were enough to silence the room.

Leo Cluxton recalls a story recounted to him by his father, also Leo, about his father Pat Cluxton.

“It was about an incident that happened when he, Pat was working in the pawnbrokers. A young man entered the shop one day looking to pawn a bicycle. The chap in question was wearing a Trinity scarf and appeared to be well to do. Pat asked him what he was studying and why he needed the money. It turns out he was a medical student and was short of cash to buy books or equipment or such like. Pat filled out the necessary paperwork and advanced him a sum of money. He put the bike into the storeroom and thought no more about it. A few days later Pat got a visit from a member of the Royal Irish Constabulary (RIC), who was investigating the theft of a bicycle from the grounds of Trinity College. Pat indicated that he had a bike in the storeroom and the police were welcome to examine it. It matched the description of the stolen bike. The RIC man asked to see the records pertaining to the bicycle, Pat produced them and was asked if he would recognise the suspect. Pat said he would, and arrangements were made for him to attend a line-up of potential guilty parties. When he arrived, there were seven or eight likely lads lined up for inspection. Pat walked along stopping and scrutinising each character’s features. When he reached the bicycle thief he stopped as he had done with the others, looked straight at him, and winked. He then proceeded along with the rest of the suspects giving each of them the same studious examination. When he reached the end of the line the investigating RIC man asked him was the suspect in the line. Pat replied, “I don’t see him.” I asked my father why he would have done that. He said that he had asked Pat the same question years before and he answered that he could not bring himself to ruin the character of someone who had a great future ahead of him. The bike was returned to its rightful owner, so there was no point in his mind, in destroying someone’s future because he had fallen on hard times. It gave me something to think about and changed my mindset and how I perceived my grandfather and life in general. Up until that point I only knew the “grumpy bowler hatted moustachioed old man”, who worked long hard hours in all weathers to keep his family. When his family were reared and scattered his grandchildren myself



included used to spend the school holidays each summer for a good number of years helping on the farm. At the end of our working holiday, he would line us all up in the kitchen after breakfast, on the day of departure and give each of us a half-crown (2 shillings and 6 pence), there was eight of them to a pound. Equal to about 12 cents in today's money. To sum up I think he was a fair man in his dealings with others and that might explain his popularity and "fame throughout the county of Kildare".

Leo Cluxton recalls a day he called into O'Connell's electrical goods shop in Kilcullen. Upon noticing Leo's signature on the cheque Mrs. O'Connell asked him if he was related to Pat Cluxton from Calverstown. Leo said Pat was his grandfather and asked Mrs O'Connell did she know him, she replied "who didn't". She recalled the time Pat went to buy a horse and came back with an accordion. Leo was intrigued as he happened to have the one-row button accordion at his home in Newbridge. The accordion had been lying up on top of the dresser in Calverstown for years. It was promised to Leo's aunt Carmel in Birmingham, to be passed on when Pat died. The night after Pat's funeral Leo's father arrived back from Calverstown with the same accordion under his arm. Whatever was going through his head Leo didn't know, but the accordion was not going to Birmingham as far as his father was concerned. Mrs. O Connell told the story to Leo:

"It was a long time ago now; I was only a child. Your grandfather arrived at our door one morning at about 7.30. He was on his way to a fair in Naas, to buy a horse. He had his breakfast with us and went on his way. It must have been 10.00 or 11.00 o'clock that night when there was a loud knocking on the door. My father roused himself from his bed, opened the door, and there stood Pat Cluxton, flustered, with the accordion dangling from his hand," "good morrow, good luck," said Pat. "It was obvious that he needed food. Tea and sandwiches were prepared as Pat regaled us with tales of his day at the fair. Essentially it transpired that he went into Hayden's on the square in Naas, spent the day drinking, met a tinker, and bought the accordion. No sign of the horse anywhere. He played us a few tunes, sang a few songs, drank his tea, and went on his way. He sang songs (his favourite being "Hang out the front door key"; a song about a married woman having an affair)"

Grandchildren remember ceilis and sing songs being held in the house in Calverstown.<sup>381</sup> An old handwritten copybook of Republican songs and poems was recently discovered among old letters and photographs from Calverstown. The handwriting is like the handwriting in letters that Pat sent in his service medal application and may have been belonged to him. He kept his involvement in the War of Independence quiet within the family and certainly the family did not speak of it. The War of Independence and the bitter Civil War that followed were subjects that

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<sup>381</sup> Sheila Kinane.



many did not want to discuss. In the new Free State, the ongoing troubles in Northern Ireland overshadowed any romantic ideas of republicanism that existed when Pat was a volunteer. He was anti-treaty as he was an ardent Fianna Fail supporter and the main organiser of the Ballyshannon Cumann.

He applied for a service medal and pension for his involvement in the “E” Company, Sixth Division, Carlow Bridgade, in the War of Independence. He requested an application form on the 6<sup>th</sup> of May 1952.<sup>382</sup> He got a reply to say he had missed the deadline in 1950. The representative of the Minister for Defence replied to say the case would be considered if he offered an explanation why he had not applied before the deadline in January 1950. It was noted that a medal did not guarantee that he would also receive a pension. The real reason he applied will never be known but most likely he knew of others making

successful applications for the same activity that he was involved in. In the application sent on 9<sup>th</sup> March 1953, he said he served as a volunteer from June 1917 to 11<sup>th</sup> July 1921. His commanding officers were Liam Stack, Tullow Street, Carlow, William Byrne, Ballysax, and Patrick Bagnall from Nicholastown.

There was correspondence throughout the year from the Department of Defence, but they could not validate his claim. They requested that he give documentary evidence from two of his battalion leaders to validate it. Questionnaires were sent to all the living officers of his battalion in August 1954. The matter dragged on into 1955 as Pat persisted with chasing up his application. He had representation from Tom Harris TD, Naas to help expedite his claim. Harris was a 1916 veteran and Fianna Fail TD for North Kildare.

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<sup>382</sup> MD26823, Military Archives Cathal Brugha Barracks

In processing Pat's application, it was noted that Stack only became a commander of the battalion after the truce, so he was struck off as a witness. A questionnaire sent to Padraig O'Corain recommended contacting Patrick Bagnall who was a member of the Gardai and would be able to verify it as would William Esmonde of Dunlavin. William Byrne of Ballysax had no recollection of Pat's involvement but spoke with Patrick Bagnall to verify it. Bagnall's word was enough for OC (Officer Commanding) William Byrne to verify him, and the same questionnaire was also verified by Vice OC Patrick Brennan. Bagnall sent back his questionnaire which verified that Pat was at parades, cutting down trees and trenching roads. He had "never known him to be absent from parades of that kind". Pat was therefore verified by three officers which entitled him to a medal and a pension. This was awarded in 1957 and Mary Anne continued to be paid after Pat's death in 1965.

His activity was minor, he was probably involved in road disruption and trenching in Booleigh and Kilmeade on February 13th and 14th, 1921.<sup>383</sup> Trees were felled at Mullaghmast and roads around Castledermot. It is most likely he was involved in local activity near his own home in Calverstown. Joe McGrath from Calverstown recalled a story told by his father when a tree was felled blocking the road near their house during the war.<sup>384</sup> Martin O'Connor recalled a story told to him by his mother Julia who was Pat's daughter. She remembered how the road was blocked by a felled tree one morning as she walked from Bushfield to school in Ballymount.<sup>385</sup> It was most likely that her father had cut them down the previous night. The irony of it all is Pat got Council contracts to fix up a few roads in Kildare. Probably ones he trenched years earlier. Pat was not a military man; he just played his part in making life as difficult as possible for the Establishment.



*Pat Cluxton's War of Independence service medal picture courtesy of Leo Cluxton*

<sup>383</sup> Durney, Corrigan, Timeline of war of independence in Co. Kildare, 1919-22.

<sup>384</sup> Interview with author and Leo Cluxton, April 2021.

<sup>385</sup> Martin O'Connor, interview with author, Jan 2023.

After the 1918 election, the Irish people had a mandate, and the tyrant British Government refused to recognise it. Therefore, his actions and those of all the Irish men and women who put in the effort during the War of Independence were justified. He was not active in any military activities after the truce.

Pat died in Naas Hospital in 1965. He was well-known and liked everywhere. An obituary appeared in the *Nationalist and Leinster Times* which said he was well known in Fianna Fail circles and had taken an active part in the fight for freedom.<sup>386</sup> Most of the Cluxtons alive today are descended from him.



Pat and Mary Anne Cluxton 50<sup>th</sup> wedding anniversary Calverstown 1964. L-R Jim Kennedy on fiddle and his children Sean, Maura and Noel, Deirdre Graham (Child out front). Unknown Male, Charlie O'Connor, Unknown male, Christina Cluxton, Denis Cluxton, Bridget Cluxton (Auld), Martin O'Connor, Liam O'Connor, Veronica Cluxton Corley, Christine O'Connor, Leo O'Connor, Julia Cluxton (O' Connor), Mary Anne Cluxton, Pat Cluxton, his daughters, Máire Cluxton (Williams), Carmel Cluxton (Lanigan), various grandchildren and family members.

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<sup>386</sup> *Nationalist and Leinster Times*, 27 August 1965.

**ELIZABETH CLUXTON**



*Elizabeth Cluxton and Michael Christie courtesy of Tom Heron*

Elizabeth, Cluxton known as Eliza, or Lizzie was born in Calverstown, Co. Kildare in 1884. She was the sixth child of John Bailey Cluxton and Bridget Neill. She married Michael Christie and moved to Dunlavin, Co Wicklow. In her later years, she lived in Dublin for approximately eight years before she died.

The Cluxton family, in Calverstown, ran a post office and kept a room free for the use of the doctor to hold surgeries. With such a busy environment and large family, it was considered best if Elizabeth, and her brother Bailey, moved in with their grandmother and Aunt Lil who lived near Kilcullen. As a result of this arrangement, Elizabeth and Bailey became very close. Bailey owned a shop in Dunlavin. Their grandmother was Marcella Loughran who married Patrick Neil. The Loughran family came from Dunlavin, this explains the Dunlavin connection.

Like her sisters Marcella and Bridget, Elizabeth travelled to England to train as a nurse. She was unhappy there and returned to Ireland where she worked in a pub/grocery shop near the Curragh racecourse in Kildare. In the 1901 census, she was working as a shop assistant in Athy, aged 17. She was lodging with the shop owner Jas B Deegan and his family. Her brother Bailey was a well-established shopkeeper in Dunlavin where he was on friendly terms with the Christie family. The Christie family ran a tailoring business in Dunlavin. Bailey thought that Michael might be a good match for Elizabeth. He approached Michael about his idea, and it was agreed that Bailey would find out how Elizabeth felt. Their courtship began which sometimes involved Michael travelling six miles on foot from Dunlavin to Calverstown. Elizabeth and Michael married in 1912. They settled in Dunlavin with the Christie family.

Elizabeth and Michael had six children: Bridget (Bea), James (Jimmy), Florence (Florrie), Bailey, Veronica (Vera), and Sara (Sadie). Michael died of tuberculosis on the 23rd of December 1925 at a young age which left Elizabeth with a young family to rear. Bea the eldest was only 12 years of age. This was a devastating blow to Elizabeth. Her sister Mary Anne was the relieving officer and sub-sanitary officer for the Athy Poor Law Union. She was instructed to attend the house in Dunlavin to supervise the fumigation of the house.

As a widow, Elizabeth and her children continued to live with the Christie family in Dunlavin. Life was difficult but Michael's brothers James and Thomas were able to support Elizabeth and her children. One of these brothers-in-law had a son who had served with the British Army in the First World War. Sadly, this son died in Gallipoli during the war and when his war pension came to his father, he gave it to Elizabeth to help with the upbringing of her family. Elizabeth took on the maintenance of the large vegetable garden at the back of the house in Dunlavin. She was able to contribute to the household by growing vegetables. Jimmy, Elizabeth's eldest son

was able to avail of the opportunity to receive an education with the O'Brien Institute in Dublin, which was set up to help children from disadvantaged families.

Despite the difficulties of life in Dunlavin, Elizabeth's children all had very fond memories of their mother and uncles. Her grandchildren from Dublin and London, enjoyed holidaying in Dunlavin, and they also have lovely memories of Elizabeth some can remember they're Great Uncles too. Florrie's children remember Granny as being strong and dominant but that she was also a shy and private person. It is recalled that she attended Mass daily and in 1932 she went to Dublin to attend the Dublin Eucharistic Congress. It was an enormous honour for it to be held in Dublin, and it caused great excitement nationally.

As Elizabeth got older it became more difficult for her to remain in the house in Dunlavin, the stairs being very steep, and therefore after a fall, she came to live in Dublin with her daughter Florrie and family. She lived there until she died on the 21st of December 1972. She is buried in the graveyard in Dunlavin along with her husband Michael.

(The anecdotal evidence and recollections in this account are from Elizabeth Christie's grandchildren) June 2021. Thanks to Tom Heron for the contribution and the great photos of John Bailey Cluxton.

#### **BAILEY CLUXTON (DUNLAVIN)**

Bailey Cluxton was the eldest child of John Bailey Cluxton and Bridget Neill. He was born in Calverstown, in 1876. He worked as a cattle dealer and opened a shop in Dunlavin selling groceries, confectionery and tobacco. He married Bridget Whittle. As they had no children, he wanted to adopt his brother Pat's son Bailey.<sup>387</sup> This did not come to pass and his wife Bridget's niece, Lyla Whittle came to live with them and worked with them as a shop assistant. Bailey smoked an "S" bend pipe, wore a waistcoat as was known as a kind gentleman.<sup>388</sup> Bridget died in 1948 and Bailey died in 1954 aged 77. Lyla also died that year. She suffered from epilepsy and died after a fall. The shop was taken over by Bridget's nephew James Whittle.



*Advert in Souvenir Guide Dunlavin Bazaar 1926, courtesy of Jimmy Whittle.*

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<sup>387</sup> Interview with Sheila Kinane.

<sup>388</sup> Interview with Jimmy Whittle



**Bailey Cluxton's Shop in Dunlavin.**



*Headstone in Dunlavin cemetery courtesy of Jimmy Whittle*



## SAM CLUXTON

Sam Cluxton was born on Nov 15<sup>th</sup>, 1891. He was the 10<sup>th</sup> child of John Bailey Cluxton and Bridget Neill. Like his older brothers James and Pat, he became a pawnbroker's assistant. He was living on Winetavern Street, Dublin, aged eighteen, in the 1911 census. Pawnbrokers and their assistants tended to reside over their premises for security reasons. He was sharing with three other assistants and a female servant.

The pawnbroking business was in decline so Sam had other ideas. He married Josephine Condon in 1921. His occupation was that of a merchant living at 40 Adelaide Road, Dublin, which suggests he was still working in either pawnbroking or retail. Their first child Michael was born in Ireland in 1922. He then emigrated to the USA leaving Liverpool for Fort Brie, Canada. He arrived in Buffalo New York on May 31<sup>st</sup>, 1923. The rest of his children were born in the USA. Every seven years he had to fill out a Declaration of Intention form which provided valuable information. He was five foot nine and a half inches tall, one hundred and sixty pounds, with blue eyes and brown hair which was grey by 1941. When he arrived in the USA his occupation was declared as a maintenance man.

He initially moved to 1568 Leslie Avenue, Detroit where he worked as a mechanic. Due to the booming auto industry, Detroit became the fourth-largest city in the USA in 1920. The prohibition of alcohol from 1920 to 1933 resulted in the Detroit River becoming a major conduit for the smuggling of illegal Canadian spirits. Leo O'Connor visited some of Sam's family, who were his second cousins. They regaled him with stories of how Sam had some involvement in bootlegging. He then left Detroit and moved back to New York. He applied for Naturalisation in 1941 to become a US citizen. At this time, he was living at 2650 Marion Avenue in the Bronx, New York. His eldest son Michael was in the US Army fighting during WW2.

It is also known some of his descendants ran a bookshop.

**TRIPPLICATE**  
 (To be given to declarant when originally issued; to be made a part of the petition for naturalization when petition is filed; and to be retained as part of the petition in the records of the court)

# UNITED STATES OF AMERICA

## DECLARATION OF INTENTION (Invalid for all purposes seven years after the date hereof)

No. **492595**

In the STATE OF NEW YORK Court  
 of SOUTHERN DISTRICT OF NEW YORK at UNITED STATES NEW YORK, N. Y.

(1) My full, true, and correct name is SAMUEL CLUXTON  
 (2) My present place of residence is 316 E. 198th St., New York Bronx, NY My occupation is Maintenance Man  
 (4) I am 40 years old. (5) I was born on November 15th, 1901 in Kildare, Ireland  
 (6) My personal description is as follows: Sex male color white complexion fair color of eyes blue  
 color of hair brown, height 5 feet 9-1/8 inches, weight 160 pounds, visible distinctive marks None  
 race Irish, present nationality Ireland  
 (7) I am not married; the name of my wife or husband is Josephine; we were married Aug 31 1921  
 at Dublin, Ireland he or she was born at Dublin, Ireland  
 on March 12, 1899 and entered the United States at Buffalo, New York  
 on May 31st, 1923 for permanent residence in the United States, and now resides at 316 East 198th St. Bronx NY  
 (8) I have 5 children; and the name, sex, date and place of birth, and present place of residence of each of said children who is living, are as follows:  
Michael (m) August 29, 1923; Patrick (m) June 19, 1924; Thomas (m) January 14, 1926; Wilson (f) February 19, 1929; Patricia (f) March 8, 1936. Michael born at Dublin, Ireland, Thomas at Portchester, NY, the others at New York, NY. All reside New York NY  
 (9) My last residence in the United States was at Port Erie, Canada (10) I emigrated to the United States from Port Erie, Canada under the name of Samuel Cluxton  
 on May 31st, 1923 on the Ferry  
 (12) Since my lawful entry for permanent residence I have not been absent from the United States, for a period or periods of 6 months or longer, as follows:

DEPARTED FROM THE UNITED STATES			RETURNED TO THE UNITED STATES		
PORT	DATE (Month, day, year)	VESSEL OR OTHER MEANS OF CONVEYANCE	PORT	DATE (Month, day, year)	VESSEL OR OTHER MEANS OF CONVEYANCE

(13) I have not heretofore made declaration of intention: No. \_\_\_\_\_, on \_\_\_\_\_ at \_\_\_\_\_  
 (Country) (State) (Date) (Year) (City or town)  
 in the \_\_\_\_\_  
 (Name of vessel)

(14) It is my intention in good faith to become a citizen of the United States and to reside permanently therein. (15) I will, before being admitted to citizenship, renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which at the time of admission to citizenship I may be a subject or citizen. (16) I am not an anarchist, nor a believer in the unlawful damage, injury, or destruction of property, or sabotage; nor a disbeliever in or opposed to organized government; nor a member of or affiliated with any organization or body of persons teaching disbelief in or opposition to organized government. (17) I certify that the photograph affixed to the duplicate and triplicate hereof is a likeness of me and was signed by me.  
 I do swear (affirm) that the statements I have made and the intentions I have expressed in this declaration of intention subscribed by me are true to the best of my knowledge and belief: SO HELP ME GOD.



Samuel Cluxton  
 Subscribed and sworn to (affirmed) before me in the form of oath shown above in the office of the Clerk of said Court, at New York, NY this 26th day of June 1941 I hereby certify that Certification No. 2-227487 from the Commissioner of Immigration and Naturalization, showing the lawful entry for permanent residence of the declarant above named on the date stated in this declaration of intention, has been received by me, and that the photograph affixed to the duplicate and triplicate hereof is a likeness of the declarant.

[SEAL] GEORGE J. H. FOLLNER  
 Clerk of the U. S. District Court.  
 By [Signature] Deputy Clerk

## FLORENCE CLUXTON

Florence Cluxton was born in March 1889, the ninth child of John Bailey Cluxton and Bridget Neill. In the 1911 census she worked as a house gardener, maid and domestic servant for the Eustace family in Greystones, Co. Wicklow. She married late in life and was almost 40 when she married Joseph Lawrence Copeland in June 1928. Lawrence Joseph Copeland worked as a commercial traveller (Salesman). It is likely she met him as a result of his occupation as Florence operated a sweet shop at 58a Blessington Street in the North Inner City, Dublin. There is no evidence they had



*Colbinstown Train Station, courtesy of NLI.*

any children. The Cluxton's were well established in the North Inner City of Dublin. Florence's shop was only a five-minute walk away from her brother James's furniture shop on Parnell Street. Florence also sold alcohol and was fined 2s-6d for having twelve bottles of port on display for sale in 1925.<sup>389</sup> She claimed she had only begun to sell wine the previous year and not aware she was doing anything wrong. Martin

O'Connor recalled a story his mother Julia O'Connor (nee Cluxton) told him. Julia used to get the train from Colbinstown station with a bag of fresh potatoes from Calverstown to deliver to her relatives in Dublin. Julia would then return home the same day. Florence died at the young age of 54 in 1944 of endocarditis.



*58a Blessington Street*

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<sup>389</sup> *Evening Herald*, 13 March 1925.

## CATHERINE CLUXTON

Catherine Cluxton was the fifth child of John Bailey Cluxton and Bridget Neill. She was born in 1881. In the 1901 census she was living in Calverstown working as a shop assistant. In 1904 she married William Alford. He was a Clerk from Sligo living in Rathfarnham, Co. Dublin. In the 1911 census William was working as a clerk in a brewery, most likely Guinness. Catherine died of heart failure in 1937 aged fifty-six, living at 307 Harold's Cross Road Dublin. Two of their children Catherine (Sr. Liam) and Lily (Sr. Mary Gabriela) became nuns. The following accounts were given to Sr. Catherine O'Connor by Sister Bridget Murphy in Melbourne Australia. She was in the same religious order as the Alford sisters.

*"I do have wonderful memories of St Liam whom I lived with in Botswana. First the story of how she came to go to Botswana. Apparently, she had a brother who was a Vet who got a job in Bechuanaland 1950's Liam was not happy about this. She was over in the Mount when she got the news and it coincided with the opening of our Mission to Africa Botswana (Bechuanaland.) Liam took herself into the chapel and said to the Lord I will go to Bechuanaland if you will send Gordon home. She came out of the chapel, met Mother Josephine on the corridor who asked her to go to Africa. She went back into the Chapel and said Lord I did not mean you to take me at my word!! However, go she did, and Gordon returned home.*

*St Liam worked in the clinics in Kgale and Ramotswa and then in 1966 she moved to Lobatse with Olcan and Martha to begin the formation of the Sisters of Calvary. She was superior in Moreneng for a time before moving to live in Kgale where she died. Her great love was music, so she managed to get brass instruments and formed a brass band in St Josephs. For many years it was the only youth band in the country and played in the stadium at the celebration of Independence. Many of the young men she taught went on to join the Army band later in life.*

*However, Liam herself was a real character who never lost her Dublin roots or accent. The Sisters of Calvary thought "Janey Mac" was a Saint as Liam used the phrase so often. She was a saint in her own way, and I can honestly say that I never heard her speak a bad word about anyone. In fact, if she came into the room and folk were bad mouthing someone she would say now, now that is enough of that, you don't know what that person is going through. We had many a laugh and joke with her and there was always music. She had a great love of Africa and the sisters of Calvary have very fond memories of her as well as funny one.*

*She died in Princess Marina Hospital and is buried in the small cemetery in Kgale along with other members of the Passionist community."*

The two following accounts are from Sister Dominic Savio.

## CATHERINE FLORENCE ALFORD

*Sister St. Liam of the Divine Will (Catherine Florence Alford) CP was born in Dublin on 4 June 1906. She entered the novitiate of the Sisters of the Cross and Passion in Mount Saint Joseph Convent, Bolton, Lancashire, England in early 1932. She received the habit on 6 September 1932 and professed her Vows on 6 September 1934.*

*She arrived in St Conrad's Mission, Ramotswa, in the British Protectorate of Bechuanaland, later to become the Republic of Botswana, with Sister Dolores Walsh and Petronilla Gallagher on 1 September 1952, hugging her violin but otherwise without luggage, as it had been detained in Cape Town! (It arrived on 27 October.) She immediately began to help in the dispensary working with an interpreter and was able to take complete charge of it from 24 December 1952. In November, however, she had had to spend a few days in Kgale to help to provide the music, accompanied by a harmonium, for *The Pirates of Penzance* that Sister Clare Looby was producing to honour the departure of the German Dominican Sisters who had previously run the mission; and Sister St Liam went off to Kgale again for a few days in 1953 when there was a repeat performance for Reverend Mother Josephine Murray and Mother Paul Josephine Forrest. On 20 July 1953, the Ramotswa annalist entered in the Records, 'Sister St Liam has by now become quite accustomed to dispensary work and the number of her patients has considerably increased during the past few months. Apart from her work at the dispensary she is often called to attend to patients in their own homes.*

*In addition to her medical work, however, Sister St Liam took a great interest in Saint Conrad's church. In December 1954 she erected and decorated two very colourful and attractive Christmas Cribs, one in the church and the other in the school, whilst in January 1955 she went to Johannesburg to buy two statues and a new carpet for the church. Her violin proved a boon for the whole community of Passionist missionaries in the Southern Protectorate, especially on St Patrick's Day when her fiddle provided music for many an Irish song and jig.*

*In May 1957 she enjoyed an unexpected pleasure when she was told to go home with Sister Rosina Doran for the Ordination of her brother, Father Victor Doran CP. She was worth sending abroad, for when they returned on 17 January 1958, she not only brought two new Sisters, Sisters Ignatius, and Elizabeth but also trunks and cases of valuable articles and materials: Stations of the Cross for the church, a monstrance, a thurible, candlesticks, a Processional Cross and lots of altar linen; for the classrooms a statue and a Crucifix for each; for the Mission statues of the Infant of Prague, St Michael, St Patrick and St Gemma; for the Sisters' refectory cups, saucers and plates; and for their sewing room various sewing materials.*

*Water, or the lack of it, was always a problem in the Kalahari Desert and therefore a challenge to Sister St. Liam's ingenuity to which she responded with alacrity. Hence on 3 August 1958, when she saw the Mission supply was falling rather low, she simply hired two asses to draw water and bring it to the convent. The lack of electricity was another problem and so it was a "red-letter" day when, at 8 p.m. on 19 December that year, the Ramotswa convent turned on electric light for the first time.*

*In spite of the difficulties of living in an African village, the Sisters had many joys, such as the Ordination of Father Motsumi OMI on 21 December 1958 and Sister St Liam's own Silver Jubilee on 1 November 1959, which was celebrated with a Missa Cantata, with fourteen Sisters present as well as the Passionist Fathers from all the missions except Francistown. By November 1960 Sister St Liam had become such an expert in the dispensary that when Sister Esther Curtin arrived in Botswana to look after the clinic in Kgale she immediately went to Ramotswa to get some experience from Sister St Liam. Negotiations for a water supply had evidently been continuing, for on 13 October 1961 Brother Paul CP came to build a laundry and to fix a bathroom for the Sisters. With the laundry finished, he started work on the bathroom on the 30th; by 20 November the water was on at last; and on 2 December 1961, the bathroom was ready to use. Unfortunately, on 20 December Sister St Liam got shingles.*

*In June 1963 she was able to pay another visit to Ireland. When she returned on 4 November, it was clear that she had spent her holidays collecting for the missions, for she brought back eight large crates and several trunks, containing a fine carpet for the church, Stations of the Cross, candlesticks, pictures for the convent and school, new and old clothes, curtains, and items for the other Passionist Missions too.*

*About a fortnight later, on 16 November 1963, she, and the other Sisters in Ramotswa had a letter from Monsignor Urban Murphy CP telling them that permission for 'The Handmaids of the Passion', the new African Congregation that he wanted to found with the help of the Sisters of the Cross and Passion, had been signed and sealed in Rome. Preparations began for finding, training, and accepting aspirants. Then, on 18 November 1965, when Reverend Mother Consolata CP had come out to make her Visitation, accompanied by Sister Olcan's relative, Mother Macnissi McKee, Sister St Liam was told that she was to be the superior of the new African Congregation and Sister Olcan its novice-mistress.*

*Sister St Liam, however, continued to live in Ramotswa, where she and all the Sisters carried out their traditional apostolate of parish visitation, especially amongst the sick and needy, and with some remarkable results, as recorded by the annalist on 1 February 1965:*

*The Sisters continue their good work of visitation, numerous conversions have come through their contact with the people. One old woman in particular should get special*

mention. She was known as 'Satane' to her neighbours and they all said she was a very bad witch. She had a very hardened look on her face and the mention of God only made her scowl the more. The Sisters however were not put off so easily. Neither her looks nor her works kept them from her doorstep until they lost sight of her for almost two years. Then a strange thing happened. One day when the Sisters were out seeing another sick woman, they were not so sure of the house and so they asked a girl who was drawing water if she knew where there was a sick woman. She showed them Satane's house. You can imagine the Sisters' surprise when they saw their old friend. She had changed residence and was now living with another daughter. She was very ill and said she would love to be baptised. You can imagine the Sisters' surprise. They could not believe their ears. They came away praising God for all His Great Mercies. She was baptised the next day and the Sisters visited her nearly every day until she died a few weeks later. When she saw the Crucifix, she used to look at it and tell God how sorry she was for all her sins.

*On 14 June 1965, the annalist recorded:*

*Today we had a very sick witch doctor in our dispensary. We advised him to go to the hospital, knowing that he was in the last stages of tuberculosis, but he would not hear of it. Then we asked him if he would like to be baptised and he said he would see. A neighbour came back next day, looking for a priest to baptise him. During the baptism ceremony, three women came over to the priest and said, "This man is a witch doctor. You should not be baptising him." Father had to stop the ceremony and ask the man again if he wanted baptism and if he believed in God. The man answered, "Yes" to both questions and Father continued with the ceremony.*

*The annalist finished the story on 17 June 1965:*

*Our witch doctor died today and was buried in our little graveyard. The whole village turned out for the funeral and a lot of them still kept asking if he was really a 'Roman'. They could not believe he was baptised. A miracle of grace, one of the many we meet with each day in our contact with the people.*

*By 1968 the novitiate house for the new African Congregation was nearing completion at Moreneng, near Kgale. The first two African aspirants had been clothed as postulants in Lobatse on 2 February 1967 and on 25 March 1968 the first Sisters of the Handmaids of the Passion were clothed in their new religious habit. There were also two other postulants and several aspirants. Sister Cecilia Foley had arrived in Ramotswa to look after the dispensary when Sister St Liam left; and so, after spending fifteen and a half years in Ramotswa, on 29 March 1968 Sister St Liam left for Lobatse to supply as novice-mistress while Sister Olcan had an interim rest in Ireland. When she returned, Sister St Liam also had a holiday at home. She arrived back loaded with luggage and lots of nice things for the Novitiate in Moreneng, which opened in December 1968. It was a great day for her and for all the Cross and*

*Passion Sisters when the first two Sisters of Calvary, as they were to be known, made their Profession of Vows on the feast of Saint Paul of the Cross, 28 April 1970, with Father Boniface Setlelakgosi preaching the sermon.*

*In Moreneng Sister St. Liam continued both her nursing and her music, as well as attending to the material needs of the house. On 23 June 1970 she attended a nursing seminar in Johannesburg and returned with new furniture for the extension to the building at Moreneng and on 14 July 1972 she produced a musical concert to entertain members of the Education and Health Departments in Moreneng after a Mass in the Cathedral, Gaborone. Guests were invariably welcomed by the strains of her College Band playing 'Scotland the Brave' and 'Macnamara's Band'. She must have felt a justifiable pride and hope for the future when two of the Sisters of Calvary on 13 January 1975 went to join the Ramotswa community to teach in the school.*

*About the end of September 1977 Sister St Liam suffered a slight stroke but she recovered and was able to continue her activities. On 3 September 1984 she celebrated her Golden Jubilee, the first in Botswana. From about February 1985, however, she was increasingly frail although her spirits always remained bright. By January 1986 her memory was fading and by February she was sleeping a lot and had little appetite. On 19 May 1986, she fell and cracked a bone in her shoulder. From then she was confined to a wheelchair. She quickly improved, however, and by August was in good form but on 2 October she became very ill and was taken to the Princess Marina Hospital with suspected peritonitis. She gradually sank into unconsciousness and died at 7.30 a.m. on 9 November 1986. A woman of simple faith and wit, she had been thirty-four years in Botswana.*

*Sister Dominic Savio CP, 6 December 2004.*



*Catherine and Lily Alford*



## LILY ALFORD

*Sister Mary Gabriel Therese Joseph of Jesus, Lily Alford, daughter of William Alford, and his wife, Kate [Cluxton], was born in Dublin on 27 March 1905. She entered the novitiate of the Sisters of the Cross and Passion of Our Lord Jesus Christ at Mount Saint Joseph Convent, Deane, Bolton, Lancashire, UK probably in late 1934. She received the religious habit in Mt St Joseph convent on 3 May 1935 and professed her Vows there on 13 May 1937.*

*Aged thirty-two, she had obviously worked before she entered the novitiate, possibly as a typist. It is not clear where she lived after Profession. She may have been appointed to the Sisters' convent at Parkmount, 458 Bury New Road, Higher Broughton, on the outskirts of Manchester and Salford, where she may have been secretary to the Provincial, as her sister, Sister St Liam CP, visited Parkmount from 28 December 1943 to 4 January 1944. Shortly afterwards, however, she seems to have been living at St Annes-on-Sea, Lancashire, where, in addition to teaching in the parish school, the Sisters had a private school in which they probably taught commercial subjects, for, on 19 March 1945, it was the local superior in the convent in Saint Annes-on-Sea who took Sister Gabriel Therese from the Manchester Royal Infirmary, where she had been seriously ill for six weeks, to Parkmount convent to recuperate. She was still in Parkmount on 24 August 1945.*

*In the meantime, however, in February 1941 Dr McNarney, the parish priest of Saint Teresa's, Cleveleys near Blackpool and Fleetwood, asked for a Sister to take charge of his Children of Mary, and Sister Wilfrida CP was appointed. Next, he asked the Sisters to open a school, with the result that on 1 May 1946 Sister Wilfrida and another Sister opened the Cardinal Allen Private School in Cleveleys. On 29 August 1947 Sister Gabriel Therese, who was still in Parkmount, and two other Sisters there, one of whom was also going to teach in Cleveleys, went to Fleetwood. She returned to Parkmount for a few days on 12 September 1947 and then went back to Fleetwood.*

*At that time, the Sisters who taught in Cleveleys travelled each day from Fleetwood. It was not until September 1949 that they were able to open a convent in Cleveleys, dedicated to Our Lady of Mount Carmel. Their travels were not over, however, for in December 1967 the parish priest asked them to allow the parish, from January 1968, to use their convent as the school. On 30 December, therefore, they moved back to Fleetwood, planning to travel each day to Cleveleys, as they did for the next four and a half years until, in 1972. By then it was apparent that a private school was no longer needed, as the Education Authority was providing three new classrooms beside the parish hall which would form an annexe to Saint Bernadette's school and would be the nucleus of a future Saint Teresa's school until the numbers grew large enough for a Cleveleys Catholic school to be built.*

*In the meantime, however, even as early as 8 January 1968, Sister Gabriel Therese had become too ill to attempt to travel each day to teach in the Cleveleys school. By September that year, however, she was well enough to travel to Ireland with her*

sister, Sister St Liam, for a holiday. On 10 April 1972, she was able to travel in a minibus with a few other Sisters to Heysham, Lancaster, and Morecambe and to enjoy a picnic lunch, fine breezes and views, and a lovely café meal. On 15 September 1972, she again left Fleetwood with Sister St Liam for a holiday in Ireland.

On 2 October 1972, however, she left Fleetwood to join the Community in Elmleigh, Ilkley. Two months later, at 6 a.m. on 2 October, she fell at the side of her bed. The doctor was called, and he arranged for her to be taken by ambulance to the Airedale Hospital. She was accompanied by two of the Sisters, Sisters Alphonsus, and Patricia, who were also nurses and they remained with her throughout the morning. About 11 October she was transferred to the Chapel Allerton Hospital. Sisters Senan and Patricia visited her the next day and others did so during her stay there. At last, she returned home on 21 January 1973.

In spite of the snow, her two Sisters came from Dublin to see her and her brother, Dr Bailey Alford, came the next day. They all visited her again on 7 and 9 November, staying until the 11<sup>th</sup>. On the 14<sup>th</sup> it was realised that she was dying slowly. On the 20<sup>th</sup> the Passionist Father Dominic from Myddelton Lodge, Ilkley came to the convent to celebrate Mass and afterwards read the Prayers for the Dying. On the 21<sup>st</sup> she was unconscious. Her two Dublin sisters, another sister and her brother came to see her and stayed until she died at 5.30 a.m. on 25 November, the feast of Christ the King.

In the evening of the 26<sup>th</sup> her coffin was brought into the convent chapel and the Passionist, Father Christopher celebrated Mass at 7.30 p.m. Her Sung Requiem Mass and funeral followed the next day, the 27<sup>th</sup>, at 2.30 p.m., celebrated by three Passionists with another, Father Dominic, presiding as Master of Ceremonies. There were also two other priests there, her family, and a large number of Sisters. It was, as someone said and everyone agreed, 'A lovely Requiem.' Her coffin was then interred in the Sisters' second grave (headstone 2) in the Catholic section of the Ilkley cemetery.

*Sister Dominic Savio CP, 27 November 2017.*

Sister Bella Carroll (Dominic Savio) of Enniscorthy, Co. Wexford Sisters of St. Joseph of Annecy died on 14th April 2021.<sup>390</sup>

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<sup>390</sup> Rip.ie

#### 4. THE JOURNEY NEVER ENDS

The journey of researching the Cluxtons has been an enlightening one. The time spent was more than just years of research, it was time spent in thought and reflection. Who were these ancestors of mine, where did they come from? Their story is my story. Only for them, I would not exist today. I have felt a deep spiritual connection with all my ancestors for as long as I can remember. It is something I find hard to articulate. I have come to realise that there are many aspects to our existence that most people do not care to think about. Much of the truth has been hidden from us but it is there if you have the desire to seek it. I now believe we carry ancient DNA, and our ancestors are there to protect it but that is a long story for another day.

It was a bit of a shock to discover that my third great-grandfather, Bailey Cluxton was a convict, he killed a man. How would I have acted if I was in his shoes? There is no doubt, Bailey Cluxton was a complex character. It is easy to see, his forefathers were frontier men, they were survivors, which often meant flouting the law. The Cluxtons were beholden to no one and while they acted impulsively, it was never out of badness or malice but mostly out of righteous indignation or the will to survive. The newspapers lied about Bailey Cluxton, and I knew that it was my job to set the record straight, to vindicate my ancestor.

Through Don Clugston's website, people got in touch. This increased the interest in the story of the Cluxtons and their connection to Kilcullen. At that time, I felt I needed to write this book because it would be far too easy for an outsider to frame the story in an unfavourable light. They would not have had the passion and perseverance that it took to find the hidden nuggets of information. Like many amateur historians, they would have researched at the surface level, resulting in a story skewed by media bias. Bailey Cluxton's convict file was not easy to find. It was buried in a box in the national archives for one hundred and sixty-seven years. I will never forget the moment when I discovered the file. It was a moment of elation. Just as I was about to give up after many days spent there looking under every metaphorical rock, it appeared. It helped me shed light on the man whose family had a genuine love for him.

Sadly, there is no information about John Jones who died because of Bailey Cluxton's actions. This poor man and his family suffered too, and their story was forgotten. Life is short and can be cruel, if we look at history most people are forgotten within a generation. Thankfully the Cluxton story will be preserved in the libraries of Kildare for generations to come.

Like John Jones, I was almost confined to history myself. It was at the hands of a stranger on a street in Dublin many moons ago. The incident happened on the 15<sup>th</sup> of May 1992, The reason I remember the date is because it was the night before Guns 'n Roses played at Slane Castle, Co. Meath. I was with some friends at a rock nightclub on Parnell Street called Fibber McGees. I left the nightclub a little bit worse for wear with my friend Mick Conneally. We were heading back to Mick's bedsit in Drumcondra to sleep off the booze before the big concert the next day. We crossed the road and right outside Cluxton's furniture shop, a gang of young men surrounded

us. I didn't know it was Cluxton's old shop at the time, and only recently made the connection while conversing with my 2<sup>nd</sup> cousin once removed living in the USA, Ted Gibbs. There was a skip there at the time when the old shop was being gutted and turned into apartments. Half the gang chased Mick up to Summerhill and the other half surrounded me and laid the boots in. I ended up on the ground getting random kicks from the pack of youths. It was an unprovoked attack and was vicious. As I lay on the ground one of the youths took a concrete brick from the skip and started approaching me with the intent to drop it on my head. Even though I had far too many pints I remember the moment vividly. Fight or flight mode kicked in instantly. I picked myself off the ground and made a break for O'Connell Street. I was covered in blood when I entered an Abrakebabra fast food restaurant to get them to call the police. They picked me up in the squad car and delivered me to the Mater hospital. I met Mick there who was also beaten up and needed some medical attention. At some point in the early hours, the hospital discharged us, before I made my way to Slane with a big shiner and bruised body. With the passing of thirty years, I revisited this incident when I discovered the connection with Cluxton's shop. I have firmly come to believe that someone was looking after me that night. James Cluxton was not going to allow a thug to drop a brick from his shop on the head of his great grandnephew. I don't believe in coincidences anymore. I believe everything happens for a reason.

Barry Kinane 2023



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