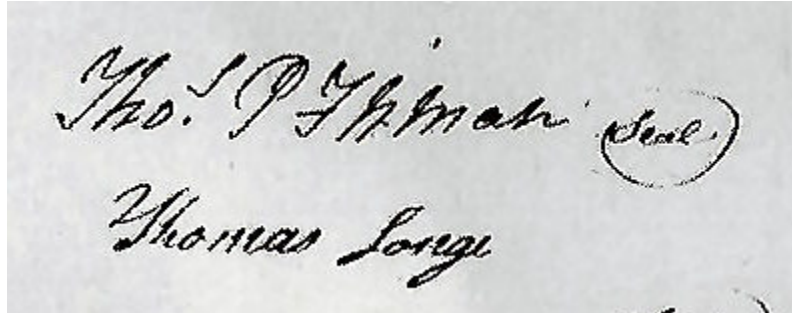


## Thomas Long Land Lease - May 1839

By Michael F. McGraw

My friend Clare Tuohy, from Ireland, has found another gem in her research. This time it is a copy of a land lease between Thomas P. (Pierson) Firman, landowner, and Thomas Long, farmer, dated May 4, 1839. The land described in the lease is a little over 22 acres (Irish plantation acres) located in "Lower Grange", Holycross parish, Eliogarty Barony, Co. Tipperary. It even contains Thomas Long's signature.

A photograph of a document showing two handwritten signatures in cursive. The top signature reads "Tho. P. Firman" followed by a circular stamp that appears to say "Seal". The bottom signature reads "Thomas Long".

The first challenge was to determine if this Thomas Long was the same person who married Catherine Fanning and came to the U.S. in 1852. The Holycross baptismal records of their children, from June 1839 to October 1847, establish the primary linkage of the Thomas Long family to the townland of Grange. In the Griffith's Valuation for Co. Tipperary, that was printed on August 15, 1851, Thomas Long was listed as the Immediate Lessor of two small parcels of land in the townland of Grange.

The instructions to the persons performing the valuation were to list a location with the name of the Immediate Lessor if that person was not living in the same townland. Thomas Long had no location after his name but it could not be determined where in Grange he was living, if in fact he was still in Ireland.

In the body of the lease was a section that genealogists love. The tradition for the longer leases was to state the term of the lease as 31 years or until the last of three named persons had died, which ever occurred last. Here it was also traditional to name small children as they had the longest life expectancies. This serves the practical present day purpose of identifying friends, neighbors and/or relatives and usually one of their children.

"TO HAVE AND TO HOLD the said demised Premises, with the Rights, Members and Appurtenances thereunto belonging, or in anywise appertaining with the said Thomas Long, his heirs and Assigns from the first Day of May instant and for and during the Natural lives and life of (of) Patrick TOOHY son of William TOOHY, Patt LONG eldest son of Thomas LONG the Lessee and Philip MAGRATH eldest son of Patrick MAGRATH and the survivors or \_\_\_\_\_ of them all of Lower Grange aforesaid is for and during the term time and space of thirty one years which ever said lives or year longer exist or last."

Patrick and William Toohey (Tuohy) make multiple appearances in the Griffith's Valuation for the Grange townland in Holycross parish, Co. Tipperary. Patrick is the step-great uncle of Clare Tuohy who found this lease.

Patt Long was a son of Thomas Long who had not shown up previously in the record. Patt was born prior to May 4, 1839 (the date of the lease) and since the Holycross church records began in 1838 and Patt's baptism was not in the records he must have been born prior to the commencement of the church records. Since Thomas and Catherine had another son named Patrick (bap. May 10, 1843) Patt Long must have died sometime prior to the younger Patrick's birth.

Philip Magrath, his father Patrick, and the rest of that family immigrated to New Orleans between 1848 and 1850. Clare Tuohy found the family in the 1850 and following census records for that city. According to the 1860 New Orleans census Philip was 21 at the time of the census. That would mean that he was born between June 2, 1838 and June 1, 1839. Therefore his birth date is consistent with him being mentioned in the lease.

Adding Patt Long to the Thomas Long family yields the following sequence of names for his children: Patt, Richard, Mary, Patrick, Lawrence, Margaret, Thomas, Emily and John. Since we know from Thomas Long's death certificate that his parents were named Patrick and Mary it appears that Thomas and Catherine were using the traditional Irish naming pattern in selecting the names of their children. If they followed the tradition strictly then Catherine Fanning Long's parents were named Richard and Margaret. There was a Mrs. Margaret Fanning living on the adjacent farm in the townland of Grange according to Griffith's Valuation. It is quite possible that this was Catherine Fanning Long's mother.

### **The Fanning's were everywhere.**

There were three Tuohy brothers: William, Patrick and James, who respectively married three Fanning sisters: Mary, Bridget and Amelia. Patrick Magrath married a Bridget Fanning and of course Thomas Long married Catherine Fanning. The second Bridget fanning is evidence for at least two Fanning families. It seems like everyone in the townland of Grange married a Fanning girl. Perhaps Thomas Long was their brother-in-law, of the Twohy brothers or Patrick Magrath.

Patrick McGrath and Bridget Fanning were the sponsors at the July 11, 1845 baptism of Thomas and Catherine Long's son Lawrence in Holycross church. William Tuohy was one of the sponsors at the May 10, 1843 baptism of Thomas and Catherine Long's son Patrick.

## The Encumbered Estates Commission and Thomas Firman

The records of the Encumbered Estates Commission (EEC)<sup>1</sup> provide detailed information about the leases to the residents of Grange. This is an accounting for the holdings in the townland of Grange that were held (forever) by Thomas Firman of Mount Falkner under a Fee-Farm grant

No.	Name	Land (a-r-p)	Rent (£-s-d)	Comment
1.	Patrick Tuohy	88-1-5	70-4-0	May 14, 1839 - 31 yrs.
2.	Patrick Tuohy	5-2-30	4-16-8	Yearly
3.	William Tuohy	76-1-0	63-14-0	May 10, 1839 - 31 yrs.
4.	William Tuohy	40-3-15	32-0-0	Yearly
5.	Widow Johanna Dwyer	43-1-14	31-16-6	May 10, 1839 - 31 yrs.
6.	Widow Johanna Dwyer	3-1-35	3-9-4	Yearly
7.	Timothy Crough	19-0-10	17-0-0	Lease for 7 yrs - Pending
	Untenanted	94-3-5	41-7-6	
	<b>TOTAL</b>	<b>371-2-34</b>	<b>261-8-0</b>	

This listing above was from the Court of the Commissioners for the Sale of Encumbered Estates in Ireland. The original order for Thomas Firman's estate was dated April 10, 1850. The sale of his estate by auction was set for May 18, 1852<sup>2</sup>.

At the time the Griffith's Valuation in Co. Tipperary was conducted, in 1850, the Immediate Lessor in the Grange townland in Holycross parish was in many cases listed as the Court of Chancery. This was an indication that Firman was in trouble with his creditors and the Court had already taken control of his holdings in Grange townland. In 1850 about 60 acres of land in Grange were vacant.

## Comparison of Selected GV Holdings and Encumbered Estates Listed Holdings

Name	GV (a-r-p)	EEC (a-r-p)	Diff (a-r-p)
Patrick Tuohy	93-0-19	93-3-35	0-3-16
William Tuohy	114-3-35	117-0-15	2-0-20
Johanna Dwyer	45-1-38	46-2-49	1-1-11
Timothy Crough	2-2-34	19-0-10	16-1-16
Untenanted	59-3-0	94-3-5	35-0-5
<b>TOTAL</b>	<b>316-0-6</b>	<b>371-2-34</b>	<b>54-5-68</b>

The EEC listing refers to information from the 1839 leases Firman made with the above listed individuals. In the case of the Tuohy brothers' land holdings, the 1839 leases were about the same in total acreage as that found in the Griffith Valuation information. For some reason the Tuohys held long term leases and yearly leases.

Overall, the size of the Tuohy brothers' holdings, from 1839 up to mid 1850, are about the same. If all the Dwyer holdings are assigned to the Widow Johanna Dwyer then

the Dwyer holdings are about the same over that same time period. The Crough holdings had just about tripled and the untenanted lands had increased about 50%.

The Griffith data doesn't detail the type of leases the occupants held, only the lot area, value and the Immediate Lessor's name. However, there is some structure that can be gleaned from the GV details.

### **The Case for Thomas Long Being the Vacant 3<sup>rd</sup> Party**

A 241a-2r-6p parcel of land in lot #10 in Grange was shared among three persons: Patrick and William Twohy and Thomas Long (vacant) It is possible to disassemble this parcel of land in proportion to the valuation of the land, among Patrick and William Twohy and Thomas Long (vacant), using the GV data (Co. Tipperary- Aug 15, 1851). The size of these GV land holdings can then be compared with the holdings of the same individuals in the 1839 Firman leases.

Patrick Twohy		William Twohy		Thomas Long	
EEC (a-r-p)	GV (a-r-p)	EEC (a-r-p)	GV (a-r-p)	Lease(a-r-p)	GV (a-r-p)
88-1-5	87-0-4	76-1-0	114-3-35	36-1-31	39-3-29
5-2-30	5-3-19	40-3-15			
<b>Total</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>
93-3-35	92-3-23	117-0-15	114-3-35	36-1-31	39-3-29

The disassembled acreage for the Twohy brothers and the vacancy, which we are trying to prove was Thomas Long, match up fairly closely to the acreage specified in the 1839 leases. The numerical increase in untenanted acreage, from the EEC data in 1852 compared to mid 1850, was 35a-0r-5p. This was within a couple acres of the size of Thomas Long's holdings, that he would have vacated by 1852.

This common ownership, portrayed to the GV valuers, was actually backed by individual May 1839 leases from Thomas Firman of Mount Falkner. The leases indicated how much acreage the Tuohys and Long each controlled, but the leases did not specify which fields in the townland were contained in their respective acreages. The individuals appeared to be free to merge their separately leased lands for valuation purposes. Perhaps they remembered an earlier valuation.

The Commissioners had repeated difficulty in sorting out the ownership of the "commons" areas<sup>3</sup>. That is, the Commons of Knockervoula, Knockelliengough and Knockalourse. In particular, "...as he (the Ecclesiastical Commissioners agent) could not ascertain the liabilities of the parties named in the applotment book." The outcome of the commons battle was summed up "The ecclesiastical Commissioners abandoned the collection owing to legal difficulties."

Firman's holdings were under the control of the Court of Chancery at the time that Griffith's Valuation was conducted. Possibly the Tuohy brothers and Thomas Long had remembered this previous example of valuation confusion that could result from "common ownership." However, in this case the valuers had more experience with such

situations and no such confusion arose. The Tuohys and Thomas Long had their valuations properly assigned.

### **Summary of Evidence**

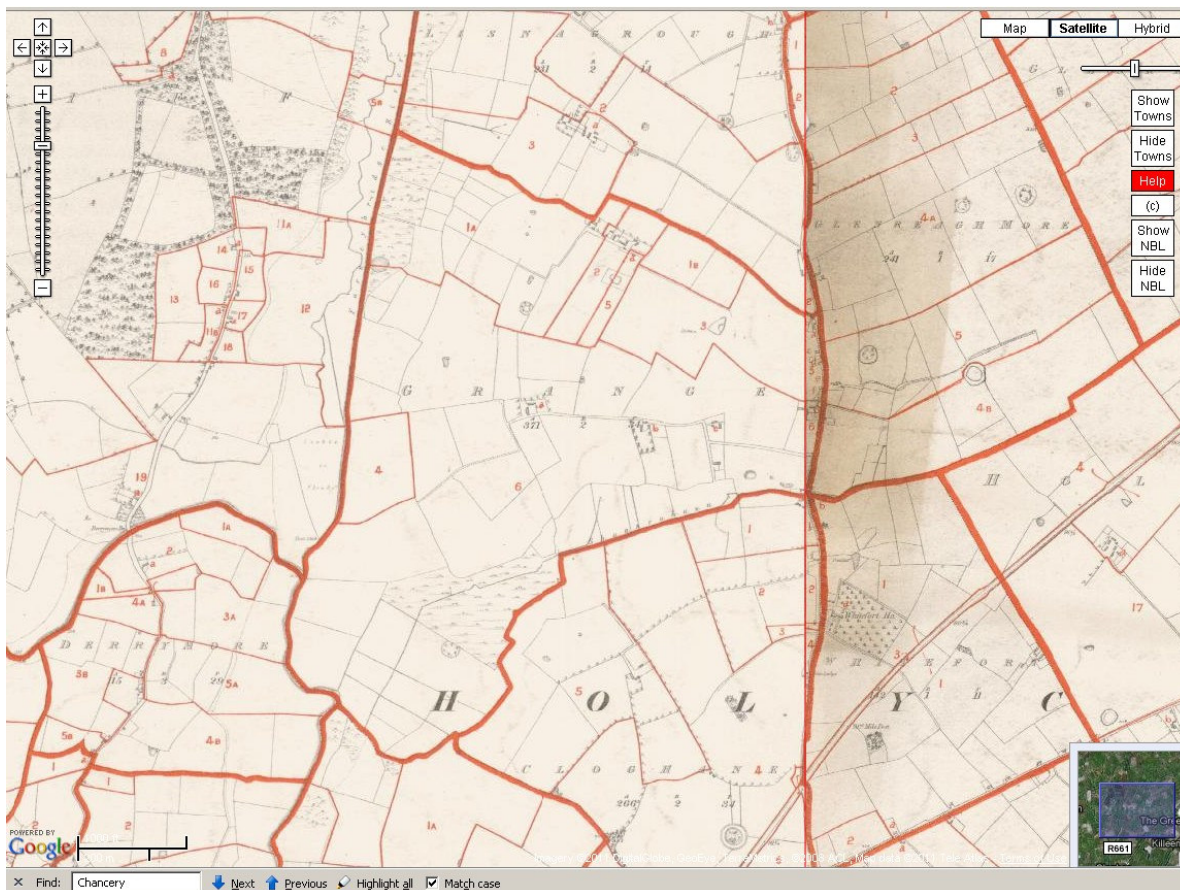
<b>Evidence</b>	<b>Explanation</b>
Baptismal records	Family residence in Grange, Holycross parish established. June 1839 - October 1847.
Thomas Long was the Immediate Lessor of 2 parcels in Grange.	Griffith's Valuation data. Information gathered in 1850 - final report printed August 15, 1851.
Thomas Firman lease to Thomas Long dated May 4, 1839.	Land in Grange and acreage. Lives in the lease were Touhy and Magrath who were also baptismal sponsors. Both the Tuohys, Magrath and Long himself married Fanning ladies. Evidence of new Long child - Patt. Use of naming pattern indicates Catherine Long's mother was a Margaret Fanning. There was a Mrs. Margaret Fanning living in Grange at the time of GV.
Empty share of Tuohy brothers common holding approx equal to Thomas Long's holding	Distributed acres in proportion to GV valuation numbers. Thomas Long assumed to be the vacant 3 <sup>rd</sup> party. Close match to leased acreage.
Newly vacated lands almost equal to Thomas Long's holdings	From the Griffith's Valuation (Aug 15, 1851) until about early 1852 (the Encumbered Estates proceedings against Thomas Firman). The likely time period in which the Thomas Long family left Ireland.

Based on this evidence we can confidently say that the Thomas Long of the 1839 lease is our Thomas Long.

### **Finding Thomas Long's Fields in Grange**

Now that the size of Thomas Long's holding have been determined it is time to see if it is possible to identify the actual fields that were part of his holdings. For this the Griffith's Valuation data and the associated Ordnance Survey maps are needed.

## Griffith's Valuation



For persons interested in tracing their family history in Co. Tipperary they are very fortunate that Griffith started his endeavor in Northern Ireland. The nature of the process and the information recorded changed with experience and the political environment. There were specific acts passed in London that redefined the effort several times before it was completed. The first valuations only included land and were called the “Townland Valuations” - no individuals were mentioned. Later “tenements” were included with the names of the occupiers but nothing valued under £3 was included. That was later raised to £5. Prior to the valuation of Co. Tipperary all that was changed to include ALL tenements, regardless of value. Political greed played into the hands of future genealogists.

The Ordnance Survey map above was one of many created for the valuers that would carry out the valuation under the guidance of Richard Griffith. Thanks to modern computer technology an almost “seamless” merger of sheets 46 and 47 has been accomplished. The result is a navigationally seamless merger of not only sheets 46 and 47, but all the maps in the Ordnance Survey collection that cover all of Ireland.

The thick red lines represent the townland boundaries that were established from local sources and estate records. The thin red lines were added by the surveyors, as were

the numbers and letters found on the maps. The ordering of the lots depended on the order in which the surveyors visited the various sites.

“...the surveyor is to go over the whole of every townland, and to mark the boundary of every tenement on the map with a dotted or fine red line; putting a number on the map on each tenement, and a corresponding number in his field book, with the name and surname of each occupant annexed.”<sup>4</sup>

The Lord Lieutenant of Ireland issued additional instruction - “...that the boundaries of each of the lots shall coincide, as far as possible with the boundaries of farms...he directs that in the future the following system shall be adopted:

1. That every tenement, no matter how minute, shall be entered separately in the field book, and have a distinguishing number prefixed to it.”<sup>5</sup>

The instructions from Richard Griffith to his valuers directed that the numbered lots should enclose entire farms. “...when a cottagers’ houses and gardens are included within the limits of a farm, the farmer’s house... should have the italic letter a prefixed to the number of the lot in which it is situated; the cottagers’ [houses should have] b, c, &.”<sup>6</sup>

“The valuator entered in his book, when aware of it, any change of occupier or landlord since his surveyor’s visit as well as any rents not already entered.”<sup>7</sup>

Each townland was composed of many smaller parcels of land that were delineated by robust borders of marvelous longevity. Many of these boundaries are still visible in the satellite images of Ireland today. The 1839 leases between Thomas Firman and his several leasees did not have the Griffith’s numbering and lettering scheme available for describing the land in the leases. In the leases the land was described in Irish plantation acres while the later Griffith’s Valuation was conducted in English statute acres.

The smaller parcels of land sometimes had “neighborhood names” which can be found in the Tithe Applotment records (1820’s and 1830’s) and occasionally they appeared on the Ordnance Survey maps. Many of these parcels or “fields” probably had names that have not survived down to the present time. All the numbered lots found in the Griffith’s Valuation consist of entire fields. These fields are the basic building blocks for constructing the lots or farms that comprise the land holdings of the occupants of the townland. However, the description of the property being conveyed in the lease was quite sparse and included an acreage and the relative location of the townland, i.e. “Lower Grange.”

The question of which fields in “Lower Grange” were leased by Thomas Long needed an answer. A selection procedure for the most probable fields leased by Thomas Long is described below.

- We should find his former location vacant with the Court of Chancery as the Immediate Lessor or perhaps occupied with Thomas listed as the Immediate Lessor.

Thomas Long's eventual absence had not been completely reflected in the GV data gathered in the mid 1850.

- Thomas Long's house was identified by its relative size compared to the larger landowners in Grange, based on valuation and by the Immediate Lessor.
- Fields were selected that were contiguous and included the one that contained Thomas Long's house.

The selected fields are numbers 1-9 on a nearby map.

Thomas Long's fields ran along the southeastern border of Grange. The western most field bordered on a bog area. Thomas wouldn't have been interested in renting any more land in that direction. To the north were large fields that obviously belonged to the Twohy's (Patrick and his brother William), who were the largest landowners in Grange.

The eastern most field was the most likely location for the two parcels sublet by Thomas. There were other small houses along the north-south road running along the eastern border of Grange. Thomas Long's holdings were bordered by the Grange townland border on the south, bog on the west and adjacent townlands on the east and northeast. There were not any other contiguous fields that could have been added to this list of most probable fields for Thomas's holdings.

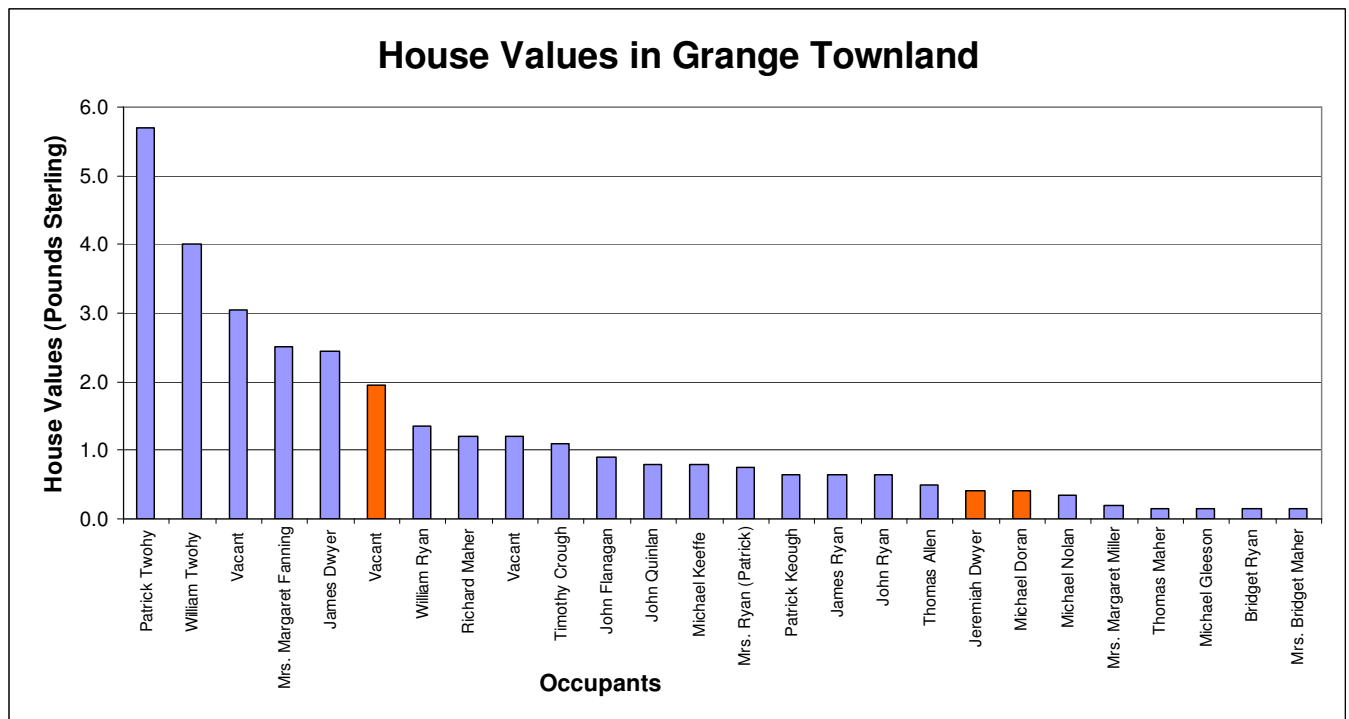
As the changes in ownership and farm consolidation continued it became necessary to periodically update and reprint the valuation books and corresponding maps. It would appear that there were wholesale changes in the numbering schemes when the farm boundaries were redrawn. Therefore, following the changes in the ownership of a particular parcel of land, within a townland, would be impossible with the valuation books alone to determine the location of an individual's holdings. The valuation maps were absolutely necessary

Although the valuation boundaries might change, the physical field boundaries were almost totally immune to change over decades. The largest structures in the townland had a permanence that rivaled the field boundaries in longevity. Sometimes the exact nature of the structure would be modified but the location of largest structures remained locations of large structures today, over 160 years after the Griffith's Valuation.

By sorting the houses found in the GV in order of descending value, the most highly valued houses are more easily found. These more expensive houses help correlate the information from the original 1851 Griffith's data with the later maps. Large houses became the invariant objects in a sea of change and farm consolidation.

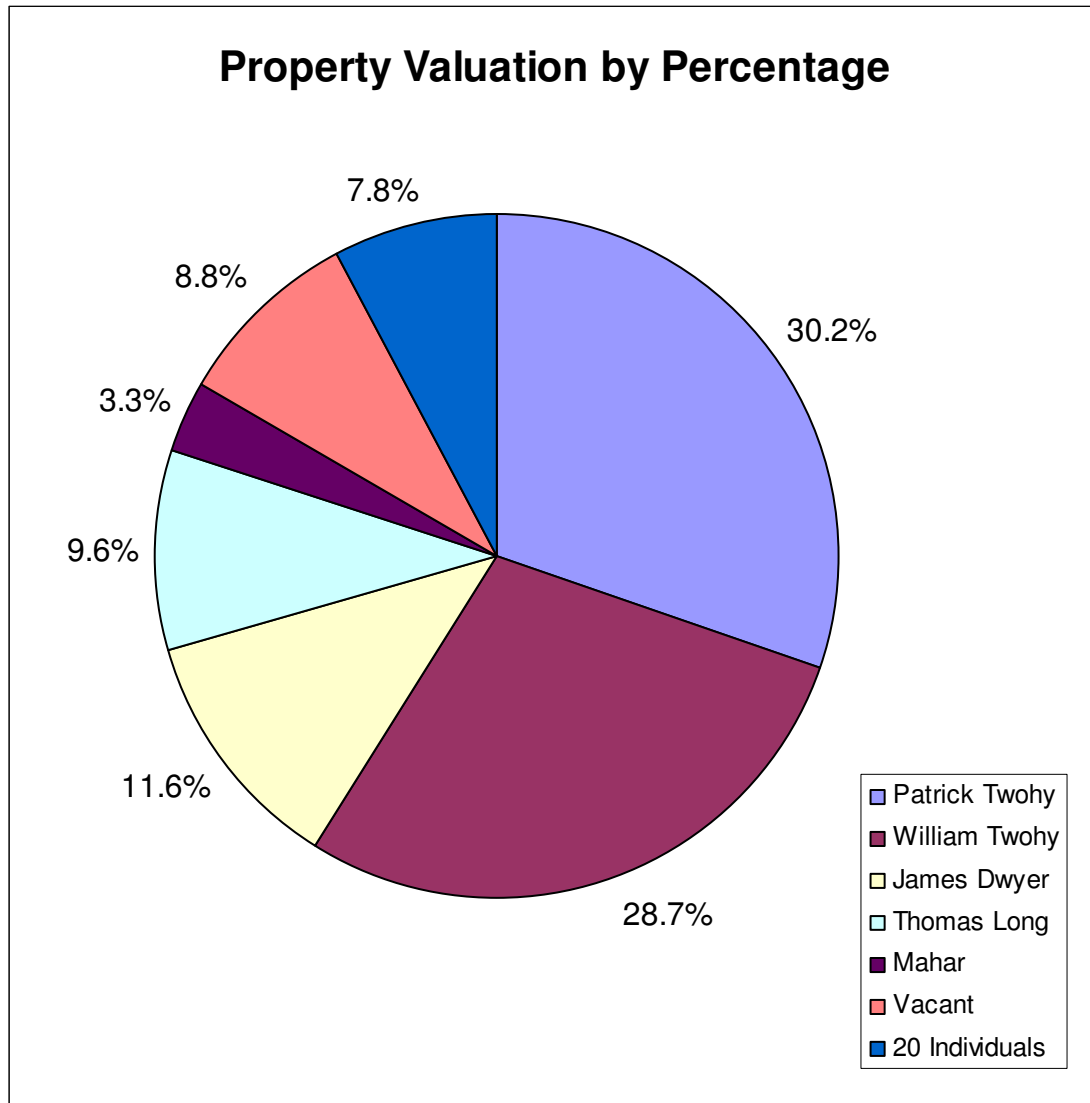
In the GV for Grange there were 26 houses and they were valued by their annual rent. Sixteen were valued at less than 1£. Four were between 1£ and 2£. Three were between 2£ and 3£. One house was valued at about 3£ and one at about 4£. The largest house was valued at 5£ -14s-0d. These most expensive houses were easily found on the

Ordnance Survey maps of the 1840's. In 1850 the monetary system in Ireland was based on the Pound Sterling. There were 20 shillings in a pound and 12 pence in a shilling.



Four of the top 6 houses in the townland of Grange were found in Lot 10 in the Griffith's Valuation. The top three were labeled 10a, 10b and 10c. The later "GV" maps, like those available in association with the Griffith's Valuation records on the AskAboutIreland.com website, the three largest tenements were labeled 6a, 6b and 6c. These are most likely the same structures. Lot 10 had become Lot 6. There are still 3 large structures at those same locations today, as seen in the OSI satellite images.

The largest red bar in the chart above labeled "Vacant" has been determined to belong to Thomas Long. The two smaller reds bars near the right end of the chart represent the houses of Jeremiah Dwyer and Michael Doran where Thomas Long was the Immediate Lessor.



Patrick Touhy's property (what he occupied) was valued at about 4 times that of the 20 poorest individuals in Grange taken together. Thomas Long's property was valued at about one-third that of Patrick Touhy's property.

The most likely candidate for Thomas Long's house was 10d in the Aug 15, 1851 Griffith's Valuation. Its value was 1£ -19s-0d, which was only 1 shilling less than 2£. It was vacant and the Immediate Lessor was listed as the Court of Chancery (which meant this was Thomas Firman's land). Just north of 10d was tenement 10c, that was also vacant, where William Twohy was the Immediate Lessor of that house. Since Thomas Long had a 31-year + 3 lives lease from Thomas Firman his house would not have had Twohy as the Immediate Lessor. William Twohy's house was just west of 10c and was labeled 10b and it was valued at 3£-1s-0d.

It is believed that Thomas Long's holding would have consisted of several adjacent smaller fields and his house (10d) [Griffith's data] would have been within one of those fields. The 10d house (Griffith's data) was located below the 6c house on the accompanying map [Griffith's map] but was not labeled because it was vacant.

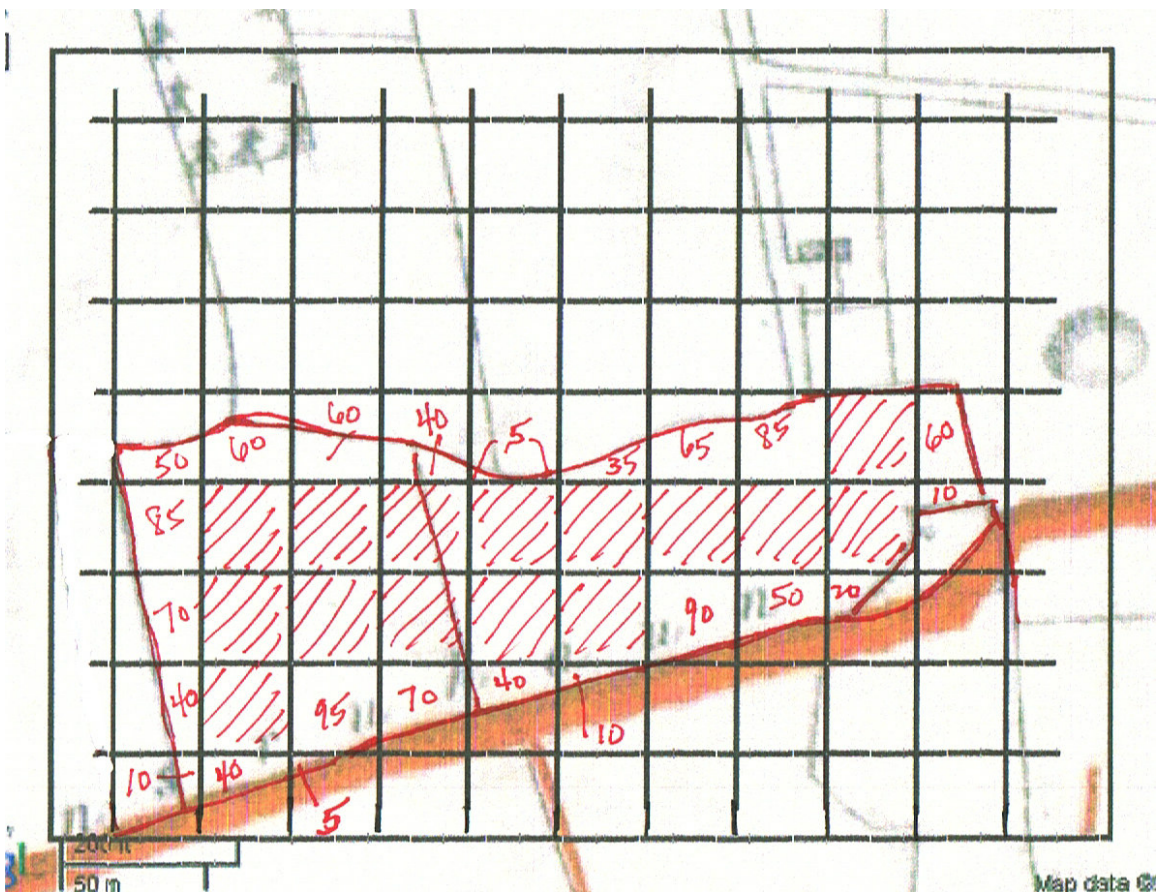
The most obvious candidates for the fields that comprised Thomas Long's holdings have been outlined on the map below. Thomas Long's 22.5 (22a-2r-0p) Irish plantation acres were equivalent to 36a-1r-31p in English Statute measure. If the total area of the selected fields are within a few percent of the actual size of Thomas's holdings then the correct fields have probably been selected.

The estimates of the area were carried out by superimposing a grid of known calibrated size on top of an enlarged image of the individual fields in question. By counting grid squares and estimating the percentage of partially filled squares a fairly precise estimate of the field area could be made.



The above map shows a portion of the valuation map (Sheet 46) available on the AskAboutIreland.com website. It's date has not yet been established but it is definitely not the original map issued with Griffith's Primary Valuation of Ireland for Co. Tipperary in August 1851. Thomas Long's house has been proposed to be the structure located about 350m feet south of the structure labeled "c." In this version of the valuation map these structures were on farm lot #6. In the original 1851 valuation they were part of farm lot #10.

Below is an enlarged view of fields No. 5&6 in the collection of fields selected as probable candidates for the land leased by Thomas Long from Thomas Firman. The map is covered by a grid whose squares are each approximately 1 square rood in area. An acre consists of four square roods.



The proposed house occupied by the Thomas Long family is shown above as the dark rectangle in the upper right hand corner of the map.

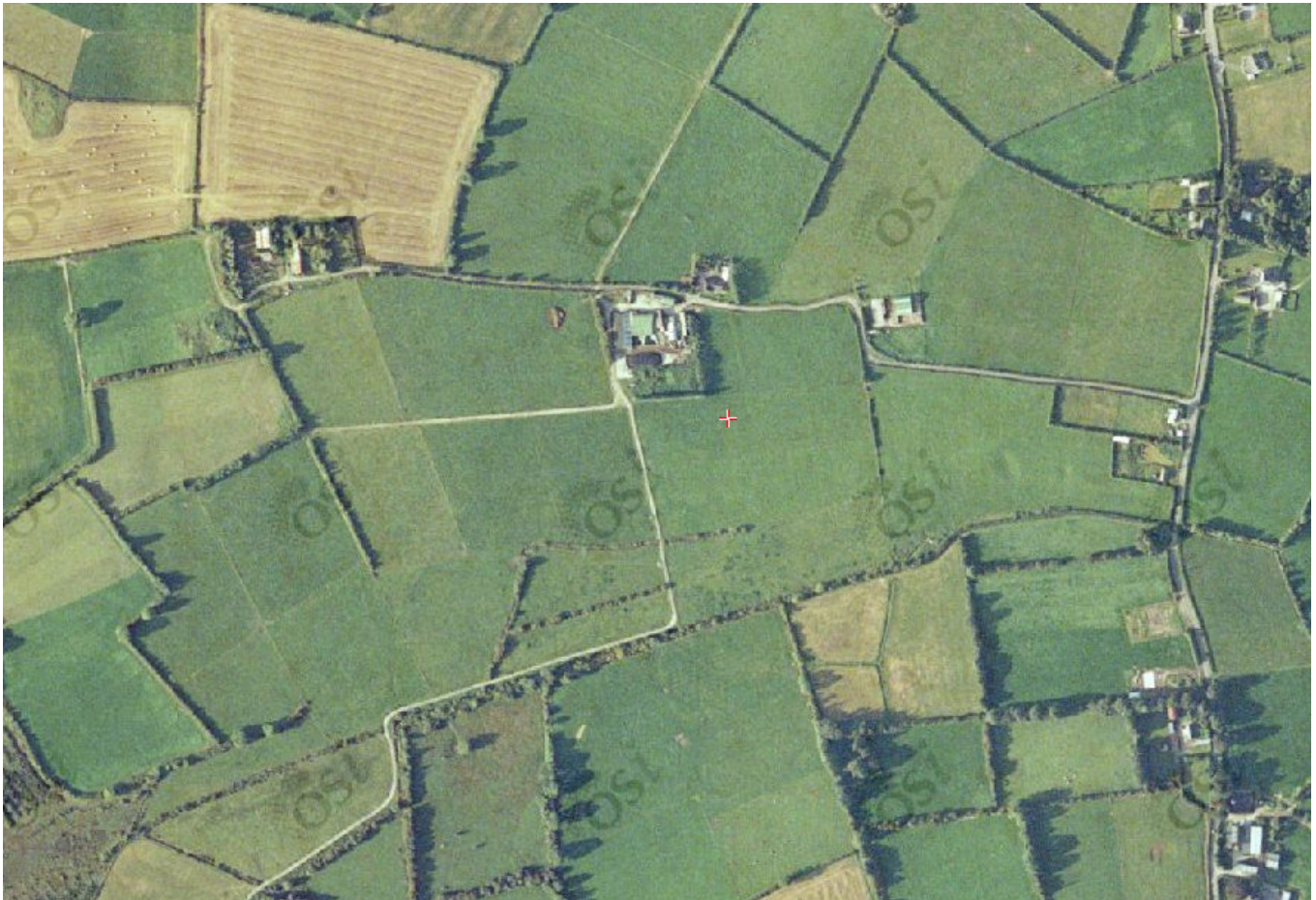
### **The Irish Plantation and English Stature Measurement Systems.**

The Irish perche is 7 yards while the English perche is 5.5 yards. From there both systems are in agreement with 40 sq. perches per sq. rood and 4 sq. roods per acre. The ratio of the Irish acre to the English acre is 1.6198.

### **Field Measurement Results**

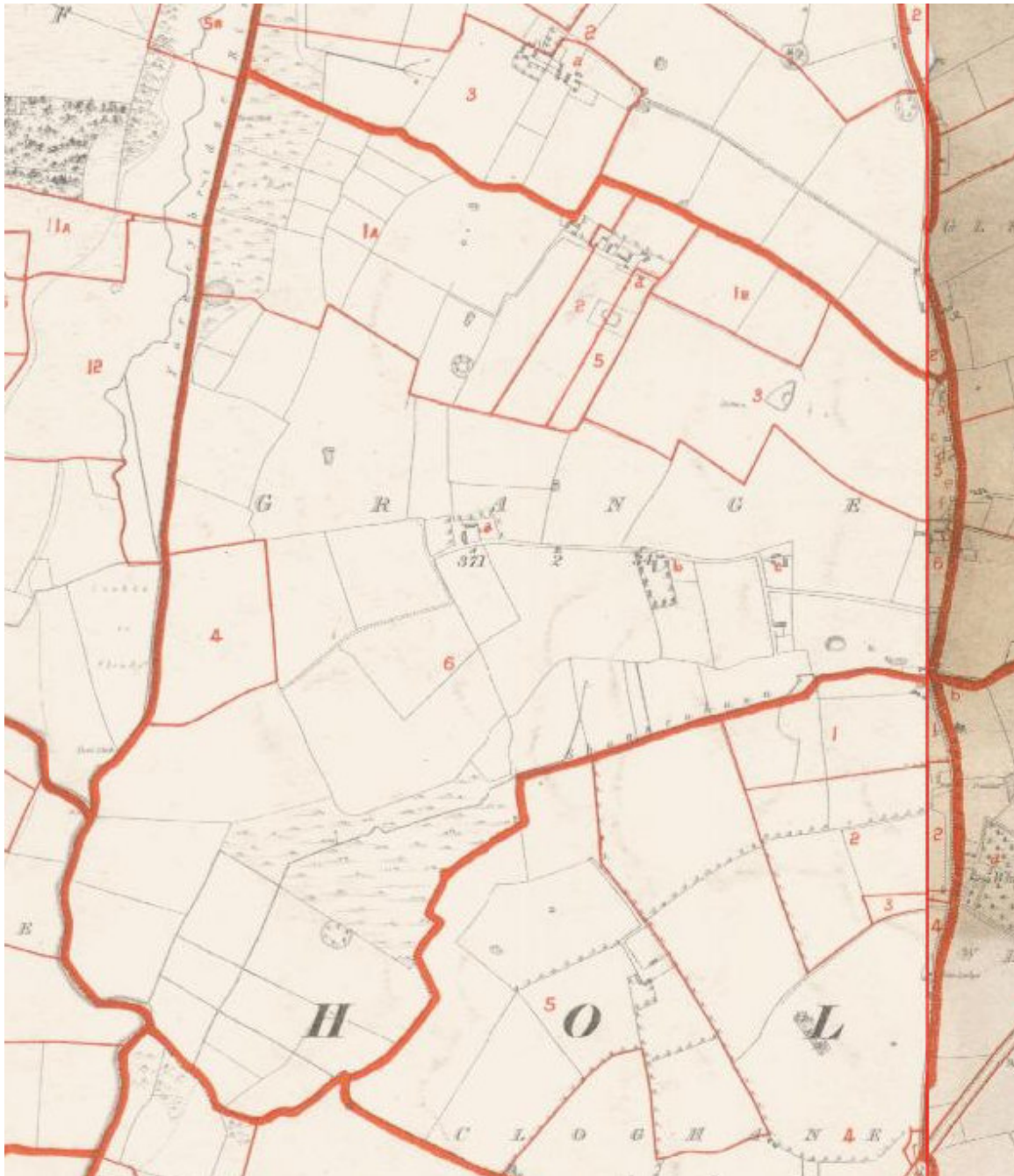
<b>Field No.</b>	<b>Size (a, r, p)</b>
1, 2, 3, 4	13-3-01
5, 6	6-1-38
7	4-3-16
8	8-3-21
9	3-1-20
<b>Total</b>	<b>37-1-16</b>

Thomas Long's holdings as found in the 1839 lease were 36a-1d-31p (English statute measure). The estimated field measurements are only 2.5% higher than the actual value. On the right is a map associated with the valuations from the 1850's showing Thomas Long's holdings. Below it is a modern day satellite image. Many of the field boundaries from the earlier map are still visible in the satellite image.



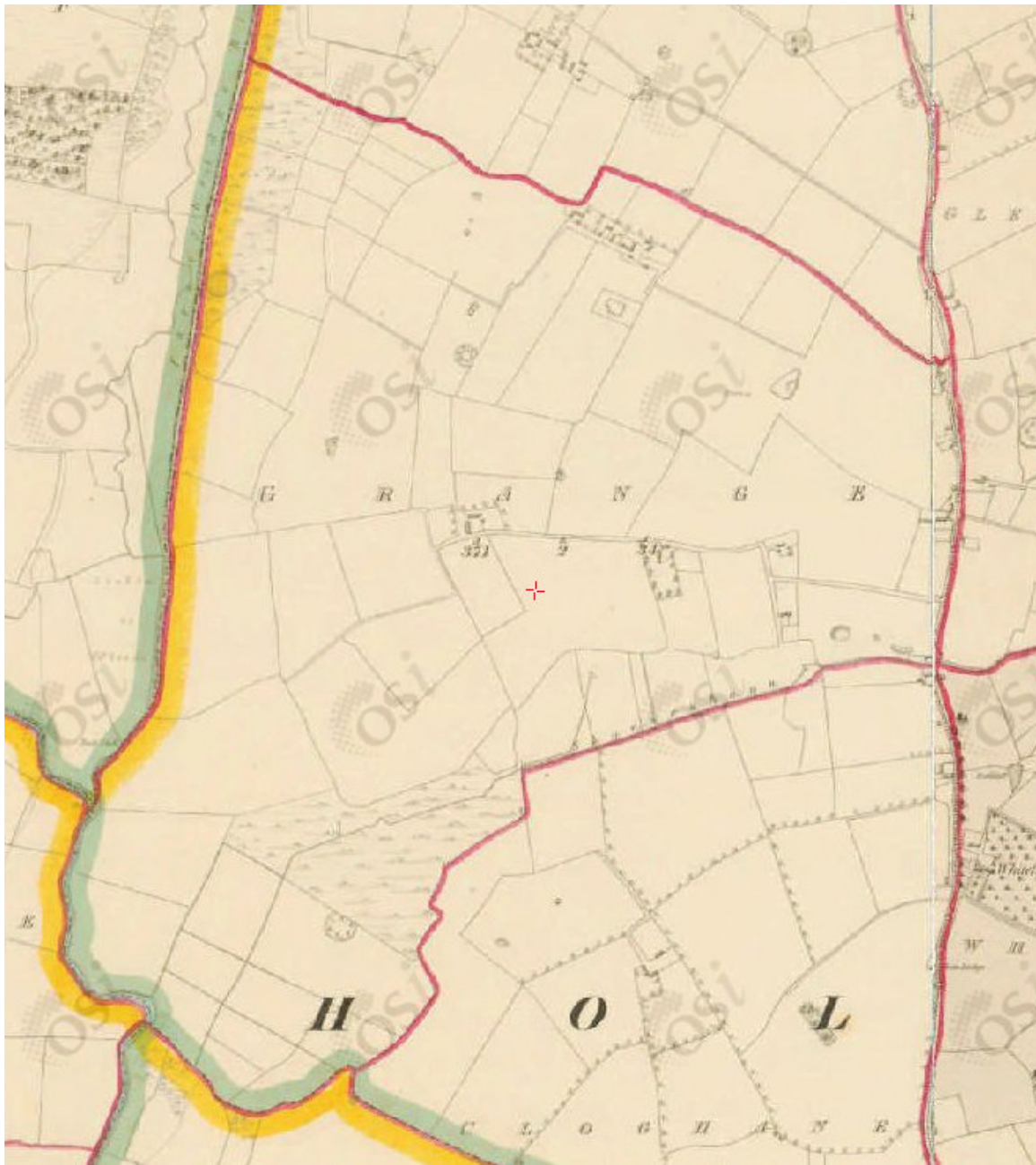


These are blown up images of areas on the eastern side of the maps on the previous page. Thomas Long's fields (6, 7, 8, and 9) can be seen. Long's house is no longer visible but the two depressions in field 8 can still be seen today in the satellite image.

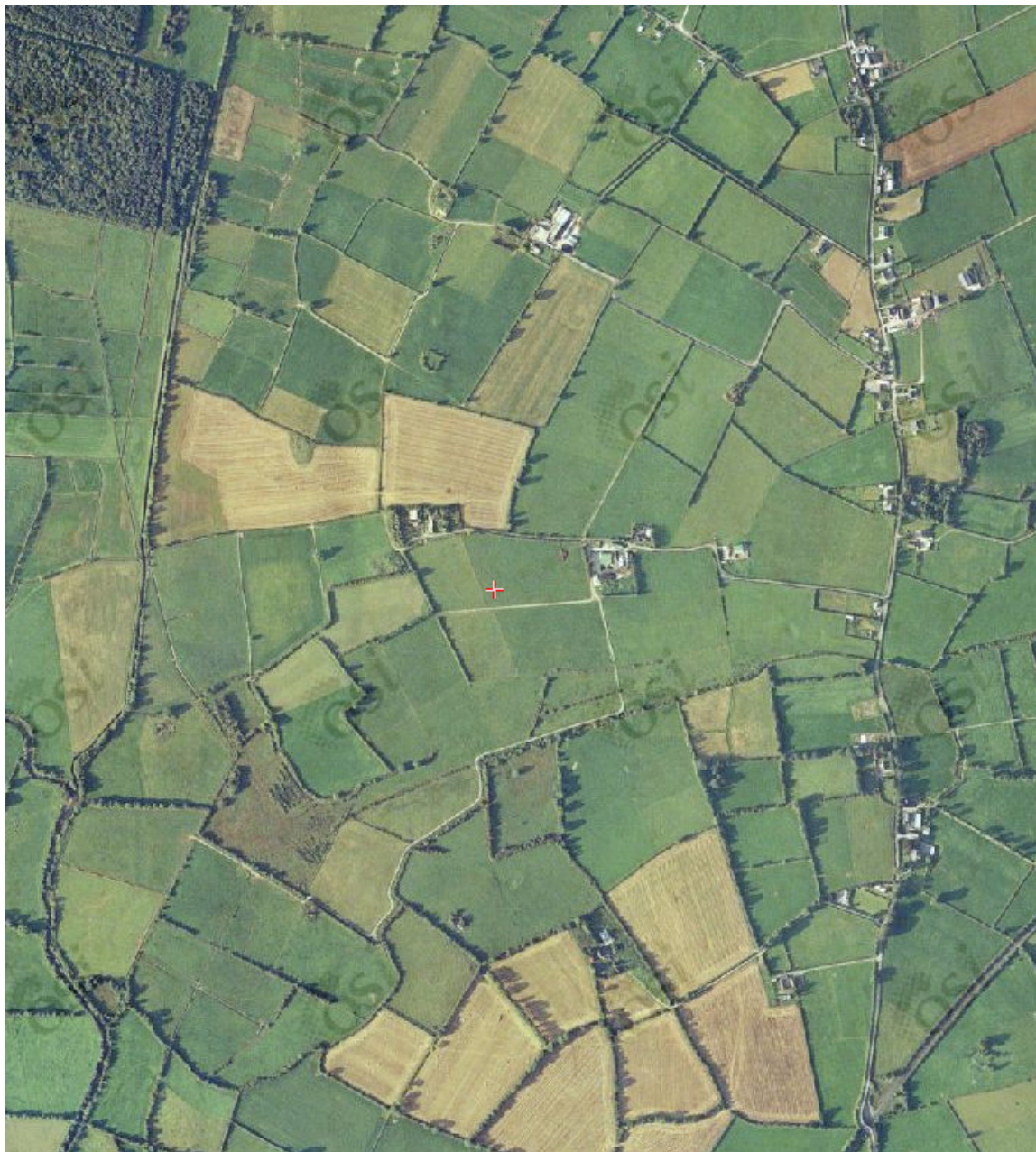


This is a portion of Sheet #46 showing the townland of Grange with the farm boundaries. These red line boundaries were added to the Ordnance Survey maps by the valutors that Richard Griffith sent out over all of Ireland. This map is from the AskAbout Ireland.com website and dates from a time after the initial release of the Griffith's Valuation for Co. Tipperary, that was printed August 15, 1851.

The numbering and lettering of the lots is not the same as that found in the Griffith's Valuation from August 1851. The numbering reflects an updated valuation from at least as late as January, 1854.



This is a portion of Sheet #46 showing the townland of Grange. This is one of the original Ordnance Survey maps issued to the valutors prior to being sent out over all of Ireland. This map is from the Ordnance Survey website



This is a satellite image of the townland of Grange, Holycross parish, Co. Tipperary. It is from the Ordnance Survey website. The previous Ordnance Survey map dates from the 1840s. Comparison shows that the field boundaries in the map and satellite image show an amazing similarity.

Now an attempt will be made to establish a time line and examine events in Grange in more detail and see what can be learned about Thomas Long's neighbors.

### Time Line

Date	Event	Comment
c. 1837	Birth of Patt Long- 1 <sup>st</sup> son of Thomas and Catherine Long.	Found in Thomas Long's May 4, 1839 lease, as one of the 3 lives.
1838	Holycross parish - Church records commence.	
May 4, 1839	Thomas Long, Grange lease from Thomas Firman	
May 10, 1839	Widow Johanna Dwyer, Grange lease from Thomas Firman	
May 10, 1839	William Tuohy, Grange lease from Thomas Firman	
May 14, 1839	Patrick Tuohy, Grange lease from Thomas Firman	
June 13, 1839	Baptism of Richard Long - 2 <sup>nd</sup> son of Thomas and Catherine Long.	Holycross church
Feb. 21, 1841	Baptism of Mary Long - 1 <sup>st</sup> daughter of Thomas and Catherine Long.	Holycross church
May 10, 1843	Baptism of Patrick Long - 3 <sup>rd</sup> son of Thomas and Catherine Long.	Holycross church
July 11, 1845	Baptism of Lawrence Long 4 <sup>th</sup> son of Thomas and Catherine Long.	Holycross church
October 5, 1847	Baptism of Margaret Long - 2 <sup>nd</sup> daughter of Thomas and Catherine Long.	Holycross church
Prior to 1850	Patrick Magrath and family immigrated to New Orleans, LA.	U.S. Census records: 1850, 1860
April 10, 1850	Absolute Order - Encumbered Estates - Firman.	This is probably when the Court of Chancery took over Firman's holding in Grange
1850 - early 1851	Griffith's Valuation Co. Tipperary - data gathering.	Valuation records show the Court of Chancery as the Immediate Lessor for Grange lands instead of Firman.
Aug. 15, 1851	GV for Co. Tipperary printed.	
1852	Thomas Long & family in U.S.	
May 18, 1852	Encumbered Estates auction of Firman's Grange property and other holdings.	
Dec. 24, 1852	Valuation released to the Poor Law Unions by Valuation Office	
May 7, 1854	Thomas Long baptized in Pompey, NY - 5 <sup>th</sup> son of Thomas and Catherine Long.	James Long, formerly of Glenreaghmore, Holycross parish, was a sponsor
Jan. 24, 1854	Earliest required update of the valuation.	

### **Why Did Thomas Leave?**

The following are some possible reasons for Thomas Long and family leaving Ireland.

- Imminent sale of the Firman estates by the Encumbered Estates Commission - the new owner could evict the former tenants without compensating them for any of the improvements on their holdings.
- Cholera epidemic<sup>8</sup> - Their daughter Mary might have died in the epidemic or due to causes related to the famine. Their eldest son Patt had also died but before the epidemic and prior to May 1843.
- Former neighbors were already in central NY - Edmond Magrath & Kennedy Long
- General aftermath of the famine
- Depressed land values due to the famine and further negative pressure on values from the forced estate sales by the Encumbered Estates Commission.

Many things were changing as the Thomas Long family was preparing to leave for America. Much of Grange was in the hands of the Court of Chancery due to the financial difficulties of the landowner Thomas P. Firman of Mount Falkner, Co. Tipperary. Two tenements listed Thomas Long as the Immediate Lessor. Obviously Thomas had sublet two portions of his land.

### **Notes on Thomas Firman's Ownership**

The Griffith's Valuation recorded two persons in relation to the listing of each holding in the townland. The primary person was the occupier, the person who was responsible for paying any taxes based on this valuation. The second person was the Immediate Lessor. This was the person to whom the occupier paid his rent. The relationship of the Immediate Lessor to the ultimate owner of the land cannot always be determined, without reference to information outside of Griffith's Valuation itself.

In many cases the ultimate owner would lease a large parcel of land to a single person, called the middlemen, who would then subdivide his parcel and re-let it to smaller farmers, often at elevated prices. Needless to say, the middlemen were much hated individuals and violence was often directed at them. Determining whether the Immediate Lessor was a middleman or the ultimate owner requires some extra work. When an occupier also showed up as an Immediate Lessor it was usually the case that the occupier was subletting a portion of his own holdings.

In the case of Thomas Firman of Mount Falkner<sup>9</sup>, it can be determined that he was the ultimate owner and not a middleman. During the early 1850's Firman's financial situation was deteriorating. The Court of Chancery had taken control of his holdings in the townland of Grange in Holycross parish by 1850. In May 1852 the Commission of Encumbered Estates auctioned Firman's holdings in Grange and other parts of Co. Tipperary. In the papers of the Encumbered Estates Commission it was stated that Firman owned the land in Grange forever under a Fee-Farm grant.

Thomas Pierson Firman's (III) father was also a Thomas Pierson Firman. The father's will was proved January 5, 1835. This was when Thomas P. Firman (III) gained control of the Co. Tipperary estates.

## **Land Tenure**

“The Penal Laws on inheritance were repealed in 1782 and most large farmers, even if they were only leaseholders, handed on their leases to their eldest sons.”<sup>10</sup>

One needed to be a larger tenant to be a middleman. However, not all of the larger tenants acted as middlemen. The term middleman was reserved for those who participated in the extensive subletting of yearly leases on small lots, practiced rack-renting, and were motivated purely by profit.

The landowners in many cases acquiesced to the actions of the middlemen not because it meant more money for them but because the middlemen held the land under long term leases. These long term leases allowed the middlemen to sublet under yearly leases, whose rents could be increased annually (rack-rent). “The greater the number of small holders, the larger the middleman’s income, so it was in his interest to allow the land to be divided into as many holdings as possible.”<sup>11</sup> The owners did not participate in the financial benefits of rack-rent.

## **The General Valuation Problem**

In the first half of the 19th century there were three “taxes” that were in need of assessments: The Tithe, the County Cess and the Poor Law Rates. The Tithes were ancient in their origin and in the 19th century they were collected for the support of the Church of Ireland (Protestant). The County Cess was a tax levied by the local Grand Jury for its support and for the construction and repair of roads. The Poor Law Act of 1838 (1&2 Vict., Cap. 56) (“An Act for the more effectual Relief of the destitute Poor in Ireland.”) brought the British Work House system to Ireland and they were to be supported by taxing the local population.

Each of these taxes required an assessment of how much each taxpaying individual was required to pay - and therein lies the problem. Everyone felt the assessments were unfair. The methodologies were poor and when conducted on a local level there was always the suspicion that political influence and cronyism affected the results. Certain types of land were exempt from the Tithes and this led to further feelings of unfairness.

The Tithe Composition Act 1823 included pasture land once again as well as cultivated land. This reversed the exemption of pasture land that had been in existence since 1735. In the act was the requirement that the payment of the Tithes were now to be made in currency instead of a percentage of the agricultural yield of the land.

“The amount of tithe payable by each landholder was based on size of holding, land quality and types of crops and calculated by a formula using the average price of wheat and oats from 1816-23. Most parishes had at least one tithe survey from 1820-38 while some had two or more. Some parts of the country were exempt from paying tithe, among them glebe lands (land occupied by established clergymen), granges (land which in pre-Reformation times had belonged to a monastery) and all towns.”<sup>12</sup>

The Catholic Emancipation Act of 1828 brought an end to the suppression of the Catholic population of Ireland under the various Penal Laws of the 18th century. Now that they could openly support their own churches the Catholics felt the Tithes, for the support of the Church of Ireland, was even more unbearable and unconscionable. Their new found emancipation led to open rebellion against the Tithe system, in the form of the Tithe Wars of 1830-33. The Tithe War was - "...a widespread campaign against tithes during 1830-33. Against a background of agricultural depression and raised Catholic expectation following the Catholic emancipation campaign (1829)."<sup>13</sup> Many Catholics just refused to pay the Tithe and threatened serious harm to the Tithe collectors and others who did paid the tithes.

The Tithe Rentcharge Act of 1838 converted the tithe into a tax on the landlords rather than occupiers. This solved the collection problem with the Tithe as it was now combined with the rent that the people were more likely to pay their landlords. The Tithes were not gone, the people still had to pay and the irritation with the Church of Ireland was still there. The disestablishment of the Church of Ireland did not finally occur until 1869. The tax load was increased by the Poor Law Rates that were initiated in 1838.

### **The County Cess**

Grand juries were introduced by the Normans, after their 12-century invasion of Ireland. They did their work in areas of Ireland where the Normans were in control. The power of the grand jury was at the county level and they acted as the local governing authorities. They also acted in a judiciary capacity, deciding which cases would go to trial and which would not. Grand jury membership was limited to wealthy landowners, large farmers, tradesmen and merchants. During the Penal Times, the 18<sup>th</sup> century, Catholics were not allowed to participate in grand jury membership. Under their role as the local governing authority the grand jury used the taxes from the county cess to pay road construction and upkeep, building and funding the operation of asylums and prisons.

### **The Workhouses and the Poor Rates**

Around 1703 the first workhouse was constructed in Dublin, Ireland.<sup>14</sup> Subsequent workhouses were built in Ireland but they were a local response to a local need. The Irish Poor Law Act of 1838 elevated the workhouse approach to the solution of the poor problem to a country wide systematic solution. The country was divided up into Poor Law Unions, each centered on a market town and covering a radius of about 10 miles. Each Union was divided into electoral districts so that the persons in each district could elect a representative to the Board of Guardians that ran the Poor Law Union. Each Union was to construct a workhouse and collect a "poor-rate," for all the rate-able property in the Union, to finance the system. The act required that the Guardians carry out a separate valuation to determine the financial responsibility of each rate payer. However, the ongoing valuation effort to solve the problem with the county cess was not as successful as had been hoped and here was another valuation challenge. It was finally determine by the 2<sup>nd</sup> Valuation Act [August 28, 1846 (9&10 Vict., Cap. 110)] that the townland valuation be changed to a tenement valuation and the result be used for setting both the county cess and the poor rates.



## APPENDIX

### **From Richard Griffith and his Valuation [RG]<sup>15</sup>**

“An occupier of 5 acres or less was generally designated as a cottier or laborer. He held his house and land ‘from year to year.’ Rent was frequently set by a landlord at an auction to the highest bidder among those seeking a holding. Often the laborer paid his rent by working on the landlord’s land at 5 or 6 pence per day rather than paying hard cash. Five acres or less of inferior soil were rented to these occupiers to raise food for their families, since landlords were often willing to let good land to a laborer.”

5-30 acres = small or medium farmer - paid cash, as opposed to working on the landlord’s land at 5 to 6 pence per day.

“small farmers frequently rented ‘from year to year,’ while medium farmers often had a lease for better quality land.”

30 acres or more => “strong farmer or grazer of livestock who held a favorable lease on the land.”

The Black Hole refers to the period of time from the printing of the valuation until the date of the first required update. The Griffith’s Valuation for Co. Tipperary was printed August 15, 1851. The Valuation was issued to the Poor Law Union, by the Valuation Office, on Dec. 24, 1852. The 1852 Act required the tax to be set within 30 days - which would have been January 24, 1853. The first renewal was in 12 months - January 24, 1854. There would be no changes picked up in the record from August 15, 1851 until January 24, 1854.

**The Encumbered Estates Act of 1849** - New owners could evict former tenants. New owners didn’t need to compensate tenants for improvements to their holdings.

### **The Valuation Acts**

#### **1<sup>st</sup> Valuation Act - Townland Valuation Act of 1826** - (7 Geo. IV, Cap 62)

In 1831 - 6 months after the 1830 commencement of the valuation process in Co. Londonderry the act was amended. (1 & 2 Wm IV, Cap. 51). Ten months later (August, 1832) it was further amended (2&3 Wm IV, Cap.73, Sec. II) - only houses values at > 3£. In August 1836 a further it was further amended (6&7 Wm IV, Cap. 84, Sec. X) to include only houses > 5£.

#### **Poor Law Act of 1838** (1&2 Vict., Cap. 56) - RG - p. 23

“An Act for the more effectual Relief of the destitute Poor in Ireland.”

#### **2<sup>nd</sup> Valuation Act** - August 28, 1846 (9&10 Vict., Cap. 110) - RG - p. 35

Printed version of valuation under this act is often titled - “Primary Valuation of Tenaments.” The word primary meant tentative pending appeals against the poor rate assessments proposed by the Valuation Office. From this title we get “Griffith’s Primary Valuation.”

#### **3<sup>rd</sup> Valuation Act of 1852** (15&16 Vict., Cap. 63, Sec. XXIX) - RG - p. 43

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<sup>1</sup> The Encumbered Estates Court - Under Encumbered Estates Act of 1849 (12 & 13 Vic. C. 77; July 28, 1849) a separate commission was established. The new ACT superceded a similar act of 1848 (11 & 12 Vic. C. 48) that worked through the Court of Chancery. "It was designed to facilitate the sale of insolvent landed estates ... The eventual purchaser could be awarded indefeasible title by the court. No compensation was offered to existing tenants for their improvements, and many new owners, particularly in the west of Ireland, used the opportunity of purchase to evict tenants." From the Oxford Companion to Irish History, p. 171

<sup>2</sup> The lands attributed to Thomas Firman add up to be all the area of the townland of Grange. This shines a little more light on one Robert Smithwick who was found in the GV listing for the townland of Grange. He was listed as the Immediate Lessor for two small parcels of land, 8f and 8g, however Smithwick wasn't found anywhere else in Grange. Since it is now known that Firman was the owner of all the land in Grange, Smithwick was most likely leasing the land from Firman and then sublet it. Thomas Long's lease was not mentioned in the announcement for this auction indicating that his lease was no longer in existence since the family was in the U.S.

<sup>3</sup> In the Tithe Applotment for the parish of Upperchurch the following was found  
Signed 16 Nov 1829, James Pringh and Wm Phelan - Commissioners  
Parish Total (Tithes)            202£ 10s. 3-1/2d.  
2/3 -> Ecclesiastical Commissioners  
1/3 -> Marquess of Ormonde

<sup>4</sup> Instruction 1844 - "Additional Instructions to the Valuers Employed under 6&7 Wm. IV, Cap 84 (Dublin: Alexander Thom, 1844)

<sup>5</sup> 26 Oct 1844 - Lord Lieutenant issued Instructions - "Instructions relative to a new system to be adopted by the Commissioner of Valuation in making out the Field Books and Valuation maps, under 6&7 Wm. IV., Cap 84, pursuant to the 8<sup>th</sup> section of that Act."

<sup>6</sup> Richard Griffith and His Valuations of Ireland, by James R. Reilly, printed by Clearfield Company, Inc., Genealogical Publishing Co., Inc., Baltimore, MD, 2000  
ISBN: 0-8063-4954-9 ; Richard Griffith, Instructions the Valuers and Surveyors appointed under the 15<sup>th</sup> and 16<sup>th</sup> Vict., c. 63, for the Uniform Valuation of Lands and Tenements in Ireland, 1852, section 26 (Dublin: Alexander Thom, 1852).

<sup>7</sup> Richard Griffith and His Valuations of Ireland, by James R. Reilly, printed by Clearfield Company, Inc., Genealogical Publishing Co., Inc., Baltimore, MD, 2000, ISBN: 0-8063-4954-9, p. 39.

<sup>8</sup> The Great Irish Potato Famine, By James S. Donnelly, Sutton Publishing, Ltd, 2005 - ISBN - 0-7509-2928-6, Cholera: p. 176, The epidemic subsided in September 1850 after about 20 months of carnage. There were 46,000 cases and 42% were fatal (probably an under estimate).

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- <sup>9</sup> “Thomas Firman of Selby, Yorkshire and of Dublin city inherited the estates of Richard Pierson. His son John Firman was of Ballinderry and Arranhill, county Tipperary. John Firman's estate was valued at £600 in the mid 1770s (Kilboy Papers) John Firman's two sons were Thomas Pierson Firman of Firmount who married a Yorkshire heiress and Richard Flood Firman of Slevoir. The Firman family were related through marriage with the Smith family of Milford and the Biggs family of Castle Biggs. The representatives of Thomas P. Firman held an estate in the parishes of Borrisokane and Terryglass, barony of Lower Ormond, county Tipperary, in the mid 19th century. In May 1852 the Firmount estate, barony of Lower Ormond and the lands of Grange and Clohane, barony of Eliogarty, over 1,300 acres in total, were advertised for sale and appear to have been bought by the Hickies and Delanys.”  
<http://landedestates.nuigalway.ie:8080/LandedEstates/jsp/estate-show.jsp?id=3499>
- <sup>10</sup> The Great Famine - Ireland's Potato Famine 1845-1851, by John Percival, published by TV Books, Inc., 1995, NY, NY, p. 29 - ISBN 1-27500-002-4
- <sup>11</sup> The Great Famine - Ireland's Potato Famine 1845-1851, by John Percival, published by TV Books, Inc., 1995, NY, NY, p. 29 - ISBN 1-27500-002-4
- <sup>12</sup> <http://search.ancestry.co.uk/search/db.aspx?dbid=1270>
- <sup>13</sup> The Oxford Companion to Irish History, edited by S. J. Connolly, Oxford University Press, New York, 1998, p. 543. ISBN: 0-19-866240-8
- <sup>14</sup> The Workhouse in Ireland, <http://www.workhouses.org.uk/Ireland/>
- <sup>15</sup> Richard Griffith and His Valuations of Ireland, by James R. Reilly, printed by Clearfield Company, Inc., Genealogical Publishing Co., Inc., Baltimore, MD, 2000, ISBN: 0-8063-4954-9, p. 49.