

# Kilkenny and the Reprieve of Thomas Bourke, Fenian, 1867.

Michael O'Donnell

In a letter, sent to the mayor of Kilkenny from the House of Commons, Westminster, Sir John Gray<sup>1</sup> wrote on 4th May 1867 as follows: “My dear Mayor — I have just learned, and with much satisfaction, that you have convened a meeting of our fellow burgesses to interpose the humanity of the public spirited and loyal citizens over whom you so worthily preside, between the reckless partisans who cry aloud for the blood of the unhappy men recently sentenced to death in Dublin, and the honour of the British Government and of the English people. I have, in co-operation with many of the Irish members, taken some trouble to ascertain the feeling of the English people on this subject, and, so far as I can form an opinion, there is but one sentiment — utter abhorrence at the thought of slaying these unhappy men in cold blood. I rejoice that you have taken the initiative, and feel confident that if other cities follow the noble example of Kilkenny, the humane people of England will cheerfully co-operate in procuring a remission of the sentence, and in saving our Queen from the pain of having her hitherto glorious reign disgraced by the hanging, beheading and quartering of men whose folly and whose crimes are traceable to the misgovernment of the country and the persistent refusal of redress”.<sup>2</sup>

Who were the unhappy men to whom Sir John referred above? What was their deed that caused the imposition of so barbaric a sentence, one that had not been carried out in Ireland since 1803 when Robert Emmet paid the price for his rebellion?

The men in question were two Fenian leaders who had been taken following the collapse of the risings of 1867. In that year the long-planned-for Fenian rising had become a reality, with rebellion in many parts of the country such as at Tallaght in Co. Dublin and Ballyhurst in West Tipperary.

The outbreak at the former place had been led by Patrick Doran, while the leader at the latter was the Irish-American Thomas Francis Bourke.<sup>3</sup>

Both Doran and Bourke were captured and tried for the capital offence of treason in Green Street courthouse, Dublin throughout the month of April 1867. Both were found guilty at the conclusion of the trial and sentenced to be hanged, drawn and quartered on Wednesday, 29th May 1867.

The severity of the sentence (still on the statute books for the crime of treason) caused an immediate outcry throughout the country, even among people and organisations opposed to the ideals of Fenianism. One of the earliest, if not the first, of the petitioners in Ireland requesting a reprieve for both men were the inhabitants and corporation of Kilkenny.

We can but guess at what prompted such a move among a body of men not noted for violent nationalism. They may well have been influenced indirectly by their M.P. According to a report in the *Freeman's Journal*<sup>4</sup> several Irish M.P.s at Westminster had met at the request of Sir John Gray with the object of petitioning for a reprieve for Bourke and Doran. So the inhabitants of Kilkenny possibly thought they should give support to the movement set in train by their parliamentary representative.

A meeting was held on Monday, 6th May 1867 in the Tholsel House, Kilkenny with the mayor presiding, following a public announcement. Its purpose was the composition and signing of a petition desiring the Lord Lieutenant to entreat the government to commute the sentences of death on Bourke and Doran. Among the attendance were Alderman Potter, an ex High Sheriff, John Feehan, a former mayor, Alderman Meagher, W. Kennedy, T. C., P.V. O'Callaghan, T.C., P. Moran, solicitor, W. Lanigan, Andrew Dowling, T.C., J. Bacon, Simon Morris, T.C., John Callanan, T.C., John Healy, Martin J. Walsh, W. Kealy, T.C., D. W. Kavanagh.

The mayor opened the proceedings by stating that, at the request of a number of respectable citizens, he had convened it to frame a memorial whose object was to plead for the lives of the two Fenian prisoners. By extending such clemency, he

noted, the Queen would make her name glorious throughout the world. He went on, “Most earnestly he hoped that all ideas of resorting to physical force for the redress of grievances would be given up. Three or four times it had been tried and it always failed and always would fail. He believed in constitutional agitation and in that alone”. None of those present, he said, had the least sympathy with the acts of the condemned Fenians, but they sympathised with them in their sad position, to the extent of not wishing to see them executed. “For himself”, the mayor continued, “he would say that he believed no man should suffer death except for wilful murder”<sup>5</sup>.

It was recommended that a number of the gentlemen present at the meeting should form a committee to consider the content of the memorial; such a course was agreed to and the draft memorial was quickly placed before the meeting for its approval. Mr. P. V. O’Callaghan, the High Sheriff, moved its adoption, which was seconded by Mr. S. Morris, Q.C. The mayor then pledged himself to obtain a wide and representative number of signatures to the memorial before forwarding it to the Lord Lieutenant. He began by signing it himself, and all at the meeting followed his example. The memorial and accompanying signatures printed in the appendix below are the results of his efforts.<sup>6</sup>

The mayor received an acknowledgement to the memorial (“Signed by you and certain burgesses of the city of Kilkenny”) from Thomas A. Larcom at Dublin Castle on 15th May 1867.<sup>7</sup>

### **Appendix<sup>8</sup>**

To: His Excellency The Most Noble the Marquis of Abercorn Lord Lieutenant General and General Governor of Ireland. May it please Your Excellency,

We the Mayor and Burgesses of the City of Kilkenny in public Meeting Assembled most respectfully approach your Excellency earnestly entreating that your Lordship will represent to the Government and of needs be to our most gracious Sovereign her Majesty the Queen our humble prayer that the lives of the Fenian convicts now under Sentence of death May be Spared.

Your Memorialists while making this Appeal to the Royal Clemency beg to Assure Your Excellency that in no part of her Majesty's Commons are the foolish and wicked proceedings of the Fenian Conspiracy more detested and Abhorred than in this Ancient and loyal City and we can refer with pride and pleasure to the fact that during the recent insane and lamentable outbreak this community was characterised by the most perfect peace, Order and Tranquility unstained by the Slighest Participation in such guilty proceedings.

We are therefore encouraged to address your Excellency on this Painful and Melancholy Occasion to beg not only your Lordships Official representation of our Prayer but the exercise of that personal benevolence and exalted philanthropy for which your Excellency is so highly distinguished and we may add that we firmly and conscientiously believe that no more injudicious or impolitic course could be adopted by Her Majesty's government than the carrying into effect the extreme Sentence of the law in these cases while we would hope that a merciful policy will be attended with beneficial results and be received by the great Majority of the loyal people of Ireland with satisfaction.

Signed on behalf of the Corporation.

John Buggy, Mayor.  
 Edm. Smithwick, ex Sheriff.  
 Danl. Smithwick, Alderman.  
 Peter V. O'Callaghan.  
 James Morris, T.C.  
 William Kenealy, T.C.  
 Patrick Meagher, Alderman.  
 Andrew Dowling, T.C.  
 William Kealy, T.C.  
 John Feehan, ex Mayor.  
 Edmond Molloy.  
 Cornelius Quinn.  
 Thomas Quinn.  
 William Power.  
 David Walsh.

Martin J. Walsh.  
 Patrick Holohan.  
 Patrick Murphy.  
 Patk. Teahan.  
 Patrick Den.  
 John Skaly.  
 Edward Bacon.  
 John Sherin (Junr).  
 William Lanigan.  
 Thos. Hickey.  
 Gregory Loughlin.  
 John Loughlin.  
 John Stephenson.\*  
 Maurice Dunne.  
 Thomas Phillips.

John Scott.  
 John Clohosey.  
 Mathew Smyth.  
 Mark Shearman.  
 James Shearman.  
 W. Nicholson.  
 E. Kealy.  
 John Broderick.  
 John Kavanagh.  
 Joseph J. Kavanagh.  
 John Buckley.  
 Patrick Purcell.  
 Laurence J. Kavanagh, T.C.  
 Patrick Ryan.  
 John Maher.  
 Coyle Brothers.\*  
 John Hogan, Senior.  
 John Hogan, Junior.  
 Arthur McMahan.  
 Daniel Kerwick.  
 Henry Heath.  
 Jeremiah Maher.  
 Bernard Crigg.\*  
 Richard Maher.  
 Richard Bambrick.  
 Richd. Dunne.  
 John Murphy.  
 Thomas Labarte.  
 John Labarte.  
 Mathew Kenny.  
 Patrick Harte.  
 John P. Little.  
 Patrick Comerford.  
 Charles Ryan.  
 James Loughlin.  
 John Hickey.  
 James Connell.  
 Thomas Dowling.  
 John Birch.  
 Richd. Saunders.

James Maher.  
 Kyran Hart.  
 Michael Egan.  
 Patrick Egan.  
 John Lawley.  
 Patk. Fitzpatrick.  
 John Fitzpatrick.  
 Thomas Bergin.  
 William Murphy.  
 Thos. Stapleton.  
 Batt. McGrath.  
 John Brenan.  
 William Comerford.  
 Patrick Byrne.  
 Patrick Doherty.  
 Christy Bergin.  
 Michael Comerford.  
 Patrick Loughlin.  
 William Dunne.  
 James Loughlin.  
 James Reade.  
 John Delehunty.  
 Michael Lawless.  
 Wm. O'Donnell, T.C.  
 Robert McArdle.  
 Henry McArdle.  
 Mathew Ward.  
 Richard Morissey.  
 Martin Morrissey.  
 William Dowling.  
 Robert Dowling.  
 David Dowling.  
 Michael Dowling.  
 Patrick Hickey.  
 Rot. Hickey.  
 Ml. Hennessy.  
 James Lanigan.  
 Michael Brophy.  
 Thos. Forgarty.  
 James Hearne.

Laurence Saunders.  
 Thomas Briscoe.  
 Michl. Aipin.\*  
 James Douglas.  
 Patrick Burgess.  
 James Ryan.  
 Thomas Ryan.  
 George Douglas.  
 Francis Douglas.  
 James Neary.  
 James Mooney.  
 Joseph Duggan.  
 Nicholas Burke.  
 Francis O'Callaghan.  
 James Durney.  
 John Fogarty.  
 John Gahan.  
 William Malone.  
 Michl. Cahill.  
 John Moore.  
 Pat. Glennan.  
 John Kealy.  
 Michael Cuddy.  
 William Mulrony.

Edward Bell.  
 Patrick Brophy.  
 John Bryan.  
 David Fenton.  
 Joseph McDonnell.  
 Thomas Lanigan.  
 Richard Birch.  
 Thomas Grace.  
 Patrick Coogan.  
 James Deloughry.  
 John K. Collier.  
 Laurence Handnott.\*  
 Patrick Cody.  
 John Rafter.  
 Edmund Nolan.  
 Henry Kelly.  
 Michael Hall.  
 James Den.  
 Martin Byrne.  
 Patrick Lanigan.  
 Thomas Banan.\*  
 James Dunne.  
 James Kealy.

The names of James D. Lawlor and Timothy Lawlor have been crossed out on the memorial.

\* This symbol represents a doubtful reading.

### FOOTNOTES

1. Sir John Gray (1816- 1875). Born Claremorris, Co. Mayo. Graduated in medicine Glasgow University, 1839, and settled in Dublin in that year where he practised medicine and journalism. Became joint proprietor of Freeman's Journal in 1841 and its political editor; by 1850 he was the sole owner of that paper. He was M.P. for Kilkenny city from 1865 to 1875. Sir John died at Bath, 9 April 1875.
2. Daily Express, Dublin, 7 May 1867.
3. For some account of whom see my article in the 1990 volume of the Tipperary Historical Society Journal.

4. Freeman's Journal, 3rd May 1867.
5. Daily Express (Dublin), 7th May 1867.
6. Doran was speedily reprieved to a life sentence; but in Bourke's case the government held firm until the weekend before he was due to hang, when the weight of public opinion forced a change to a jail sentence for life.
7. Freeman's Journal, 20th May 1867.
8. Convict Papers 1867, B21. State Paper Office, Dublin Castle.

The following list of "Allowances for Store and Provision, according to the Book of Orders" gives us an insight into the curious contents of some of the ships entering the Port of Ross at this period. The articles enumerated were probably exempted from Custom duties, or were allowed to be exchanged for other articles.

A.D. 1597. August 30. In the *Ann Sinnott*.

John Roth, of Kilkenny, Merchant. 12 yds. violet and browne-blew for two gownes and 2 cloakes, 3½ yds. Silke Rashe, 7 yds. Sattin for 2 Doublets, 12 yds. Damaske for a gowne, 3 tableclothes of Damask diaper, 4 doz. napkins of ditto, 2 velvet hatts, 3 taffeta hatts, 2 cleft stooles, one stone lath nails, one pr. Awndiores, . . . the furniture of 2 beds of green saye\* in curtens, 1 cwt. . . Irishe cloth died greene, 2 sheets of lead, 1 cwt. cheese, 60 lbs pewter exchanged, 4 Iron backs for chimneys, and the faces of Cony fell†, all for store and provision.

\* Saye, serge, or delicate woollen cloth (Palsgrave & Halliwell).

† Cony fell, i.e. rabbit-skins; coney, a rabbit; fell, a shin or felt.

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