

THE WEDDING FIELD

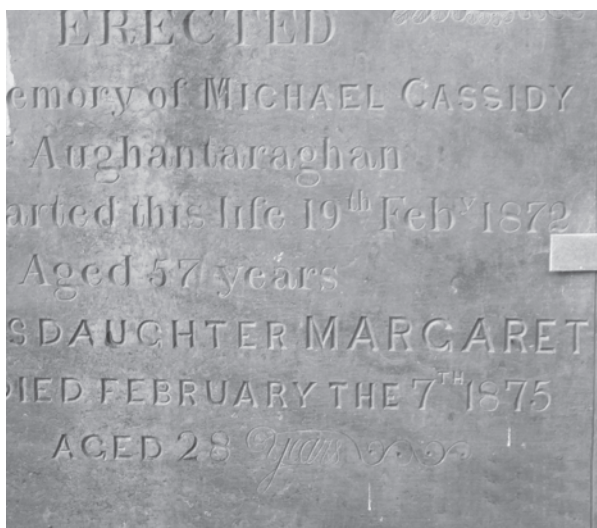
A salutary tale of warring neighbours

BY HUGH DALY

In the townland of Aghantaraghan, south of Poyntzpass, is a small field which was known to locals as 'The Wedding Field' and a path, leading to it, through the nearby fields which was referred to as 'The Guinea Pad'.

Both of these names arose from a dispute between the families involved in a marriage 140 years ago.

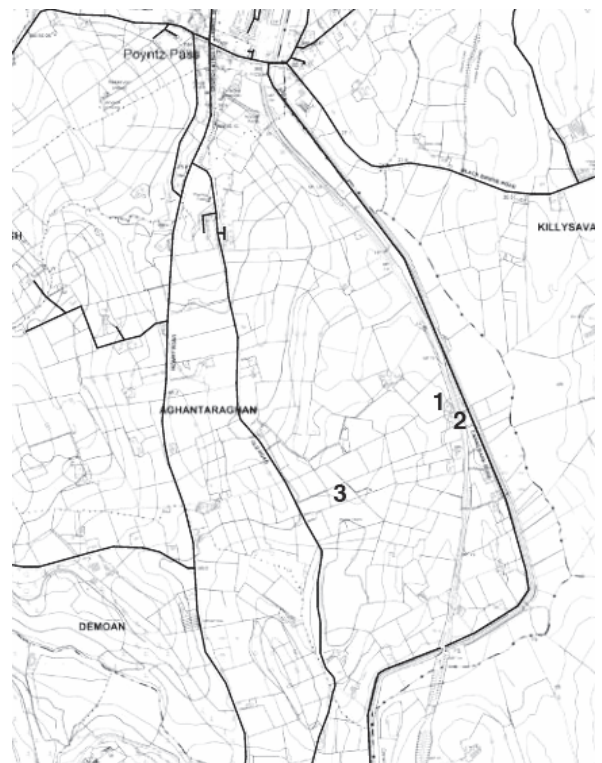
On Saturday 8th June 1874, Bernard Shields married 'the girl-next-door', 30-year-old Margaret Cassidy, in St Joseph's Catholic Church Poyntzpass. The Shields and Cassidy families were, throughout the nineteenth century, next-door neighbours, a mile south of the village and the bride and groom had grown up together.



Margaret Shields/Cassidy's headstone.

This marriage appeared to be the culmination of a long association between their two families and seemed to consolidate the cordial neighbourliness that they had enjoyed for more than 100 years.

But it was not to be, for in February 1875 Margaret's remains were interred in the cemetery of the church where, less than 8 months earlier, she had been a bride. The cause of Margaret's death was given as 'phthisis pulmonalis' which we know as consumption or tuberculosis and it seems very probable that she was already suffering from the disease, at quite an advanced stage, when she was married the previous year.



*Map of Aughantaraghan townland showing locations.
1. Cassidy's House 2. Shields' House
3. The Wedding Field*

The Shields family surname locally has been spelled several ways – Shails, Sheals, Shields and Shiels – but was always pronounced Shales by past generations.

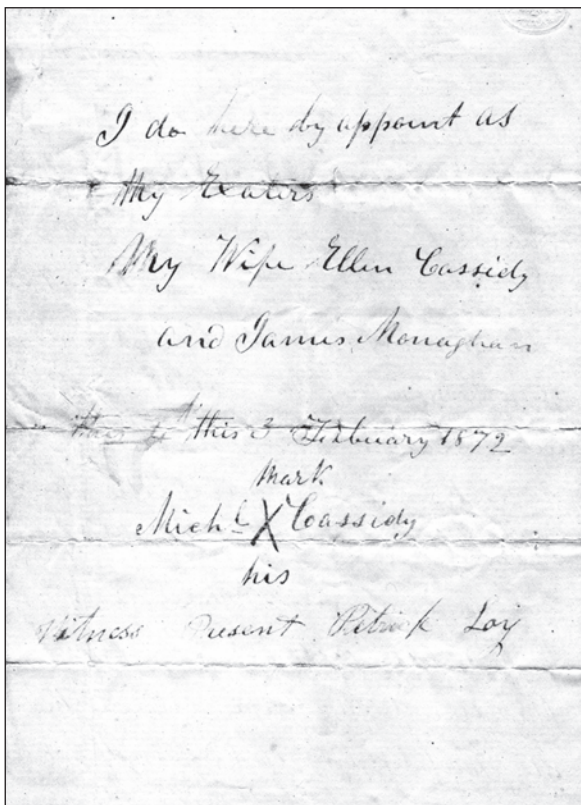
Two townlands west of Poyntzpass include the Shields surname – Ballyshiels Mor and Ballyshiels Beg. However it is a family tradition that the branch of the family involved in this episode had moved from the townland of Monclone near Scarva to Aghantaraghan, at the time the Newry Canal was being constructed in the 1730's, as it seems their small-holding in Monclone was in some way disrupted by the canal work. At any

rate they set up on a small farm in Aghantaraghan close to the canal and access to their home was via a short lane from the newly-constructed canal tow-path. This move brought them into very close proximity to the Cassidy family who already resided there and with whom they shared the access lane.

By the beginning of the 19th century, the families were well-established in Aghantaraghan appearing in both Freeholder and Tithe Applotment lists in the 1820's and 30's. A receipt for tithes paid by Felix Cassidy in 1824 shows that in that year he paid the sum of ten shillings to 'Very Rev Thomas Carter of Drumnaleg, Dean of Tuam and rector of Ballymore'. A sundial made by Thomas McCreash for 'FELIX CASSEDY OF AUGHANTARAGHAN' is inscribed 'ANNO DOMINI 1821'.

While the Cassidy holding was small it seems that the family took great pride in their place. Acquiring an expensive personalised sundial suggests that, as does a note in the Ordnance Survey Memoirs of the 1830's, which states that Felix Cassidy's home was 'an excellent example of a thatched cottage'.

Around 1850 there was further major disruption to those living in Aghantaraghan with the construction of the Belfast – Dublin Railway line through the townland. The railway crossed the short access lane leading to the houses in question and a bridge was built to carry the line over the lane. The construction of the railway, which at this point is barely 50 yards from the



Michael Cassidy's Will.



Sheals' obelisk.

Many members of the Shields family had emigrated to the United States where they prospered. Some of them settled in Philadelphia. They were stonemasons by trade and in the 1860's they carved and sent back to Poyntzpass the large obelisk which marks their plot in St Joseph's churchyard today. It is inscribed 'Sheals 1869-Philadelphia'.

Margaret Cassidy's father, Michael had made his will a few days before his death February in 1872. He left his farm to his wife Ellen and after Ellen's death "*... the place to go to my son Felix provided he be steady and obedient to his mother.*" To his daughter Margaret he left *... the sum of fifteen pounds and also a bed complete. My daughter to be supported here while unmarried.*"

At the time of her husband's death, Ellen Cassidy was a woman in her seventies and while she was the nominal owner, her son Felix was actually in charge of the place.

In the nineteenth century, farms in Aghantaraghan were extremely small by today's standards. In the townland in 1864 there were 79 farms. Only five of these were of more than 20 acres. The Cassidy farm amounted to 8 acres 2 roods and 4 perches. It had been bought by Felix Cassidy, Margaret's grandfather, from William McShane in 1821 for the sum of £47.

Neither family was by any means wealthy. Both their homes were thatched in 1901 and while the Shields family home was slightly the bigger house, it was only marginally so. Felix Cassidy and his wife Lizzie supplemented their income by undertaking farm work for more affluent neighbours, while James Shields

canal, had the effect of leaving the two families living virtually in a little 'pocket' or cul de sac behind the high railway embankment and, to some extent, cut off from their other neighbours. As well as that, their small farms which were already bisected by the canal, were further fragmented by the railway and each now had meadows on the far side of the canal, land between the canal and railway and fields west of the railway. All this caused considerable inconvenience, particularly at harvest time or when moving livestock etc.

described himself as a *farmer and cattle dealer*.

The bequest to Margaret Cassidy in her father's will was generous enough by the standards of the time (Michael Cassidy left only five shillings to his son Charles!) but the fact that she would continue to be supported while unmarried may well have led to her being seen as a drain on the place and may have provided an incentive for getting her married, particularly if Felix was contemplating marriage himself. Anyway, just over a year after her father's

death, Margaret was married to Bernard Shields.

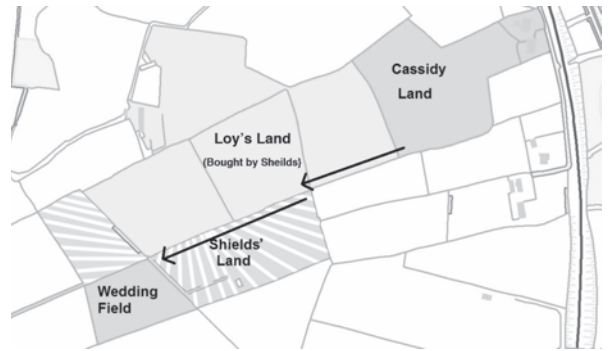


Lizzie Cassidy,
Felix's sister

As a dowry for Margaret, as well as her £15, the Cassidys had undertaken to give to the Shields family a field in Aghantaraghan. This small field, of 1 acre 2 roods and 19 perches, became known as 'The Wedding field.'

There is no record of whether this marriage was a love-match or an arranged marriage or whether the state of Margaret's health was known at the time.

Cynics might say that it was a shrewd move by



Map showing shortcut right-of-way.

Bernard Shields to marry a young woman who brought with her a good dowry but whose life-expectancy was so very poor, while romantics might prefer to think of them childhood sweethearts and tragic lovers, whose wedding day joy was overshadowed by the knowledge that their time together would be all too short. What became of Bernard after Margaret's death is not known with any degree of certainty but it is speculated that he emigrated to America where he would probably have joined relations in Philadelphia or Boston. Margaret's remains were interred in the Cassidy family plot in St Joseph's graveyard which is unusual, as traditionally one would have expected her to be buried with her husband's people. This suggests that, even at that stage, relations between the two families were not good and already strained. Margaret's early death had several repercussions. The transfer of 'The Wedding field' to the Shields' had not been finalised by the time she died and in the light of the shortness of the marriage, the Cassidy family, perhaps not unreasonably, decided that, having lost a daughter, they were not going to lose the field as well, so they reneged



on the agreement and the field was not transferred as promised.

A typical feature of the farms throughout Ulster at the time and here in Aghantaraghan was that, small as many of them were, they were rarely compact units but typically consisted of small fields scattered here and there throughout a district. This fragmentation is usually seen as a legacy of the earlier custom of subdividing farms among sons and also the practice that when times were hard a farmer might sell a field to a more prosperous neighbour or alternatively buy a field in good times. As the result of some such historic deal, The Wedding Field was awkwardly situated in that it was cut off from the rest of the Cassidy's land.

Getting to and from it was difficult. True, there was a lane from the Old Road which gave ready access to the field but to get to this lane involved a long journey. From Cassidy's home you could either go down to the Canal Bank towards Poyntzpass, go through the village streets and up the Old Road, or you could go up the Canal Bank to the Crack Bridge, follow Gamble's Road and come down the Old Road. There was little to choose between the two routes as either way it was a journey of almost three miles and a round trip of 6 miles. In the days of horse and cart transport this represented a couple of hours' journey-time each day.

But there was another alternative, for across the intervening land as the crow flies the Wedding Field was less than 300 yards from Cassidy's house, a mere five-minute walk. One field separated the Wedding Field from the rest of Cassidy's land. This field belonged to Patrick Loy, who was on good terms with both parties. He had been the witness to Michael Cassidy's will in 1872. There was a well-established path across the land which, with Patrick Loy's consent, the Cassidys had been using regularly. As well as this there was a 'cart track' across Loy's field, which Loy used and which the Cassidys could use from time to time when a horse and cart were needed.

In 1883 Felix Cassidy married Elizabeth Galway (or Galloway) and at the end of that decade two other events of significance occurred. In 1888 James Shields (Bernard's brother) purchased the field from Patrick Loy and the following year Ellen Cassidy died leaving her son Felix in the ownership of the farm. While in one way this was only ratifying Felix's position it seems possible that in the future the absence of Ellen's calming presence was an important factor.

Whether the purchase of Loy's field was seen as way to thwart the Cassidys or simply the purchase of a field that suited him, is not clear but, there can be no doubt that before he bought the field, James Shields was well aware that Cassidys regularly crossed it to get to their

field.

On acquiring the field, James Shields immediately blocked the 'cart track' by building a wall across it. While this was undoubtedly a hostile, unfriendly act, the Cassidys were still able to walk along the path to and from their field. But to access it with a horse and cart they had to follow one of the routes outlined above to the lane from the Old Road. While obviously this was an occasional inconvenience, Felix Cassidy had no option but to put up with it.

However, not content with blocking the 'cart track', James Shields made numerous attempts to erase and block the path as well, with thorn bushes and barbed-wire.

Things came to a head in 1904.

Coinciding with this bitterness between Cassidy and Shields was an equally bitter nation-wide struggle between landlords and the Land League that became known as 'The Land War'. Following several unsuccessful attempts to solve this problem the matter was finally resolved by the passing of the Wyndham Land Purchase Act of 1903.

This Act set up the Irish Land Commission. Under the terms of the Act, the Irish Land Commission in April 1904, vested land from the landlords and advanced to the tenants sufficient money to buy their land. This advance was to be repaid over a 30 year period. Both the individual farms here were leased from members of the Kelly family. In the 1850's Michael Cassidy's rent was £10-3s-11d. At that time the landlord was a Mrs Kelly, also referred to as '*Madam Kelly*'. In 1904 the landlord was her son Rev Kelly, about whom little is known. In April 1904, the Land Commission bought out the Rev Kelly's holdings.

Felix Cassidy was advanced £154, on April 20th 1904. This was to be repaid over the next 30 years. His half-yearly payment to the Commission was £2-10s-1d (£2.50) and he duly paid his first instalment on December 4th 1904. James Shields became outright owner of his farm under similar conditions at the same time.

Being now the owner, and not merely a tenant, may have emboldened James Shields to decide to stop Cassidy crossing his field once and for all and he set about blocking the path. He had a gate erected which he chained and padlocked and in June 1904 this gate was the site of an angry confrontation, when Cassidy threatened to break the lock with a hammer and Shields threatened Cassidy with a pitchfork.

This was the final straw as far as Cassidy was concerned for he regarded the path as a right-of-way

No. _____

LOCAL REGISTRATION OF TITLE (IRELAND) ACT, 1891.

REQUISITION FOR LAND CERTIFICATE.

To THE REGISTRAR OF TITLES,
HENRIETTA STREET, DUBLIN.

I request that a Land Certificate be issued in the matter hereunder described :-

Name of Registered Owner Felix Cassidy
 County Armagh Folio No. 2175
 Barony Lower Orior
 Townland Aghantaraghan
 Date of Vesting Order 20th April 1904
 Amount of Land Commission advance, £ 154.

To be Signed by the
Registered Owner,
or his Solicitor.

Name: _____
 Address _____
 Date _____

NOTE.—If a Land Certificate is required this Form should be forwarded without delay to the Registrar of Titles, with a Postal Order for 10/- in favour of the "Distributor of Stamps, Henrietta Street, Dublin." Postage need not be prepaid.

FORM 12468, G2, B.E.N. 1, 161-252a.

Requisition for Land Certificate.

which could not be blocked and so he informed the local police and initiated legal proceedings against Shields.

It was October of the following year 1905, before the case came to court. The proceedings took place at Ballybot Quarter Session on October 19, 1905.

According to a report in 'The Newry Telegraph' :
"Felix Cassidy of Aghantaraghan, Co Armagh sued James Shields of the same townland, to recover £10 alleged to be due to him for loss and damage sustained by plaintiff by reason of defendant, his agents, workmen and servants in the month of June last and on divers occasions since having obstructed plaintiff in the use of a certain right of way in the townland of Aghantaraghan, in said county and division, to the free use and enjoyment of which he is entitled at all times on foot"

Both parties had legal representatives. For Felix Cassidy there was Mr F.W. Redmond B.L instructed by Messrs O'Hare and O'Hagan, while James Shield was represented by Mr J. Cowan of Messrs Small & Co. As well as that, both parties had assembled a collection of witnesses to support their cause.

Felix Cassidy had 9 individuals to help him while James Shields had 13.

Among those supporting Felix Cassidy were Sergeant George Long of Poyntzpass R.I.C. and Newry town surveyor Charles Blaney, who had drawn a map of the



Kate Shields, James' sister.

disputed path. Also on Cassidy's side were his sister Lizzie, Charles Loy, (son of the field's former owner), elderly neighbours James Heaney, Charles Campbell and Henry Burns and auctioneer Heber Magennis, a neighbour who later was appointed a Justice of the Peace. James Shields had a motley collection of family members, neighbours and acquaintances and William Barbour, a civil engineer. All told there were 22

witnesses so the occasion was in some ways like a social excursion or a 'day's outance' for many of them.

In his evidence, Felix Cassidy said that in former times the right-of-way path had been much more clearly defined but Shields had attempted to erase and destroy the mark of it.

He said that in June of the previous year Shields had erected a gate at the entrance to the right-of-way. When he went there he was stopped at the gate by Shields, his nephew Daniel O'Hare and his servant-boy. Shields told him he had no right to be there. He, Cassidy, told Shields that it was a right-of way and threatened to break the lock with a hammer. Shields had made a lunge at him with a pitchfork and tore his cap with it. He then told Shields that he would bring the matter to court but Shields ran at him with the pitchfork saying that was the law he would get.

He said that since that day he hadn't used the right-of-way but had brought the present proceedings as a result. He told the court that prior to 1888 he had had use of the cart-track across Loy's field via a gate but when Shields acquired the field he removed the gate and built a wall across the cart-track. He said that he had accepted this and didn't demand that the cart-track was a right-of-way. However he and his servants and others had continued to use the path from that time until the incident in June the previous year. Shields never physically attempted to stop him during those years but he had taken actions which from time to time made use of the path very difficult.

Felix Cassidy's sister Lizzie said that she had been using the path for 25 years unhindered. She remembered the time Shields built the wall. She said she didn't use the path when the field was in crop.

James Heaney and Charles Campbell, two elderly local residents gave evidence on behalf of Felix Cassidy to the effect that they had known of the path for many years and said it was referred to as 'Cassidy's Lane' or 'Cassidy's pad'.

Henry Burns said he had seen Cassidys using the path for more than thirty years. He used it himself when going to Loy's but wouldn't go through it if the field was in crop.



Felix Cassidy's wife Lizzie Cassidy

Sergeant G. Long of the local R.I.C. said he had visited the field on June 9th 1904. Felix Cassidy brought him to the site and he found a well-defined path at the place in dispute. He hadn't measured the path as he did not think it necessary.

Charles Loy, the son of the former owner of the field through which the disputed path ran, gave evidence that all his life he had seen the Cassidys using the path through Shields's field and had never heard of any objections. Cross-examined by Mr Cowan he said that he had no personal interest in the case and would not stop neighbours passing through his fields.

Heber Magennis said that he knew the place in dispute well. He had seen Cassidys using the path for 20 years. Cross-examined by Mr Cowan he said that he had seen

the Cassidys using a path through Loy's field as well.

Mr Cowan, for James Shields said that it was his client's contention that the right-of-way path was through Loy's field and not through Shields's field. Civil engineer Mr Barbour had drawn up a map outlining the path through Loy's field.

James Shields said that he had lived in the district all his life. He said that there was a path through Loy's field and when going to their house Cassidys went by this path and 'down by the double-ditch'. There was never a path across his field, which he usually ploughed up to the ditch. Cross-examined by Mr Redmond, he maintained that Cassidy's right-of-way was over Loy's field.



*Jane (Shields) Murphy,
James Shields' sister.*

Bernard Gribben from Poyntzpass village said that there was a beaten path over Loy's field but he did not see any sign of a path through Shields's land. Cross-examining him Mr Redmond suggested that he was not on friendly terms with the Cassidys. Gribben denied this saying that he was quite friendly with Felix Cassidy.

Catherine Morgan, a relative of James Shields, gave similar evidence that the path was on Loy's land.

Various other witnesses were also called and testified but it seems reading the report that by far the more impressive witnesses were on Cassidy's side. So it was surely no surprise when the verdict went against James Shields and costs were awarded against him.

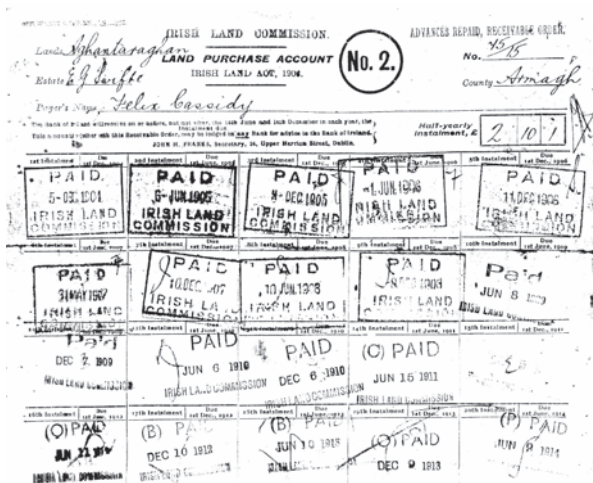
This was surely a bitter pill and James Shields couldn't quite bring himself to swallow it, so he launched an ill-advised appeal in the spring of 1906. Predictably he duly lost again.

During the next two years, a very uneasy truce of a sort seems to have existed and for while Shields obstructed the right-of-way in various ways Cassidy put up with it. However, things came to a head again when in May

1909 Shields ploughed up the path right to the ‘roots of the thorns’, making it impassable. Once again Felix Cassidy had recourse to the law.

The case was heard on June 18th 1909 at the Trinity Sitting of Newtownhamilton County Court before His Honour Judge Kisbey. Again both parties were legally represented and each had brought witnesses to support his case. Mr O’Hagan represented the plaintiff, Cassidy while Mr Fisher appeared for the defendant Shields.

As at the first hearing in 1905, Charles Blaney, Newry Town Surveyor, gave evidence on Cassidy’s behalf, stating that the right-of-way had been ploughed up and rendered impassable. Similar evidence was given by Felix Cassidy’s wife, Lizzie and by Cassidy himself.



Felix Cassidy’s Land Purchase account.

Shields and his witnesses, his son-in-law Francis Murphy, Robert White, William Liggett, and his sisters Kate Shields and Jane Murphy maintained that the path was still open and varied in width from 12 to 14 inches.

Summing up, His Honour said that he had no doubt the right-of-way had been so narrowed as to be impassable. He said that no-one had any business interfering with these ancient and established rights-of-way. He found in favour of the plaintiff, Cassidy, and awarded him £2 and £2-2-0 witness’s expenses.

Exactly what these legal actions cost James Shields and Felix Cassidy is unclear but locals calculated that the costs amounted to a guinea for every yard of the path across the field and so the path thereafter it was known as ‘The Guinea Pad’.

One local man who knew both parties said that James Shields “was left with only a few sticks of

furniture, a table and two or three chairs”.

For the next 25 years these two stubborn men lived side by side and one expects that when they met, which was inevitable, there were occasional unpleasant confrontations. The Wedding field continued to give Felix Cassidy bother. In May 1918 he was fined five shillings at Poyntzpass Petty Sessions for failing to make a return under the Potato Growers’ Order. Felix had a field (the wedding field) of one and a half acres of potatoes in 1917. (Could a neighbour have reported on him?)

James Shields never married. He died, aged about 75, on July 8th 1935. He was the last of the name in Aghantaraghan. In his will he left effects to the value of £44, to his niece Margaret O’Hare.

Felix Cassidy outlived his adversary by 6 years. He died on July 14th 1941 aged about 91. He and Lizzie had no family so he, too, was the last of the name in Aghantaraghan. He left effects to the value of £67-10-0 to his nephew Felix Daly.

Both James Shields and Felix Cassidy were interred in St Joseph’s cemetery just a very few yards apart. They appear to have settled their differences.



The Cassidy and Shiels graves showing their proximity.