

# **THE DONNELLYS OF LUCAN BIDDULPH**

(The main sources for these notes for a March 30, 2015 presentation at the London SLR are the writings of Orlo Miller and Ray Fazakas, both of whom spent many decades trying to track down the facts in the Donnelly story. It was not an easy task due to a long conspiracy of silence on the matter. Notes assembled by F. Green.)

## **Origins in Ireland.**

James Donnelly was born in County Tipperary, Ireland on March 7, 1816. He was a good looking man, about 5' 5" tall, a hard worker, strong, a good fighter and cool under pressure. He worked as a coach driver in Ireland. Against her father's wishes he married Johanna McGee, a tall, strong woman about four years younger than James. James Jr. and William were born in Ireland. The family was Catholic.

It was perhaps a bad omen that at that time there were three times more murders in Tipperary than in any of the other Irish counties.

The family came to Canada in 1845-46 during the Great Potato Famine in Ireland. After stopping at Grosse Ile near Quebec City, Montreal, Kingston and Toronto, they arrived in the London area in 1847 and settled in Biddulph Township on the Roman Line (so named because of St. Patrick's Roman Catholic church, located on that road close to what is now known as Highway 4). Five more sons, John, Patrick, Michael, Robert and Tom, and one daughter, Jenny, were born by 1856.

## **Property Disputes and their Consequences**

After working for a time in London, Jim Donnelly squatted on a vacant, wooded lot on the Roman Line. The lot was owned by an absentee landlord. The Donnellys soon built a shanty and started to clear the land for farming. (At that time it was customary for the government to give a certain amount of land to a family. If the family succeeded in building a house of a certain size and cleared a set amount of land in a number of years, the property would legally belong to the family. Acquiring land by squatting on it and clearing it for farming was also a common practice at the time.)

In 1856-7 the lot occupied by the Donnellys was sold to James Farrell by the absentee landlord. Like Donnelly, Farrell was a Catholic. Soon after the sale of the land, a dispute arose between Donnelly and Farrell about the ownership of the land. A court ruled that because of his work building the house and clearing land, Donnelly was entitled to half the lot, or 25 acres. The other half, including some land cleared by Donnelly, was declared to be the legal property of Farrell.

Soon there were further disputes about ownership of the land. Miller tends to the view that Farrell was the dissatisfied party. Fazakas thinks there was more unhappiness on Donnelly's part. There is no doubt that the court ruling did not end the quarrel. (There were probably other conflicts about land as well.)

On Saturday, June 27, 1857 there was a logging bee at another neighbour's property on the Roman Line. A lot of drinking occurred during the day. First verbal, and then physical, fighting broke out between Donnelly and Farrell, ending with each of them swinging handspikes at the other. (This was a piece of hardwood, about three feet long, used to manipulate logs.) The fight ended when Donnelly struck Farrell on the side of the head causing a wound that led to Farrell's death three days later.

After Farrell died, Jim Donnelly went into hiding for about two years, at times staying in the woods and at other times working in the field wearing one of Johanna's old dresses. He insisted that the Donnelly family take care of Farrell's young son.

After two years as a fugitive, on the advice of a Protestant Justice of the Peace, Big Jim Hodgins, who had helped the Donnellys come to Canada, Jim Donnelly gave himself up to the law. At the trial he was found guilty of murder and sentenced to be hung. According to Fazakas, witnesses who had been present at the logging bee testified that Donnelly had pretended to be more drunk than he was, and was much less intoxicated than Farrell. Witnesses also said that Donnelly had said things after Farrell fell that indicated that his action was premeditated.

Johanna Donnelly led a relentless campaign to have her husband's death sentence mitigated and after getting hundreds of signatures on a petition, she succeeded in having it reduced to seven years in the Kingston Penitentiary. While Jim was serving his time, Johanna brought up the family on her own.

Although he was the second oldest, William Donnelly emerged as the leader of the younger generation. During their father's absence and after his return the Donnelly lads developed a reputation for toughness and had many brushes with the law. (In fact, some of their enemies created the convenient impression that the Donnellys were responsible for all the wrongdoing in the neighbourhood.)

There is no doubt that the Lucan area was a litigious place in those days. For example, during the first three months of 1876 there were 33 criminal charges laid against the 7 Donnelly brothers: 11 arson, 11 assault, 1 resisting arrest, 1 perjury, 1 obstructing arrest, 2 abusive language, 1 shooting with intent, 3 threatening and 2 robbery. For their part, the Donnellys also laid charges against some of their neighbours.

### **Factors in a Feud**

1. Orlo Miller believed that the feud between the Donnellys and their friends in the Lucan area on the one side and some of their Catholic neighbours on the other, went back to a hundred-year old feud in Tipperary, Ireland between a group known as the Whiteboys and another called the Blackfeet.

After the British took land from Irish Catholics in Tipperary and gave it to English and Welsh Protestant settlers, a group of Catholics known as the Whiteboys (because they wore white shirts during their nocturnal activities), wanted nothing to do with Protestants and refused to do business with them. A priest named Fr. Sheehy who was active in the Whiteboy movement, was hung by the British for his role in the death of an informer. He then became a Whiteboy martyr whose death was celebrated with a special day every year.

Another group of Tipperary Catholics, called Blackfeet, were more willing to befriend and do business with Protestants.

According to Miller's theory, members of both the Catholic Whiteboys and the Blackfeet, as well as Protestants from Tipperary, settled in the Lucan Biddulph area, and brought the old feud with them. He sees this as the basic cause of all the problems that developed on the Roman Line, with the Donnellys as Blackfeet and their Catholic enemies as Whiteboys.

On the other hand, Ray Fazakas found little evidence of the transplanted feud from Ireland and thought that the most important source of the troubles in the Lucan area was the dispute over land. (In a fact-finding trip to Ireland, Fazakas discovered that James Donnelly's mother belonged to an Orange Protestant family, which, he reasons, gives a natural reason why the Donnellys were friendly with Protestants in their new home, as witnessed by the fact that three of the Donnelly sons married Protestants and that Jenny, the only daughter, was originally married in the Anglican Church.)

2. There was a political reason for the feud too. While most of the Catholics in the London and Lucan area voted for the Conservative Party led by John A. McDonald, the Donnellys and their Catholic friends voted for the Reform Party of George Brown. The secret ballot did not yet exist in the area.

3. Business rivalry also contributed to the conflict since the Donnellys' stage line was in fierce competition with another stage line owned by Catholic neighbours. There were many reports of property damage, maiming of horses, barn burnings, etc. The Donnellys tended to get the blame for all of this, whether or not they deserved it.

### **The Role of Fr. Connolly**

During the early years of the conflict on the Roman Line there were two different German parish priests at St. Patrick's Parish, Fr. Gerard and Fr. Lotz. While they were both aware of the problem and were unable to solve it, they did avoid taking sides in the matter.

The Irish Catholic Bishop of London, John Walsh, was also aware of the problems among the faithful of Lucan and thought that an Irish pastor might be able to bring peace to the parish. So he arranged to bring an Irish priest, Fr. Connolly, from Quebec where he had been a pastor for a number of years after being a teacher in Ireland. On Feb. 4, 1879 when he arrived in Lucan, Fr. Connolly was 50 years old.

Shortly after arriving in Lucan, the new pastor tried to help get Robert Donnelly out of jail, but it soon became clear that he believed the enemies of the Donnellys and, as a result, saw the family as the main source of the troubles in his parish. Without mentioning them by name, he let his views be known in Sunday sermons. This led the leader of the second generation of Donnellys, William, to write to Bishop Walsh to protest against Fr. Connolly's treatment of the Donnellys. The bishop sent Will's letter to the parish priest and never answered it. Fr. Connolly publicly blamed Will for writing the letter and not using the proper title for the bishop.

In June 1879, Fr. Connolly established a "property protective society" and urged the parishioners to sign a book at the back of the church in which they would swear to "allow their property to be searched for stolen property." He said from the pulpit that those who don't sign he would "consider to be backsliders and sympathizers of the gang which is the cause of the depredations in the community. If they get sick – don't call me. Let them send for the leader of that gang, that devil of a cripple, to administer to them." (He was clearly referring to Will Donnelly, who from birth had a deformed foot.)

"As Irish Catholics," he went on, "you are duty bound to protect your priest... I will not mention to you again the disrespectful letter which I have already spoken to you about."

There already was a Vigilance Committee made up of Donnelly enemies which met regularly at the old Swamp Schoolhouse. By his setting up of the property protective society and his sermons, Fr. Connolly appeared to confer respectability and the Church's blessing on the vigilantes. The Vigilance Committee, through a petition, was able to have James Carroll appointed as a constable. He would become the leader of the mob which later killed five Donnellys.

(Ironically, James Donnelly Sr. considered signing Fr. Connolly's book. But Will advised him not to, because of the danger that stolen goods would be planted on his land and then used against him. None of the Donnellys signed the book at the back of the church.)

### **The Wandering Cow and the Fiery Fiddle**

Sometime after the protective society had been established, one of the Donnellys' neighbour's wife was missing a cow and she thought that she had heard the cow balling somewhere on the Donnelly farm. This led to a large number of the Vigilance Committee members descending on the Donnelly farm one day and demanding to search the farm for the errant cow. Old Jim said, "Go ahead and look, the damn cow isn't here!"

Indeed a thorough and abusive search produced no cow so the mob set off two miles one way and then another mile to the right to Will's farm at Whalen's Corners. To warn Will they were coming, old Johanna scurried along a shortcut through fields and bush. She got there before the horde, so when they arrived, Will, forewarned, coolly came out onto his porch with his fiddle and played a wild and defiant version of "Bonie over the Alps," until the sheepish rabble slunk away.

A day or so later, the wondering bovine was found in the bush behind its own farm.

## **Grouch Ryder's Barn**

On the evening of January 14, 1880 there was a wedding celebration at a farmhouse on the Roman Line. Among the guests present were Will, John, Bob and Tom Donnelly. Old Jim and Johanna, their niece Bridget and a friend of hers, remained at the Donnelly house.

During the night, while the wedding was still in full swing, the barn and other outbuildings of James (Grouch) Ryder burned to the ground. He lived on the Roman Line, not far from the Donnellys.

Ryder and other members of the Vigilance Committee immediately believed that the Donnellys had set the fire. However the four sons had been seen in public at the wedding. So old Jim and Johanna were charged with arson.

## **The Massacre**

Jim and Johanna Donnelly had a court date on Feb. 4, 1880 in Granton to answer to the arson charges. The day before they arranged for their son John to take them to court and also got Johnnie O'Connor, a young teenager, to come and stay at their house so that he could look after their animals the next day.

So on the evening of the 3<sup>rd</sup>, the old couple, their youngest son Tom, their niece Bridget and young Johnnie were at the Donnelly home. John was also there in the early evening but he left to ride his horse to Will's for the night so that he could borrow Will's cutter in the morning to take his parents to Granton. A neighbour named James Feehely was at the Donnellys that evening to spy for the Vigilance Committee and to leave the back door unlatched when he went out.

After midnight, the constable, James Carroll, came in the kitchen door and immediately handcuffed Tom who was sleeping in a small room off the kitchen. Then he went into one of the bedrooms off the livingroom where old Jim and young Johnnie were sleeping. He told Jim he was going to arrest him. In the other bedroom when Johanna heard Carroll she got up and roused Bridget to make a fire in the kitchen stove. Carroll let the others (perhaps as many as 40 made up the mob) into the house. Within a short time, with clubs, shovels and boots, the mob killed the old couple, Tom and Bridget and set the house on fire. Johnnie O'Connor hid under the bed, escaped from the burning building and ran to a neighbour's house.

The mob walked three miles to Will's house, called "Fire!" and when John Donnelly answered the door, they shot him, thinking he was Will. He died a few minutes later. Will, his pregnant wife and a friend who had slept there, remained quiet in the house and Will peeked out his bedroom window and saw among the mob his own brother in law, John Kennedy. After starting to go to kill a friend of Will's, the mob decided to go home instead. (As indicated by their tracks in the snow the next day.)

Five Donnellys were now dead.

## **Hearings and Trials**

At two hearings Johnny O'Connor gave an account of what he witnessed, positively identifying James Carroll, James Ryder and John Purtrell as members of the mob. He also testified that he saw Tom Donnelly being hit with a spade, the setting of the fire, and the departure of the men.

Members of the Vigilance Committee who testified suffered from very bad memory.

Will Donnelly testified that he could positively identify his brother in law, John Kennedy, James Carroll and James Ryder outside his house the morning of Feb. 4<sup>th</sup>.

The second hearing ruled that there was sufficient evidence to hold a murder trial for 8 of the accused. Of these, two were given bail.

On April 12, 1880, a trial began in the Middlesex Courthouse in London. The Crown tried to have the venue of the trial changed to improve the chances of fairness, but failed. The trial was delayed until the Fall to allow for an appeal of the decision not to move it to another place.

When the appeal failed, the trials (after a ruling to try the six defendants separately) began in the Fall, beginning with Constable James Carroll. Johnny O'Connor and Will Donnelly gave the same testimony as they had in the hearings. All told there were almost a hundred witnesses. The witnesses for the defence used an "alibi defence," that is, they testified that they were in the company of the accused somewhere else when the murders took place.

The jury was split, with 7 voting for acquittal, 4 voting guilty and one undecided.

On January 24, 1881, a second trial of James Carroll began for the murder of Johanna Donnelly. Much the same evidence was given by the witnesses. After 4 hours, Carroll was acquitted by the jury. The other prisoners were given bail.

Carroll was told that he might still face trial for the murder of James Sr., Tom and Bridget Donnelly, but no third trial ever took place.

## **Why there was No Conviction and No Third Trial**

1. Intimidation. Because of the years of strife on the Roman Line and resentment of the Donnellys, a potential witness said, "I would rather leave the country than testify against the Vigilance (or Peace) Committee."

2. Johnnie O'Connor's Age. Following is the recorded view of one potential witness named Samuel Moore, "We have our private opinion but it would look hard to hang those men on that boy's evidence."

Eventually all the jurors in James Carroll's second trial seemed to share this view.

3. The Belief that some of the Donnellys had committed serious crimes. Crown Attorney Charles Hutchinson, who did more than anyone else to bring the murderers of the Donnellys to justice, later expressed the view that actions by Bob and Tom Donnelly had led to the massacre.

4. The Role of Bishop Walsh. (Based on the findings of Orlo Miller as contained in J. Comiskey, *My Heart's Best Wishes for You: A Biography of Archbishop John Walsh*. McGill-Queen's University Press, 2012.)

Bishop Walsh, who had appointed Fr. Connolly to be the pastor at St. Patrick's in Lucan and had failed to respond to Will Donnelly's complaints about him, argued against a change in venue for the trial.

On May 14, 1881 while the Crown Attorney, Charles Hutchinson, was preparing his case for a third trial, Bishop Walsh had a secret meeting with Hutchinson and Adam Crooks, the Minister of Education for Ontario and Acting Premier for Oliver Mowat. The Crown Attorney intended to charge Fr. Connolly for aiding and abetting the murderers of the Donnellys in a third trial. The decision of the meeting was that there would not be a third trial.

One historian has suggested that the reason the bishop called the meeting was to avoid the danger of the parish priest being implicated in the murder as an accessory. (There is a report that Connolly had documentary evidence destroyed. See Miller and Fazakas.) Two historians have suggested that Walsh was motivated by concern over bad publicity for the Church and even for his own career prospects. Comiskey attributes Walsh's actions to his zeal to avoid Orange Protestant - Catholic Church hostilities in Ontario.

5. Role of Oliver Mowat, Premier and Attorney General of Ontario. In the aftermath of the two trials, Charles Hutchinson, the Crown Attorney, extradited two witnesses from Michigan, the Freeheley brothers. With their key testimony he thought he would be able to successfully prosecute the murderers.

As Attorney General of Ontario, Mowat's job was to see justice done. But as Premier of the Province, he was aware that the unresolved Donnelly matter was causing his government a good deal of political embarrassment. So in November, 1881 he effectively quashed the possibility of another trial by ordering the release of the Feeheley brothers.

### **Aftermath**

Fr. Connolly, who had feared that he would be charged in a third trial, remained as the parish priest in Lucan for another 15 years before being moved to Ingersoll.

This might go a long way towards explaining why there was a conspiracy of silence regarding the Donnelly massacre for many years.

In 1889 surviving Donnelly family members erected a tombstone in St. Patrick's cemetery which listed the five "murdered" Donnellys. (It has since been replaced with another tombstone which simply records their deaths. The current tombstone, like the earlier one, has had chips removed by souvenir seekers.)

Also in 1889 Bishop Walsh was named Archbishop of Toronto.

Oliver Mowat remained Premier and Attorney General of Ontario until 1896.

The great shame is that back in 1880 members of a mob murdered five members of the Donnelly family and were never brought to justice for it. This failure to achieve justice probably accounts for the continuing fascination with the Donnelly story to this day.